

CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, May 24, 2023; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting minutes for May 10, 2023.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for May 17, 2023.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

1. Motorcycle Awareness Month | May 2023

IX. Presentations

A. Youth Recognition | Derrick Bass, Assumption High School Class 2A State Wrestling Champion

B. DavenportU Citizens Academy Graduation

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

XII. Approval of All Items on the Consent Agenda

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

1. Third Consideration: Ordinance amending Chapter 13.16 entitled "Wastewater Facilities" of the Municipal Code of Davenport, Iowa by amending subsection 13.16.106(D) to change the maximum amount billed for quarterly residential customers from 50 ccf to 35 ccf. [All Wards]

2. First Consideration: Ordinance amending Chapter 2.34 entitled "Department of Public Works" and Section 2.30.080 entitled "City Administrator – Additional

Duties” of the Municipal Code of Davenport, Iowa to state again the existing ability to align operational areas with organizational resources and needs. [All Wards]

3. Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the proposed 5th Street Gold District project at 5th and Harrison Streets and approving an Urban Revitalization Tax Exemption application for the same (Gas Investments, LLC, Petitioner). [Ward 3]
4. Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the proposed 1029 Mound Street project and approving an Urban Revitalization Tax Exemption application for the same (Mad Properties, Petitioner). [Ward 5]
5. Resolution approving Case F22-14 being the request of Elmore Ave, LLC for a final plat of Windsor Meadows Commercial Park 3rd Addition, a 3-lot subdivision on 9.04 acres located at 3860 Elmore Avenue. [Ward 6]
6. Resolution approving Case F23-03 being the request of Dan Dolan Homes, LLC for a final plat of Birchwood Grove 2nd Addition, a 42-lot subdivision on 7.4 acres near the terminus of Lakeview Parkway and Ravenwood Lane. [Ward 6]
7. Resolution approving street, lane, or public ground closure requests for the listed dates and times to hold outdoor events.

Hope at the BRICK House; Block Parties; 1431 Ripley Street; 4:30 p.m. – 8:30 p.m. every Friday beginning June 9, 2023 and ending August 21, 2023; **Closure:** Ripley Street between West 14th and West 15th Streets. [Ward 5]

Evalyn Reed; Graduation Party; 2818 Grand Avenue; 1:00 p.m. - 6:00 p.m. Saturday, June 10, 2023; **Closure:** north-south alley from East Garfield Street to East 29th Street between Jefferson and Grand Avenues. [Ward 5]

The Friends of MLK; Quad City Juneteenth Festival; 318 East 7th Street; 9:00 a.m. - 6:00 p.m. Saturday, June 17, 2023; **Closure:** Pershing Avenue from East 7th Street to East 8th Street. [Ward 3]

Ken Hopper; Quad City Air Show; Davenport Municipal Airport | 9230 North Harrison Street; 2:30 p.m. - 3:30 p.m. Wednesday, June 21, 2023 (practice); 10:30 a.m. - 12:00 p.m. and 3:00 p.m. - 4:30 p.m. Thursday, June 22, 2023 (practice); 10:30 a.m. - 12:00 p.m. and 1:30 p.m. - 4:30 p.m. Friday, June 23, 2023 (practice); and 12:00 p.m. - 4:30 p.m. Saturday, June 24, 2023 and Sunday, June 25, 2023 (Air Show); **Closures:** Slopertown Road from east of the Sterilite entrance to North Harrison Street; North Division Street from the roundabout at Amazon to Slopertown Road. [Ward 8]

Village of East Davenport Business Association; Village Wine Walk; Village of East Davenport; 2:00 p.m. - 6:00 p.m. Saturday, August 12, 2023 or 2:00 p.m. - 6:00 p.m. Saturday, August 19, 2023 (rain date); **Closures:** East 11th Street between Mound Street and Jersey Ridge Road; Christie Street from East 11th Street north to just south of the alley. [Ward 5]

8. Resolution adopting a policy establishing criteria and procedures for the installation of traffic calming measures within the City of Davenport. [All Wards]
9. Resolution awarding a contract for the purchase of road salt for the 2023-2024 winter season to Compass Minerals America, Inc of Overland Park, Kansas in the amount of \$498,345. [All Wards]
10. Resolution awarding a contract for the Mound Street (East Locust Street to Elm Street) Resurfacing project to Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$375,657.40, CIP #35062. [Ward 5]
11. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Credit Island Nature Playground Installation project, CIP #64103. [Ward 1]
12. Resolution awarding a one-year contract with the option of two one-year extensions for crossing guard services to Everything Parking Inc dba Cross Safe of Charlotte, North Carolina. [All Wards]
13. Resolution ratifying the emergency purchase of 200 HESCO flood barriers from HESCO Bastion Inc of North Charleston, South Carolina in the amount of \$102,020. [Ward 3]
14. Resolution awarding a contract for the Police Department Parking Ramp Secure Entrance project to Raynor Door of the Quad Cities of Davenport, Iowa in the amount of \$141,873. [Ward 3]
15. Motion approving noise variance requests for the listed dates and times for outdoor events.

Humility Homes and Services; Welcome Home Party; 519 Fillmore Street; 11:00 a.m. - 1:00 p.m. Saturday, June 10, 2023; Outdoor music, over 50 dBA. [Ward 3]

The Friends of MLK; Quad City Juneteenth Festival; 318 East 7th Street; 11:00 a.m. - 4:00 p.m. Saturday, June 17, 2023; Outdoor music/performances, over 50 dBA. [Ward 3]

Hydrocephalus Association; Eastern Iowa WALK to End Hydrocephalus; Architectural Sculpture Park | Lindsay Park; 8:00 a.m. - 1:00 p.m. Sunday, August 27, 2023; Outdoor music/DJ, over 50 dBA. [Ward 5]

16. Motion approving beer and liquor license applications.

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

Ward 6

Flavor of India (Kita, LLC) - 2660 East 53rd Street - New License - License Type: Class C Liquor (On-Premises)

Ward 7

Tantra (Double Chen Holdings, Inc) - 589 East 53rd Street - License Type: Class C Liquor (On-Premises)

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

Ward 2

Dollar General Store #4010 (Dolgencorp, LLC) - 3936 North Pine Street - License Type: Class C Beer (Carry-Out)

Hy-Vee Wine and Spirits (Hy-Vee, Inc) - 3301 West Kimberly Road - License Type: Class E Liquor (Carry-Out)

Ward 3

Lopiez Pizza (Lopez Curse, LLC) - 429 East 3rd Street #1 - License Type: Class C Liquor (On-Premises)

Ward 4

The Gypsy Highway Bar and Grill (The Gypsy Highway Corp) - 2606 West Locust Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 5

Rudy's Tacos (Larosa S A, Inc) - 2214 East 11th Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 6

Dollar General Store #254 (Dolgencorp, LLC) - 2170 East Kimberly Road - License Type: Class C Beer (Carry-Out)

Portillo's Hot Dogs (Portillo's Hot Dogs, LLC) - 2741 East 53rd Street - Outdoor Area - License Type: Special Class C Beer/Wine (On-Premises)

Rhythm City Casino (Rhythm City Casino, LLC) - 7077 Elmore Avenue - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 7

Dollar General Store #9381 (Dolgencorp, LLC) - 109 East 50th Street - License Type: Class C Beer (Carry-Out)

Lunardi's (Ts Lunardi, Inc) - 102 East Kimberly Road Unit E - License Type: Class C Liquor (On-Premises)

Olive Garden Italian Restaurant #1144 (GMRI, Inc) - 330 West Kimberly

- Road - License Type: Class C Liquor (On-Premises)
17. Motion awarding a contract for the City Hall Historic Clock Restoration project to The Tower Clock Company of South Charleston, Ohio in the amount of \$49,800. [Ward 3]
 18. Motion awarding a contract for 2023 Spring Demolitions to Johnson Hauling & Excavating LLC of Davenport, Iowa in the amount of \$84,100, CIP #60024. [Wards 3 & 5]
 19. Motion approving the purchase of gas monitors for the Water Pollution Control Plant from Allied Systems Inc of Des Moines, Iowa in the amount of \$59,431.56. [Ward 1]
 20. Motion approving the purchase of a John Deere 331G Compact Track Loader from Martin Equipment of Rock Island, Illinois in the amount of \$85,607.40, using Sourcewell contract #011723-JDC. [All Wards]
 21. Motion directing completion of various parks projects in the FY 2024 Park Development Program in an amount not to exceed \$350,000. [All Wards]

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

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

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

XV. Reports of City Officials

XVI. Adjourn

City of Davenport

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

Action / Date
5/24/2023

Subject:
Approval of the City Council Meeting minutes for May 10, 2023.

ATTACHMENTS:

Type	Description
 Exhibit	CC Min 051023

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	5/18/2023 - 8:45 AM

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, May 10, 2023

The City Council of Davenport, Iowa met in regular session on Wednesday, May 10, 2023 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Pro Tem Gripp presiding and all Aldermen present (*In person:* Alderman Dunn, Alderwoman Lee, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz; *Via telephone:* Alderman Kelly and Alderwoman Meginnis).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Dunn

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for April 26, 2023.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for May 3, 2023.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, May 3, 2023 -- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderman Ortiz. Upon the roll being called, all Aldermen were present except Alderman Condon (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz).

*The following Public Hearings were held: **Community Development:** 1. on the status of awarded funds from the State of Iowa CDBG-CV (COVID) funding as required at the halfway point of reimbursement; and 2. on the amendment to the 2021 Annual Action Plan to add the HOME-ARP Allocation Plan, after the completion of the public comment period. **Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the 2023 Alley Repair Program reconstruction of the north-south alley from East 8th Street to East 10th Street between Farnam Street and Grand Avenue, CIP #35038; and 2. on the plans, specifications, form of contract, and estimate of cost for the West 7th Street (Gaines Street to Ripley Street) Resurfacing project, CIP #35062. **Finance:** 1. on amending the FY 2023 Operating and Capital Improvement Budgets.*

*The following Proclamations were issued: Mental Health Awareness Month | May 2023; National Salvation Army Week | May 15 – 21, 2023; and Military Appreciation Week | May 15 – 20, 2023, **2023-206.***

*Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development:** Alderman Gripp reviewed all items listed. Alderman Dunn moved a motion to amend the Ordinance for Case REZ23-01 to add a condition to eliminate the left turn movement for northbound Division Street traffic into the Division Street access point for the subject site and require the development to pay for the installation of a right-in/right-out only channelizing island within the Division Street access point. The motion was seconded by Alderwoman Lee, and upon the roll being called, all Aldermen present voted aye except Alderman Jobgen and Alderman Ortiz. On motion by Alderwoman Lee, second by Alderman Ortiz item #1, Third Consideration: Ordinance for Case REZ23-01 being the request of Midwest Fidelity Partners LLC to rezone 1930 and 1934 North Division Street and 1711 West Pleasant Street from R-4C Single-Family and Two-Family Central Residential District to C-2 Corridor Commercial District moved to the Discussion Agenda; item #2, Third Consideration: Ordinance for Case ROW23-01 being the request of Midwest*

*Fidelity Partners LLC to vacate the alley right-of-way located west of North Division Street between West Pleasant Street and Hickory Grove Road moved to the Discussion Agenda; and all other items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderwoman Dickmann, second by Alderwoman Lee all items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderwoman Lee all items moved to the Consent Agenda. **Finance:** Alderman Cornette reviewed all items listed. On motion by Alderman Cornette, second by Alderwoman Meginnis all items moved to the Consent Agenda.*

*Council adjourned at **6:27 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2023-207

1. Design Review Board

- Lana Tylka (new appointment)

2. Riverfront Improvement Commission

- Scott Pettis (new appointment | 2nd Ward)

B. Proclamations

ISSUED 2023-208

1. National Police Week | May 14 - 20, 2023, and Peace Officer Memorial Day | May 15, 2023

2. National Public Works Week | May 21 - 27, 2023

IX. Presentations

HELD

A. 2023 Fire Explorers Recognition

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. On motion by Alderman Jobgen, second by Alderman Ortiz and all Aldermen present voting aye except Alderman Kelly, Alderman Cornette, Alderwoman Lee, and Alderman Dunn, the following Ordinance was adopted:

Third Consideration: Ordinance for Case REZ23-01 being the request of Midwest Fidelity Partners LLC to rezone 1930 and 1934 North Division Street and 1711 West Pleasant Street from R-4C Single-Family and Two-Family Central Residential District to C-2 Corridor Commercial District. [Ward 4]

ADOPTED 2023-209

ORDINANCE NO. **2023-209**

AN ORDINANCE FOR CASE REZ23-01 BEING THE REQUEST OF MIDWEST FIDELITY PARTNERS LLC TO REZONE 1930 AND 1934 DIVISION STREET AND 1711 WEST PLEASANT STREET FROM R-4C SINGLE-FAMILY AND TWO-FAMILY CENTRAL RESIDENTIAL DISTRICT TO C-2 CORRIDOR COMMERCIAL DISTRICT.

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "C-2 Corridor Commercial District":

ALLEYWAY: A part of Block 1 of J.M.D. Burrow's Subdivision of a part of the East One-Half of the Southwest Quarter of Section 22, in Township 78 North, Range 3 East of the 5th P.M., more particularly described as follows: The East 10 feet of the existing 20 foot alleyway adjacent to Parcel 4 and Parcel 5.

1930 North Division Street (Parcel #A0061-06): A part of Block 1 of J.M.D. Burrow's Subdivision of a part of the East One-Half of the Southwest Quarter of Section 22, in Township 78 North, Range 3 East of the 5th P.M., more particularly described as follows: Commencing at a point in the West line of Allen's Grove Road, also called Division Street, 226 feet North from the intersection of the West line of Allen's Grove Road with the Northerly line of Hickory Grove Road; thence from said point of beginning running North along the West line of said Allen's Grove Road 36 feet; thence West 150 feet to an alley; thence South along the East line of said alley 36 feet; thence East 150 feet to the place of beginning; Also the South 4 feet of the East 150 feet of Lot 2 in Block 1 of J.M.D. Burrow's Subdivision of a part of the East One-Half of the Southwest Quarter of Section 22 in Township 78 North, Range 3 East of the 5th P.M., all being situated in the City of Davenport, Scott County, Iowa. EXCEPTING therefrom the East 3 feet of the North 36 feet of the East 150 feet of Lot 1, and the East 3 feet of the South 4 feet of Lot 2, Block 1, J.M.D. Burrow's Subdivision.

1711 West Pleasant Street (Parcel #A0061-08): The West 60 feet of the North 72 feet of Lot 2 of Block 1 of J.M.D. Burrow's Subdivision in the East Half of the Southwest Quarter of Section 22, Township 78 North, Range 3 East of the 5th P.M. in Davenport, Scott County, Iowa.

1934 North Division Street (Parcel #A0061-07): The North 72 feet of Lot 2, Block 1 of J.M.D. Burrow's Subdivision of a part of the East Half of the Southwest Quarter of Section 22, Township 78 North, Range 3 East of the 5th P.M., EXCEPTING therefrom the West 60 feet thereof, being situated in Scott County, Iowa.

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

Findings:

1. The zoning map amendment (rezoning) is consistent with Davenport 2035+ Land Use Plan and Map, which identifies the property as Urban Corridor (UC) and Commercial Node (CN). Both classifications allow for commercial uses along corridors and edges. The area has been commercially developed since at least the mid-1930's and is compatible with UC and CN land use classifications.
2. The proposed C-2 General Commercial District is compatible with the zoning of nearby property in the Five-Points commercial node, as well as other C-2 and C-1 zoning located along the West Locust Street corridor.
3. Rezoning the property to C-2 General Commercial District will not create zoning nonconformities and will, in fact, reduce nonconformities.
4. Staff concurs with the City Traffic Engineer's review of this site for traffic impacts from the proposed zoning change and more specifically the use of the site as a car wash and staff also concurs with the required right-in/right-out access point on Hickory Grove Road.
5. There shall be minimal noise impacts to the adjacent area; any potential impacts to the properties to the north shall be mitigated by installation of a six (6) foot tall privacy fence and landscaping.

Conditions:

1. The ingress/egress to Hickory Grove Road shall be right-in/right-out as directed by the City Traffic Engineer.
2. A fence and landscaping shall be installed along the West Pleasant Street right-of-way line between the north-south alley and North Division Street;
3. The left turn movement for northbound Division Traffic into the Division Street access point for the subject site shall be eliminated and the development shall be required to pay for the installation of a right-in/right-out only channelizing island within the Division Street access point.

Section 3. At its March 14, 2023 meeting, the City Plan and Zoning Commission voted to forward Case REZ23-01 to the City Council with a recommendation for approval subject to the listed findings and conditions. City Council amended the conditions at its May 3, 2023 Committee of the Whole Meeting.

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.

Adopted 5/10/2023: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. On motion by Alderman Jobgen, second by Alderman Ortiz and all Aldermen present voting aye except Alderman Kelly, the following Ordinance was adopted:

Third Consideration: Ordinance for Case ROW23-01 being the request of Midwest Fidelity Partners LLC to vacate the alley right-of-way located west of North Division Street between West Pleasant Street and Hickory Grove Road. [Ward 4] **ADOPTED 2023-210**

ORDINANCE NO. **2023-210**

AN ORDINANCE FOR CASE ROW23-01 BEING THE REQUEST OF MIDWEST FIDELITY PARTNERS LLC TO VACATE THE ALLEY RIGHT-OF-WAY LOCATED WEST OF NORTH DIVISION STREET BETWEEN WEST PLEASANT STREET AND HICKORY GROVE ROAD.

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

Section 1. The following described units of Scott County, Iowa real estate are hereby vacated (abandoned). The property has the following legal description:

The existing 20 foot alleyway within Block 1 of J.M.D. Burrow's Subdivision of a part of the East Half of the Southwest Quarter of Section 22, Township 78 North, Range 3 East of the 5th P.M., from the North ROW of Hickory Grove Road to the South ROW of W Pleasant Street to be vacated in Davenport, Scott County, Iowa.

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

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

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

Adopted 5/10/2023: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

XII. Approval of All Items on the Consent Agenda

On motion by Alderman Dunn, second by Alderwoman Lee and all Aldermen present voting aye, the Consent Agenda was approved as follows:

1. Third Consideration: Ordinance amending Chapter 5.10 entitled "Alcoholic Beverage Control" of the Municipal Code of Davenport, Iowa by repealing the current Chapter 5.10 and enacting a new Chapter 5.10 entitled "Alcoholic Beverage Control" in its place. [All Wards]

ADOPTED 2023-211

ORDINANCE NO. **2023-211**

AN ORDINANCE AMENDING CHAPTER 5.10 ENTITLED "ALCOHOLIC BEVERAGE CONTROL" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY REPEALING THE CURRENT CHAPTER 5.10 AND ENACTING A NEW CHAPTER 5.10 ENTITLED "ALCOHOLIC BEVERAGE CONTROL" IN ITS PLACE.

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

Section 1. That Chapter 5.10 entitled "Alcoholic Beverage Control" of the Municipal Code of Davenport, Iowa is repealed and a new Chapter 5.10 entitled "Alcoholic Beverage Control" is enacted in its place to be read as follows:

Chapter 5.10. **ALCOHOLIC BEVERAGE CONTROL**

5.10.010. **Purpose.**

The purpose of this chapter is to provide administration of local regulations and procedures for the sale and consumption of beer, wine, and liquor, to protect the safety, morals, and general welfare of this community.

5.10.020. **Definitions.**

Where words and phrases used in this chapter are defined by state law, such definitions shall apply to their use in this chapter and are adopted by reference. Those definitions so adopted that need further definition or are reiterated, and other words and phrases used in this chapter, shall have the following meanings:

A. CARRY-OUT LIQUOR SALES ESTABLISHMENT – A retail establishment other than a grocery store or pharmacy for which a class "E" retail alcohol license has been issued that allows the sale of alcohol or alcoholic beverages in closed containers for off-premises consumption.

B. CLUB –A nonprofit corporation or association of individuals, which is the owner, lessee or occupant of a permanent building or part thereof, membership in which entails the prepayment of regular dues and is not operated for a profit other than such profits as would accrue to the entire membership.

C. COMMERCIAL ESTABLISHMENT – A place of business that is equipped with sufficient tables and seats to accommodate 25 persons at all times, and the licensed premises of which conform to the ordinances of this city.

D. CONVENIENCE STORE - A retail establishment of less than 4,500 square feet with less product selection than a grocery store, generally accessible hours, and often located alongside busy roads. A convenience store may take the form of a retail store that has added gas to the list of goods it has to offer.

E. GROCERY STORE, SUPERMARKET, OR NEIGHBORHOOD MARKET –A retail establishment of at least 4,500 square feet that offers the sale of a wide variety of goods including, but not limited to, food products, pharmaceuticals, hygienic products, and other household products that are regularly used in the home by consumers. Consumers often place items in a shopping cart or basket. The principal business thereof shall consist of the sale of food and food products for consumption off the premises. To meet this standard, the sale of all other items, commodities, and materials shall be included with the volume of the sale of beer, wine, and liquor and shall not be equal to or exceed 50% of the total dollar volume of all sales made by the establishment.

F. HOTEL OR MOTEL – A premises licensed by the state department of inspections and appeals and regularly or seasonally kept open in a bona fide manner with 20 or more sleeping rooms for the lodging of transient guests, but does not include a facility licensed as a bed-and-breakfast.

G. LEGAL AGE – 21 years of age or more.

H. LICENSED PREMISES - All rooms, enclosures, contiguous areas, or places where alcoholic liquor, wine, or beer are sold or consumed under the authority of a retail alcohol license. A single premise may consist of multiple rooms, enclosures, areas, or places if they are within the confines of a single building or contiguous grounds.

I. PERSON OF GOOD MORAL CHARACTER – A person who meets all of the following requirements:

1. Has such financial standing and good reputation as will satisfy the City Council and the Iowa Alcoholic Beverages Division that the person will comply with the Iowa Alcoholic Beverage Control Act and all other applicable laws, ordinances, and applicable regulations.
2. Demonstrates financial responsibility. The city may consider factors including but not limited to the amount of financial support and operating funds and prompt payment of municipal utilities, services, licensing fees, and any administrative penalties.
3. Is not prohibited from obtaining a retail alcohol license by the provisions of this chapter.

4. Is a citizen of the United States and is a resident of Iowa or is incorporated to do business in the state. The corporation must be registered and in good standing with the Iowa Secretary of State's office.

5. Has not been convicted of a felony. However, it may be determined that the person is of good moral character if the felony conviction occurred more than five years before the application for a license and if the Governor has restored the person's citizenship rights.

J. PHARMACY – A drugstore in which drugs and medicines are exposed for sale and sold at retail or in which prescriptions of licensed physicians, surgeons, dentists, or veterinarians are compounded and sold by a registered pharmacist.

K. PRIVATE PLACE - A location which, at the time alcoholic beverages are kept, dispensed, or consumed, meets the following criteria:

1. The general public cannot access the location and attendees are limited to bona fide social hosts and invited guests.
2. The location is commercial.
3. Goods or services are neither sold nor purchased at the location.
4. The location is not a licensed premise.
5. Fees, fares, tickets, donations, or charges are not made or required of the guests to enter the location.

L. PUBLIC PLACE - A place, building, or conveyance to which the public has or is permitted access.

M. PUBLIC OR PRIVATE ELEMENTARY OR SECONDARY SCHOOL – Schools approved or accredited under the state's department of education standards.

N. RESTAURANT - A retail establishment where the principal business sells food products for consumption on the premises. The volume of alcoholic beverages, tobacco sales, and nonfood product sales shall not be equal to or exceed 50% of the total dollar volume of sales made by the establishment.

5.10.030. Eligibility.

A person of legal age and good moral character may apply for a retail alcohol license upon meeting the requirements defined by state law and this chapter. Eligibility requirements shall apply to each officer, director, partner, or person who directly or indirectly owns, controls, or has an interest of 10% or more in the ownership, profits, or any class of stock.

5.10.040. Conditions for approval.

As a condition for City Council approval, a retail alcohol license applicant must give written consent on the application that fire, police, building, and health department members may enter the premises during business hours and without a warrant to inspect for violations of state law and this chapter. Specific conditions for approval are as follows:

- A. A retail alcohol license shall not be approved for premises that do not conform to all applicable laws, ordinances, resolutions, and health and fire regulations.
- B. No licensee shall have or maintain any interior access to residential or sleeping quarters unless permission is granted in the form of a living quarters permit.
- C. A premises in which an on-premises retail alcohol license is held shall have sufficient tables and seats to accommodate twenty-five persons at one time.
- D. Any premises for which a class "C" or "E" retail alcohol license is issued shall have a clear and unobstructed view into the premises through the entryway and any exterior windows from adjacent sidewalks, parking areas, streets, or other public areas at all times. Signage and merchandise displays shall be restricted in entryways and windows inside and outside the building to prevent obscured sight lines into the interior of the building. Window signage shall be located within seven feet above the interior floor level; exterior merchandise displays, supplies, and equipment shall not exceed the height of the cash register counter or exceed the height of the interior display racks or shelving, the top of which should be visible over the exterior

display, supplies or equipment; interior merchandise displays shall not be located between the cash register counter area and the window facing the parking area.

5.10.060. Classification of liquor control licenses.

Liquor control licenses shall be classified as follows:

A. A class "B" retail alcohol license (LG) allows for the sale of beer and wine for off-premises consumption. Sales by the drink are not permitted. Allows wholesale sales to on-premises class "C", Special "C", "D", and "F" retail alcohol licensees but must have a TTB Federal Wholesale Basic Permit.

B. A special class "B" retail native wine license (WBN) allows for the sale of Iowa native wine for off-premises consumption. Sales by the drink are not permitted.

C. A class "C" retail alcohol license (LC) allows the sale of alcoholic liquor, wine, and beer by the drink for on-premises consumption and carry-out sales of liquor, wine, beer, and mixed drinks or cocktails. The license must be issued in the name of the individuals who own the entire business. A special class "C" retail alcohol license (BW) allows the sale of wine and beer for on-premises consumption and carry-out sales of wine and beer. The license issued to holders of a special class "C" license shall clearly state on its face that the license is limited.

D. A class "D" retail alcohol license (LD) allows a railway corporation, an air common carrier, and passenger-carrying boats or ships for hire with a capacity of 25 persons or more operating in inland or boundary waters to sell alcoholic liquor, wine, or beer to passengers for on-premises consumption. Only one license is required for all trains, watercraft, or aircraft operated in the state by the licensee.

E. A class "E" retail alcohol license (LE) allows the sale of alcoholic liquor, wine, and beer for off-premises consumption. Sales by the drink are not permitted.

F. A class "F" retail alcohol license (LF) allows non-profit clubs to sell alcoholic liquor, wine, and beer to bona fide club members and their guests only for on-premises consumption.

5.10.100. Application and investigation.

Upon receipt by the Revenue Division, an application will be reviewed by the Building, Zoning, Police, and Fire departments to determine eligibility based on the truth of facts provided in the application and compliance with city codes. The Police Department will investigate the record of calls for service at the premises and the criminal history of the applicant, owners, and officers. It is the duty of the Fire Department to inspect the premises for any safety concerns or fire hazards. Recommendations are provided by the reviewing departments to the Revenue Division upon completion.

Fees necessary to obtain a retail alcohol license shall be determined by state law and will be collected by the Iowa Alcoholic Beverages Division during the submission of the retail alcohol license application.

5.10.105. Distance separation provisions.

The distance limitation provisions of this section shall not apply to a renewal of an existing license, an application for temporary five-day licenses, nor shall they be used to an application for a new license at a location that held a valid license within six months before the filing of the latest application.

The provisions in subsections A and B shall not apply if a business meets the requirements of a grocery store, supermarket, neighborhood market, pharmacy, club, restaurant, or hotel or motel that offer restaurant services, as defined in chapter 5.10. The city may require a holder of a class "B", "C", or "E" retail alcohol license to furnish a copy of the business's state income tax form, a verified statement, or an affidavit by the business's certified public accountant or chief financial officer showing the total dollar volume of sales and a breakdown of the applicable sales volume for alcoholic beverages, tobacco sales, nonfood products, and food items as separate line items for the six months immediately preceding the application or renewal. Failure to meet these requirements at the end of the first year disqualifies the business from continuing to hold a retail alcohol license at the location for which the special use permit was granted.

A. No carry-out liquor sales establishment, as defined in Chapter 5.10, shall be located within ¼ mile of another existing carry-out liquor sales establishment in the area within and adjacent to Downtown Davenport, hereby defined as the area enclosed by the following: Beginning at the intersection of South

Marquette Street and the seawall of the Mississippi River, north along the center line of Marquette Street to the center line of West 6th Street, east along the center line of 6th Street to the center line of Iowa Street, south along the center line of Iowa Street to the center line of Federal Street, east and southeast along the center line of Federal Street and as extended to the seawall of the Mississippi River, and west along said seawall to the point of beginning. Any carry-out liquor sales establishment established prior to the effective date of this paragraph (adopted October 9, 2013, by Ordinance 2013-329) that is nonconforming with regard to the separation requirement between said uses, as specified in this title, may continue unless one or both of these conditions occur, then nonconforming rights cease and the use must convert to a conforming use:

1. The liquor license lapses, is revoked, or is discontinued for one year; or
2. There are changes to the use that no longer meets the definition of a carry-out liquor sales establishment.

B. Class "A", class "B" "C", or class "E" retail alcohol license applications shall not be approved if the property upon which such licensed activity will occur is located within 600 feet, including public rights-of-way, of a state-registered child development home, state-licensed child-care center, or public or private elementary or secondary school. However, an application within 600 feet, but not immediately abutting, a state-registered child development home or state-licensed child-care center may be approved if the City Council, upon a hearing, grants a waiver to this rule. The City Council may grant the waiver if it determines the following exists:

1. The affected child development home or care center consents to the granting of the waiver; or
2. Sufficient buffering exists to mitigate the visual, sound, and foot traffic likely to be generated by the applicant, similar to or greater than an arterial roadway or at least 100 feet of natural buffering such as woods, ravines, waterways, or wetlands.

C. A straight line shall be used to measure the distance requirements in this section between the closest point on the parcel to be licensed to the nearest point on the parcel or parcels of real estate occupied by a state-registered child development home, state-licensed child-care center, public or private elementary or secondary school, licensed establishment, or parcel zoned for residential use, as the case may be.

D. An application for an outdoor service area that is located within 600 feet of a state-registered child development home, state-licensed child-care center, or public or private elementary or secondary school shall not be granted unless the outdoor service area is enclosed within a visual barrier, screening or privacy fencing, which shall be at least six feet in height on all sides of the service area that are visible from the state-registered child development home, state-licensed child-care center, or school, and of a sufficient construction to prevent the viewing of activities within the outdoor service area from the state-registered child development home, state-licensed child-care center, or school.

5.10.106. Additional requirements for class "E" retail alcohol licenses.

Holders of a class "E" retail alcohol license must follow the additional requirements in this section in addition to all other existing city ordinances, rules and regulations.

Licensees affiliated with or under the management and supervision of a grocery store, the grocery store's employee headcount, and the display area may be used when determining compliance with this section, even when there is physical separation between the licensed premises and the grocery store.

- A. The licensed premise must have more than one employee on duty at all times while the store is open unless an electronic security cap or tag system is employed or all liquor is secured in a visible location behind a counter that is only accessible to employees.
- B. A video surveillance system with coverage following reasonable business judgment that records in a viewable format by the police department shall be installed and maintained. A licensee may require a subpoena before allowing access.
- C. The licensee must implement a strict no-loitering policy and must cooperate with police in addressing loitering on the premises.
- D. No more than 35% of the store's interior display area (measured in cubic feet) shall be dedicated to beer, wine, or liquor.

E. Public pay phones on the property are prohibited unless otherwise required by state or federal law or an existing contractual obligation as of October 1, 2011.

F. Twenty-four-hour contact information for a manager or owner to the police department and the owners of the immediate neighboring properties and provide, upon request at the store by the public, the contact information of the manager or owner.

G. The store must be at least 1,000 square feet in size.

H. For newly licensed premises a notice shall be sent by the City to all property owners within 200 feet of the proposed location informing them of the pending application and the approval process. A "new" licensed premises is any location that has not had a current carry-out only liquor license for a period of six months.

5.10.107. Additional requirements for all license classifications.

The business must satisfy the following criteria, in addition to all other existing city ordinances, rules and regulations, including, but not limited to, those concerning noise, lights, and nuisance behavior and conditions.

A. The business is sufficiently separated from any adjoining residential area by distance, landscaping, walls, or structures to prevent any noise, vibration, or light generated by the business from significantly impacting the adjoining residential uses.

B. The business will not increase congestion on the streets in any adjoining residential area by its customers or employees frequently parking in front of the residences of others. Business locations in operation before 1965 are exempt from this requirement.

C. Any parking area provided for business customers' use shall be illuminated at an intensity of at least one lumen of light on the parking surface. Parking lot lighting shall be limited to downcast luminaires. Parking lot lighting shall be directed away from nearby residential properties and city streets.

D. Attractive litter and trash receptacles shall be located at convenient locations inside and outside the premises, and operators of such businesses shall remove all trash and debris from the premises and adjoining public areas daily.

E. Every person holding a retail alcohol license having more than one place of business where such beer is sold shall be required to have a separate license for each separate place of business, except as otherwise prohibited by state law.

F. No business holding a retail alcohol license shall sell or dispense alcoholic beverages via a drive-through or walk-up window.

5.10.170. Action by Council.

Action taken by the City Council shall be so endorsed on the application and thereafter shall be forwarded to the division for further action as is provided by law.

An outdoor service area privilege that the City Council has yet to issue a letter of approval shall not be resubmitted to the City Council for consideration less than six months from the date of the City Council's decision not to issue a letter of approval. This prohibition does not apply to an applicant requesting a temporary outdoor service area privilege.

5.10.180. Expirations and renewals.

Retail alcohol licenses shall expire one year, eight months, fourteen days, or five days from the date it was issued unless sooner suspended or revoked. A license issued for one year must submit a renewal application annually. Upon submission of the online renewal application, the city requires additional documentation except when the licensee is enrolled in the automatic renewal program. If the applicant fails to submit all required documents for a renewal within seventy days after the expiration of the license, city staff may administratively submit a denial to Iowa Alcoholic Beverages Division without being presented to the City Council.

5.10.190. Refunds.

A. A retail alcohol license is a personal privilege revocable for cause. It is not property, nor is it subject to attachment and execution neither alienable nor assignable, and it shall cease upon the licensee's death. However, at the discretion of the Iowa Alcoholic Beverages Division, the executor or administrator of the estate of the

licensee may be permitted to operate the decedent's business for a reasonable time, not to exceed the license's expiration date. Every license shall be issued in the name of the applicant, and no person holding a license shall allow any other person to use it.

B. Any licensee, executor, administrator, or any person duly appointed by the court to take charge of and administer the property or assets of the licensee for the benefit of his creditors, may voluntarily surrender such license to the division. The city shall be notified when the license is surrendered and shall refund the license a proportionate amount of the fee paid for such license to the person surrendering the license as follows:

1. If surrendered during the first three months of the period for which said license was issued, the refund shall be three-fourths of the amount of the fee;
2. If surrendered more than three months but not more than six months after issuance, the refund shall be one-half of the amount of the fee;
3. If surrendered more than six months but not more than nine months after issuance, the refund shall be one-fourth of the amount of the fee;
4. A refund shall not be made for a retail alcohol license surrendered more than nine months after issuance;
5. A refund shall not be made for seasonal, fourteen-day, or five-day licenses;
6. No refund shall be made to any licensee upon the surrender of his license if there is a complaint filed with the division or the city charging him with a violation of this chapter or provisions of the state alcoholic beverages control act;
7. If the license is not revoked or suspended upon hearing, the licensee shall be eligible to receive a refund as provided in this section upon surrendering of the license. If the license is revoked or suspended upon hearing, then the licensee shall not be eligible for the refund of any portion of license fee.

5.10.200. Transfer of licenses.

City Council may authorize a licensee to transfer a license from one location to another within the city, provided the transfer is not a violation of any law or ordinance and the premises having the license transferred is eligible for a license.

5.10.210. Prohibited sales and acts.

A person or club holding a retail alcohol license or the person's or club's agents or employees shall not do any of the following:

- A. Sell, dispense, or give to any intoxicated person, or one simulating intoxication, any alcoholic liquor or beer.
- B. Sell or dispense any alcoholic liquor, wine or beer on the premises covered by the license or permit the consumption thereof between the hours of 2:00 a.m. and 6:00 a.m. on any day.
- C. Sell alcoholic liquor, wine, or beer to any person on credit, except with a bona fide credit card. This provision shall not apply to the sales by a club to its members nor sales by a hotel or motel to bona fide registered guests.
- D. Employ any person under 18 years of age in the sale or serving of alcoholic beverages for consumption on the premises where sold.
- E. Sell, give, or otherwise supply any alcoholic beverage, wine, or beer to any person under legal age or permit anyone under the legal age to consume any alcoholic beverage, wine, or beer;
- F. Knowingly allow the mixing or adding of alcohol or any alcoholic beverage to beer, wine, or any other beverage in or about the licensee's place of business.
- G. Keep, or allow to be kept, gambling devices of any kind or description on the premises or knowingly permit solicitation for immoral purposes or disorderly conduct on the premises covered by the license, except games of chance permitted by state law.
- H. Reuse for packaging alcoholic liquor or wine any container or receptacle used originally for packaging alcoholic liquor or wine; or adulterate, by the addition of any substance, the contents or remaining contents

of an original package of an alcoholic liquor or wine; or knowingly possess any original package which has been so reused or adulterated.

I. Knowingly permit or engage in any criminal activity on the premises covered by the license.

5.10.220. Advertisement signs prohibited.

A. No signs or other matter advertising any brand of alcoholic liquor, wine, or beer shall be erected or placed upon the outside of any premises occupied by a licensee authorized to sell liquor, wine or beer at retail.

B. No signs or other matter advertising any brand of alcoholic liquor, wine or beer shall be erected, placed or posted upon the inside of any premises occupied by a licensee authorized to sell liquor, wine or beer that is located within 300 feet of any licensed day care center or public or private elementary or secondary school such that the sign or other matter advertising liquor, wine or beer is visible from the day care or school.

5.10.230. Causes of suspension and revocation.

A retail alcohol license may be suspended for a period up to one year, or revoked, for violations of law including city ordinances, following notice in writing and hearing, and shall be revoked in accordance with the provisions of state law for any of the following causes:

A. Misrepresentation of any material fact in the application for such license;

B. Violation of any of the provisions of the state alcoholic beverage control act;

C. Any change in the ownership or interest in the business operated under a retail alcohol license not previously reported to and approved by the city and the division;

D. An event which would have resulted in disqualification from receiving such license when originally issued;

E. Any sale, hypothecation, or transfer of such license;

F. The failure or refusal on the part of any licensee to render any report or remit any taxes to the division under the state act.

5.10.240. Revocation and suspension - Hearing.

Hearing on suspension of liquor licenses shall be before the City Council. The hearing shall be held at the City Hall and shall be presided over by the Mayor or Mayor pro tempore. At such hearing a quorum of the Council and the Mayor or Mayor pro tempore shall be present. The licensee may be, but is not required to be, present. The licensee may be represented by an attorney of the licensee choice, which is privately retained. At such hearing, the city shall be represented by counsel from the legal department who shall present the evidence for the city. The licensee and the city may present witnesses and other relevant testimony and shall have the right to cross examine opposing witnesses, to challenge all non-witness testimony, and to make appropriate final arguments. The hearing may be adjourned for cause for not more than seven days. Decisions shall be on the record with a record vote taken. If at the hearing the facts establish one or more of the causes set out in Section 5.10.230, then the Council, as hereinabove provided, shall suspend the license for such period of time as provided in Section 5.10.310C.

5.10.260. Revocation and suspension - notice, appeal, and hearing.

The licensee shall be served with a notice of time and place of hearing on the suspension of a retail alcohol license in the manner of serving original notices under the Iowa Rules of Civil Procedure, as amended. Publication of such notice shall not be permitted.

The right of appeal to the hearing board shall be afforded a licensee whose license has been suspended or revoked. Any applicant who feels aggrieved by a decision disapproving, suspending, or revoking issuance of a retail alcohol license may, provided the licensee has exercised the right of appeal to the hearing board as provided by a state law, appeal from said decision within 10 days to the district court of the county wherein the premises covered by the application are situated. The city may appeal a decision of the hearing board within 10 days to the district court of the county wherein the premises covered by the application are situated.

5.10.270. Effect of revocation.

The effect of revocation is specified in Iowa Code Chapter 123.

5.10.275. Civil penalty in lieu of license revocation.

A retail alcohol license may be suspended pursuant to Section 5.10.310C. If the licensee, or an employee thereof, is convicted of a first offense violation of Section 5.10.210E, the City Council shall impose a civil penalty in the amount of \$500 in lieu of the suspension of the license. The civil penalty shall be retained by the city. The licensee may appeal the imposition of the penalty to the administrator of the Alcoholic Beverages Division of the State of Iowa.

5.10.280. Intoxication and consumption in public places.

A. It is unlawful for any person to use or consume alcoholic liquors, wine or beer upon the public streets or highways, unless otherwise provided by this section. A person shall not use or consume alcoholic liquor in any public place except premises covered by a retail alcohol license and no person shall be intoxicated or simulate intoxication in any public place.

B. It is unlawful for any person to consume or otherwise possess alcoholic liquors, wine or beer within any park as defined in Section 12.72.020C, unless otherwise provided by this section. Any person violating this subsection may be ejected from the park area by a park and recreation officer or by any police officer, and may be proceeded against under subsection F of this section.

C. Beer may be possessed and consumed within a park area by any person or group which has been issued a valid beer consumption permit for that area by the director of parks and recreation. Said permit shall state the person or group to whom issued, the park area to which it applies, and the date and hours during which it is effective.

D. The director of parks and recreation may issue a beer consumption permit when the applicant for said permit has:

1. Identified the park area to be used, the use to which the area will be put, the times at which the area will be used, and the person or group to whom the permit is to be issued;

and

2. Deposited with the park and recreation department a sum of not less than \$50 nor more than \$250, contingent upon the size of the group, to cover any expenses incurred by the department for cleanup of the park area after the applicant's use thereof. Any amount not needed to cover clean-up expenses shall be refunded to the applicant within three days after the applicant's use of the park.

E. Notwithstanding the provisions of subsections A through D above, the director of parks and recreation shall provide by rule for the consumption of beer upon the public golf courses, and shall have the authority to provide by rule for the sale of beer upon the public golf courses.

F. Any person violating any provisions of this section may be fined not to exceed \$100 or sentenced not to exceed 30 days imprisonment.

5.10.285. Restrictions on open containers.

A driver of a motor vehicle or a passenger in a motor vehicle operated upon a public street or highway shall not possess in the passenger area of the motor vehicle an open or unsealed bottle, can, jar, or other receptacles containing an alcoholic beverage. "Passenger area" means the area designed to seat the driver and passengers while the motor vehicle is in operation and any area of the motor vehicle that is readily accessible to the driver or a passenger while in their seating positions, including but not limited to the glove compartment.

An open or unsealed receptacle containing an alcoholic beverage may be transported in the trunk of the motor vehicle provided it is not readily accessible to the driver or a passenger. "Readily accessible" means available to the driver or a passenger without the driver or passenger having to move from their seated position. An unsealed receptacle containing an alcoholic beverage maybe transported behind the last upright seat of a motor vehicle if the motor vehicle does not have a trunk provided it is not readily accessible to the driver or a passenger. This section shall not be interpreted to prohibit a passenger being transported in a motor vehicle that is licensed and used as vehicle for hire, or a passenger being transported in the living quarters of a motor home from possessing an open or unsealed receptacle in the passenger area of the vehicle for hire or the living area of the motor home.

5.10.290. Persons under legal age.

A. A person or persons under legal age shall not purchase or attempt to purchase, or individually or jointly have in their possession or control alcoholic liquor, wine or beer. For purposes of this section, joint possession or control of alcoholic liquor, wine or beer is defined as any alcoholic liquor, wine or beer that is available to a person without the person having to move from their position.

B. Subsection A shall not prohibit the giving or dispensing of liquor, wine or beer to a person under legal age within a private home and with the knowledge, presence of, and consent of the parent or guardian.

C. Subsection A shall not prohibit a person under the legal age from handling alcoholic beverages, wine, and beer during the regular course of the person's employment by a retail alcohol licensee under state law.

5.10.300. Regulation of minors in beer and liquor establishments.

A. It is unlawful for any person under legal age to enter, remain in or frequent an establishment holding an on-premises retail alcohol license in which the sale of alcoholic liquor or beer constitutes more than 50% of the gross receipts from the licensed premises, unless accompanied by a parent or legal guardian of such person. Any person, firm or corporation claiming that the sale of alcoholic liquor or beer constitutes 50% or less of the gross receipts from such establishment shall be required to prove the same for purposes of enforcement of this section. Although an establishment qualifies under the above 50% rule, no person under the legal age shall remain on the premises 30 minutes after the kitchen facilities have closed.

B. It is unlawful for any person operating an establishment holding an on-premises retail alcohol license to allow any person under legal age to remain in the establishment in violation of subsections A and C of this section.

C. The provisions of this section shall not apply to any person under legal age who:

1. Is a regular employee performing regular duties during the course of employment; provided, however, such person shall not be allowed to sell or serve alcoholic liquor or beer for consumption on the premises where sold;

2. Enters and remains in for a period not to exceed 10 minutes an establishment holding an on-premises retail alcohol license for the sole purpose of purchasing beverages other than alcoholic liquor or beer, or purchasing food stuffs, neither of which shall be consumed on the premises; provided, that no person shall be exempt under the provisions of this subsection who consumes any such beverage or food stuffs on the premises or remains therein longer than for a period of 10 minutes.

3. Enters and/or remains in an establishment holding an on-premises retail alcohol license on a night that has been established by the business owner or manager as a night reserved for persons under the legal age, provided that the business owner or manager has notified the City Clerk and police department in writing that said night or nights are reserved for customers age 20 and under, and provided that no beer, wine, or liquor will be served or sold by the licensee on said "reserved night or nights." Written notification shall be provided to the city at least two weeks prior to the establishment of a reserved night. For purposes of this subsection, the "reserved night" shall be deemed to begin at 2:01 a.m. on the day so reserved and shall end at 2:00 a.m. the next day.

4. Is in a licensed premises where the sale of alcoholic beverages is incidental to the primary purpose of the establishment as a live entertainment venue or reception/banquet facility and where the licensee has received a letter of exemption based on a written plan to prevent those who are nineteen and twenty years of age from obtaining alcoholic beverages from licensed premises or patrons thereof. "Live entertainment" does not include disc jockeys, mere playing of recorded music, light shows or displays, or social dancing. A letter of exemption does not permit persons under the age of 19 to enter, remain or frequent an establishment. A letter of exemption may be obtained by submitting a written plan and a \$50 processing fee to detail specific measures to be employed by the licensed premises to prevent those who are nineteen and twenty years of age from obtaining alcoholic beverages from licensed premises or patrons thereof. The plan should be submitted to the Council for approval. The plan may include a system by which persons under the age of 21 are readily distinguishable from persons who are not (e.g. wrist bands) and shall include safeguards to minimize subversion of the system. The Council shall determine by clear and convincing evidence that the plan will effectively prevent persons under the legal age from obtaining alcohol. Once a letter of exemption is granted, it shall be required of the licensee and all agents and employees thereof, to ensure the system is operational at all times. Failure of the system to be operational during business hours shall be deemed a violation of this subsection by the person employed by the licensee and the licensee. The letter of exemption

shall expire and be reviewed by the Council at the time of the renewal of the retail alcohol license. At the time of renewal, the licensee shall submit a \$100 renewal fee. The Council may suspend or revoke a letter of exemption for two or more violations of this subsection after notice and the opportunity for a hearing in front of Council is afforded. A licensed premises whose primary purpose is to sell alcoholic beverages, commonly referred to as a bar or tavern, may apply for a 19/20-year-old exemption for an event under the terms and conditions specified above and contained in this paragraph. The event cannot be longer than two days in duration. A separate application must be made for each event accompanied by a statement from a peace officer, who has been privately hired by the licensee for the event for security purposes, that the licensee has hired the number and type of security personnel recommended by said officer for the event and what the level of staffing will be by block of time. In addition to the standards set forth above, Council may deny the letter of exemption for an event if it determines the calls for service to the business on a per day average for the two most recent events is greater than the average for the previous three months.

Those who are nineteen and twenty years of age will not be allowed to be present on the licensed premises of an establishment with a letter of exemption after 11:00 p.m. on Sunday through Thursday night or between the hours of 12:20 a.m. to 2:00 a.m. on Saturday and Sunday morning.

5.10.310. Violations — Penalties.

A. A violation of any provision of this chapter may be charged as a municipal infraction or as a simple misdemeanor; however, a violation of Section 5.10.210E shall constitute a simple misdemeanor offense punishable by a scheduled fine of \$500 upon conviction.

B. The conviction of any licensee for a violation of any of the provisions of subsections A to I inclusive, of Section 5.10.210 shall, subject to subsection C of this section, be grounds for the suspension or revocation of the license by the division or the city. However, if any licensee is convicted of any violation of Section 5.10.210B, 1, G or H license shall be revoked and shall immediately be surrendered by the holder.

C. If any licensee, or employee of such licensee, shall be convicted of a violation of Section 5.10.210E, the city shall, in addition to the other penalties fixed for such violations by this section, assess a civil penalty as follows:

1. Upon a first conviction, the violator's retail alcohol license shall be suspended for a period of 14 days. However, if the conviction is for a violation of Section 5.10.210E, the violator's retail alcohol license shall not be suspended, but the violator shall be assessed a civil penalty in the amount of \$500 by the city. Failure to pay the civil penalty as ordered by Section 5.10.275 or this subsection shall result in an automatic suspension of the license for a period of 14 days.
2. Upon a second conviction within a period of two years, the violator's retail alcohol license shall be suspended for a period of 30 days. However, if the conviction is for a violation of Section 5.10.210E, the licensee shall also be assessed a civil penalty in the amount of \$1,500.
3. Upon a third conviction within a period of five years, the violator's retail alcohol license be suspended for a period of 60 days. However, if the conviction is for a violation of Section 5.10.210E, the licensee shall also be assessed a civil penalty in the amount of \$1,500.
4. Upon a fourth conviction within a period of five years, the violator's retail alcohol license shall be revoked.

5.10.315. Administrative endorsement of a new license.

New retail alcohol license applications may bypass action from the City Council and be processed and endorsed administratively by city staff if one of the following conditions exist:

1. The premises is currently licensed under a classification that has been eliminated and the applicant is applying for an equivalent license without additional privileges.
2. All reviewing departments have recommended approval and the City Council meeting for which the application would be up for consideration has been canceled. The application must be listed on the next City Council meeting agenda for ratification.

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.

Adopted 5/10/2023: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Second Consideration: Ordinance amending Chapter 13.16 entitled "Wastewater Facilities" of the Municipal Code of Davenport, Iowa by amending subsection 13.16.106(D) to change the maximum amount billed for quarterly residential customers from 50 ccf to 35 ccf. [All Wards]
MOVED TO THIRD CONSIDERATION

3. Resolution approving a street closure request for the listed date and time to hold an outdoor event.
ADOPTED 2023-212

Common Chord; Live@Five Block Party; 129 North Main Street; 8:00 a.m. - 11:30 p.m.
Friday, June 2, 2023; Closure: West 2nd Street between Main Street and Brady Street.
[Ward 3]

4. Resolution approving the plans, specifications, form of contract, and estimate of cost for the 2023 Alley Repair Program reconstruction of the north-south alley from East 8th Street to East 10th Street between Farnam Street and Grand Avenue, CIP #35038. [Ward 3]
ADOPTED 2023-213

5. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 7th Street (Gaines Street to Ripley Street) Resurfacing project, CIP #35062. [Ward 3]
ADOPTED 2023-214

6. Resolution accepting work completed under the FY 2019 Contract Sewer Repair Program by Hagerty Earthworks LLC of Muscatine, Iowa in the amount of \$489,450.54, CIP #30044 and #33001. [All Wards]
ADOPTED 2023-215

7. Resolution authorizing submission of the FY 2024 Iowa Department of Transportation State Transit Assistance (STA) Program grant application in the approximate amount of \$542,205. [All Wards]
ADOPTED 2023-216

8. Resolution amending the FY 2023 Operating and Capital Improvement Budgets. [All Wards]
ADOPTED 2023-217

9. Motion approving the amendment to the 2021 Annual Action Plan to add the HOME-ARP Allocation Plan, after the completion of the public comment period, and authorizing the City Administrator or her designees to sign necessary documents and agreements. [All Wards]
PASSED 2023-218

10. Motion approving the Annual Action Plan for Year 49 (July 1, 2023 - June 30, 2024) for the CDBG and HOME Programs, and authorizing the City Administrator or her designees to sign necessary documents and agreements. [All Wards]
PASSED 2023-219

11. Motion approving noise variance requests for the listed dates and times for outdoor events.
PASSED 2023-220

Mt. Sinai Fellowship; Praise A-Thon; 4706 Northwest Boulevard; 11:00 a.m. - 5:00 p.m. Saturday, May 20, 2023; Outdoor music, over 50 dBA. [Ward 7]

Common Chord; Live@Five Block Party; 129 North Main Street (Courtyard) 5:00 p.m. - 8:00 p.m. Friday, June 2, 2023; Outdoor music/band, over 50 dBA. [Ward 3]

City of Davenport; Party in the Park; 5:30 p.m. - 7:30 p.m. Thursday, June 15, 2023 (Lafayette Park | 700 West 4th Street); Thursday, June 22, 2023 (Marquette Park | 3200 North Marquette Street); Thursday, August 10, 2023 (Garfield Park | 1224 East 29th Street); and Thursday, August 17, 2023 (Emeis Park | 4500 West Locust Street); Outdoor music/band, over 50 dBA. [Wards 1, 3, 5, & 7]

12. Motion approving beer and liquor license applications.

PASSED 2023-221

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

Ward 3

RME Courtyard (River Music Experience) – 121 West 2nd Street – Temporary Extended Outdoor Area June 2 – License Type: Class C Retail (On-Premises)

The Vintage Wine Bar (The Vintage Wine Bar, LLC) – 421 West River Drive Parking Lot – Temporary License May 24-May 28 and May 31-June 4 – License Type: Special Class C Retail (On-Premises)

Ward 5

Rudy's Tacos (LaRosa S A, Inc) – 2214 East 11th Street – Temporary Extended Outdoor Area May 29 – License Type: Class C Retail (On-Premises)

B. Annual License Renewals (with Outdoor Area Renewals as noted):

Ward 1

Gunchies (Conrad Holdings, LLC) - 2905 Telegraph Road - Outdoor Area - License Type: Class C Retail (On-Premises)

West Locust Shell (Malwa, LLC) - 4425 West Locust Street - License Type: Class C Beer (Carry-Out)

Ward 2

Mk Grocery (Mk Grocery, Inc) - 1715 West Kimberly Road – License Type: Class B Retail (Carry-Out)

Pilot Travel Center #636 (Pilot Travel Centers, LLC) - 8200 Northwest Boulevard - License Type: Class B Retail (Carry-Out)

Ward 3

Front Street Brewery, Inc (Front Street Brewery, Inc) - 421 West River Drive #3, 4 - Outdoor Area - License Type: Class C Retail (On-Premises)

Ward 4

Wise Guys Pizza & Pub (PB&B, LLC) - 2824 West Locust Street #3A - Outdoor Area - License Type: Class C Retail (On-Premises)

Ward 5

McClellan Stockade (Koellner Enterprises 6, LLC) - 2124 East 11th Street - Outdoor Area - License Type: Class C Retail (On-Premises)

13. Motion authorizing the Public Works Director to waive permit fees for work to be performed at properties due to physical damage caused by the Spring 2023 flood event(s) for those with a completed damage assessment by the City of Davenport, and for restoration of utilities that were disconnected by MidAmerican Energy in response to the flooding. [Ward 1, 3, & 5]

PASSED 2023-222

14. Motion approving a purchase agreement with Gene Westphal for the acquisition of land necessary for the Duck Creek Sewer Extension project in the amount of \$60,640, ARP #18. [Ward 2]

PASSED 2023-223

15. Motion approving a purchase agreement with Lombard Acres, LLC for the acquisition of land necessary for the Duck Creek Sewer Extension project in the amount of \$62,890, ARP #18. [Ward 2]

PASSED 2023-224

16. Motion approving a purchase agreement with Chris and Colene Bowersox for the acquisition of land necessary for the Duck Creek Sewer Extension project in the amount of \$56,020, ARP #18. [Ward 2]

PASSED 2023-225

17. Motion approving the purchase of Pure Storage for the Davenport Police Department from Insight Public Sector of Des Moines, Iowa in the amount of \$86,088.52. [All Wards]

PASSED 2023-226

18. Motion approving the purchase of Aruba HPE Switches from Aercor Wireless Inc of Prior Lake, Minnesota in the amount of \$86,674.44. [All Wards]

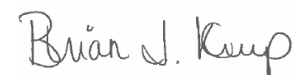
PASSED 2023-227

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

XVI. Adjourn **6:05 p.m.**



Brian J. Krup
Deputy City Clerk

City of Davenport

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

Action / Date
5/24/2023

Subject:
Approval of the Report on Committee of the Whole for May 17, 2023.

ATTACHMENTS:

Type	Description
▣ Exhibit	COW Report 051723

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	5/18/2023 - 8:44 AM

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, May 17, 2023 -- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderwoman Lee. Upon the roll being called, all Aldermen were present (*In person*: Alderman Dunn, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz; *Via telephone*: Alderman Kelly).

The following Public Hearings were held: **Finance**: 1. on the proposed plans, specifications, form of contract, and estimate of cost for the Credit Island Nature Playground Installation project, CIP #64103.

The following Presentations were held: 1. Volunteer Recognition | Bill Ashton; 2. Davenport Police Department Swearing-In Ceremony.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development**: Alderman Gripp reviewed all items listed. On motion by Alderwoman Lee, second by Alderman Dunn all items moved to the Consent Agenda. **Public Safety**: Alderman Jobgen reviewed all items listed. On motion by Alderwoman Dickmann, second by Alderman Dunn all items moved to the Consent Agenda. **Public Works**: Alderman Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderwoman Dickmann all items moved to the Consent Agenda. **Finance**: Alderman Condon reviewed all items listed. On motion by Alderman Cornette, second by Alderman Dunn all items moved to the Consent Agenda.

Council adjourned at **6:18 p.m.**

City of Davenport

Department: Office of the Mayor
Contact Info: Samantha Torres | 563-327-5128

Action / Date
5/24/2023

Subject:
Motorcycle Awareness Month | May 2023

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	5/19/2023 - 12:27 PM

City of Davenport

Department: Office of the Mayor

Contact Info: Samantha Torres | 563-327-5128

Action / Date

5/24/2023

Subject:

Youth Recognition | Derrick Bass, Assumption High School Class 2A State Wrestling Champion

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	5/3/2023 - 9:37 AM

City of Davenport

Department: Administration
Contact Info: Allie McWilliams | 563-888-3202

Action / Date
5/24/2023

Subject:
DavenportU Citizens Academy Graduation

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Admin, Default	Approved	5/3/2023 - 9:42 AM

City of Davenport

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

Action / Date
5/24/2023

Subject:

Third Consideration: Ordinance amending Chapter 13.16 entitled "Wastewater Facilities" of the Municipal Code of Davenport, Iowa by amending subsection 13.16.106(D) to change the maximum amount billed for quarterly residential customers from 50 ccf to 35 ccf. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

City Council is responsible for setting the sewer rates and fees. The City Council formally established sewer rates in 1989. At that time, the residential rate contained a 50 centum cubic foot (ccf) per quarter cap, which is the current cap. This cap was intended to serve as a buffer and allow for outside water consumption to water flowers and lawns, fill pools, and wash cars. Any residential usage above the cap is not billed.

During the FY 2024 Budget Workshop in January 2023, the City Council asked staff to evaluate possible alternatives for excluding outside residential water use from sewer bills. Staff reviewed the quarterly residential consumption for the years 2018 to 2022. Through this review process, it is recommended to reduce the cap from 50 ccf to 35 ccf to create a greater buffer.

A full memo of the recommendations and other implementation items is attached. If this ordinance is successfully adopted, the Finance Department will begin implementing the menu of options available to customers to address this concern.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Cover Memo	Memo

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	4/12/2023 - 10:26 AM
Finance Committee	Merritt, Mallory	Approved	4/12/2023 - 10:26 AM
City Clerk	Admin, Default	Approved	4/12/2023 - 1:24 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 13.16 ENTITLED "WASTEWATER FACILITIES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY AMENDING SUBSECTION 13.16.106(D) TO CHANGE THE MAXIMUM AMOUNT BILLED FOR QUARTERLY RESIDENTIAL CUSTOMERS FROM 50 CCF TO 35 CCF.

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

Section 1. That Section 13.16.106 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

D. For single-family detached residential customers who are billed quarterly, the basic user charge shall be computed using the rate as determined in subsection A of this section, multiplied by the actual amount of water supplied by the water company (Iowa-American Water Company) as shown by the water meter readings of that company or 35 ccf, whichever is less. All other customers shall pay a basic user charge based upon the amount of water supplied by the water company as shown by the water meter readings of that company.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

MEMORANDUM

DATE: 04 April 2023

TO: Davenport Mayor & City Council
Corri Spiegel, City Administrator

FROM: James Odean, Assistant Finance Director

THROUGH: Mallory Merritt, Assistant City Administrator & CFO

RE: Outside Residential Water Consumption Credit Evaluation

Background

The City Council formally established sewer rates in 1989. At that time, the residential rate contained a 50 centum cubic foot (ccf) per quarter cap, which is the current cap. This cap was intended to serve as a buffer and allow for outside water consumption to water flowers and lawns, fill pools, and wash cars. Any residential usage above the cap is not billed. Previously, the City also had a program where customers could add a separate deduct meter for their irrigation system; this was credited from the total sewer bill for the year. However, this program was eliminated in 2012.

Several years ago, at the direction of the City Council, staff began evaluating alternatives for residents. At that time, the conclusion and remedy was for interested residents to work directly with Iowa American Water to add a second meter at their homes for irrigation and outside water consumption. If a customer went through this process, all reads for irrigation systems were excluded and would not be billed for sewer. However, in 2022, Iowa American Water changed its tariff and required a separate stop box be added for new meters added in a home. The new requirement significantly increased the cost for customers to add the second meter, and it was no longer a cost-effective alternative.

During the FY 2024 Budget Workshop in January 2023, the City Council asked staff to evaluate new possible alternatives for excluding outside residential water use from sewer bills. During Q1 2023, staff evaluated other peer communities' efforts, discussed possible solutions with practitioners, and prepared a set of possible alternatives for review. Through this review process, the following alternatives are recommended for the 2023 outdoor water usage season.

Alternatives

Implementable alternatives are provided below.

- a. **Individual Second Meter Credit** | Allow customers to have a plumber install a second meter in their homes, similar to the program phased out in 2012. In this case, the customer would hire a plumber to add an approved meter in their home. The City would need to inspect the meter to ensure that the meter was used exclusively for outside water consumption. The customer would then self-report the read each December through an online form. A picture of the read will be required. Once evaluated and confirmed against prior usage, Revenue will credit their bill based on the amount of water used.
- b. **Pool Exclusions** | Customers filling their pools would be able to come to the Revenue Division to pick up a hose attachment that measures water flow. The customer would pay a deposit for the attachment; staff would capture the read on the meter when picked up, and the customer would have three days to fill the pool. The customer would receive a credit based on the return read and upon successful return of the City's property.
- c. **Management Discretion & Review** | Revenue would evaluate outside water consumption on a case-by-case basis. Most consumption can be easily identified when reviewing a customer's prior consumption trends. Staff could perform an adjustment based on a procedure/policy giving specific parameters such as months, amount of adjustment, etc. All adjustments would be made with the approval of the Assistant Finance Director or Chief Financial Officer.
- d. **Cap Modification** | The residential sewer cap is currently 50 ccf. The City could lower the residential cap to 35 ccf. Through an evaluation of the last five years, if the City were to lower the cap to 35 ccf, it would impact 2,950 bills. This would reduce billed consumption by 18,500 ccf, or approximately \$106,000 at the current rate. This would require ordinance 13.16.106 to be updated.

Recommendation

Because all customer situations are different and are best evaluated on a case-by-case basis, City staff recommends offering all four options to customers. An overview of the recommendation is below:

1. Modify the ordinance to reduce the current 50 ccf cap to 35 ccf.
2. Allow customers to add a separate meter for outside water consumption.
3. Purchase hose attachments and allow customers filling pools to check attachments out from the Revenue Division.
4. Allow management discretion and review to perform a one-time outside water consumption adjustment to a customer bill in accordance with a new policy.

These alternatives will provide Finance/Revenue staff with the ability to give options to resolve customer issues regarding this issue. The usage of any of the above-adopted tools will be tracked and analyzed for any possible program modifications in the future.

City of Davenport

Department: Public Works - Admin
Contact Info: Corri Spiegel | 563-888-3348

Action / Date
5/24/2023

Subject:

First Consideration: Ordinance amending Chapter 2.34 entitled “Department of Public Works” and Section 2.30.080 entitled “City Administrator – Additional Duties” of the Municipal Code of Davenport, Iowa to state again the existing ability to align operational areas with organizational resources and needs. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

This Ordinance is intended to reinforce the responsibility of the City Administrator to effectively align personnel resources with the Public Works Department to meet Council goals and organizational expectations.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	5/11/2023 - 3:42 PM

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 2.34 ENTITLED "DEPARTMENT OF PUBLIC WORKS" AND SECTION 2.30.080 ENTITLED "CITY ADMINISTRATOR – ADDITIONAL DUTIES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA TO STATE AGAIN THE EXISTING ABILITY TO ALIGN OPERATIONAL AREAS WITH ORGANIZATIONAL RESOURCES AND NEEDS.

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

Section 1. That Chapter 2.34 entitled "Department of Public Works" of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding a new section 2.34.070 that reads as follows:

2.34.070 Realignment.

Pursuant to Section 2.30.070(15), the department may be realigned and the lines of business may be consolidated or separated into departments and divisions by the city administrator. The city administrator shall memorialize any such changes in writing to be filed with human resources. The document filed shall consist of an organizational chart and a description of service scope, reporting structure and duty consolidation or separation.

Section 2. That Subsection 2.30.080(A) of the Municipal Code of Davenport, Iowa be and the same is hereby amended to add the following:

9. Any other department head not mentioned above.

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 as are any motions or resolutions of council that purport to give authority to a council standing committee to make a determination as all such determinations shall henceforth be made by the city council.

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Bruce Berger | 563-326-7769

Action / Date
5/24/2023

Subject:

Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the proposed 5th Street Gold District project at 5th and Harrison Streets and approving an Urban Revitalization Tax Exemption application for the same (Gas Investments, LLC, Petitioner). [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

The 5th Street Gold District project is a new construction, market-rate apartment project proposed by an Iowa City developer (Ryan Wade and in partnership with Sidekick Development, Des Moines) at an estimated cost of up to \$9.5 million with approximately 50 units. The site would be the vacant lot at the northwest corner of Harrison and West 5th Streets, north of the Police Department and south of the Roosevelt Apartment building.

The four-story building would have a mix of 1-, 2-, and 3-bedroom units (see attached rendering). If approved by the State of Iowa, the developer hopes to begin construction in May 2024.

The application requirements for the State of Iowa's Workforce Housing Tax Credit (WHTC) Program include the submission of a Resolution in support of the housing project by the community where the project will be located. The State also requires documentation of local matching funds pledged for the project in an amount not less than \$1,000 per dwelling unit.

The proposed project is located within the City's Urban Revitalization Tax Exemption (URTE) area and the developer has submitted an application, requesting the 10 year, 100% exemption schedule. The URTE benefit will meet the minimum match contribution of \$1,000 per dwelling unit required by the WHTC program. As it is part of the Downtown Davenport SSMID, the project will be required to comply with the Downtown Davenport Streetscape Improvement Plan as administered by the City Engineer.

Adoption of the Resolution will authorize the Mayor and staff to execute the documents needed to support this project's WHTC application.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Cover Memo	Proposed Concept

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	5/10/2023 - 9:12 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the proposed 5th Street Gold District project at 5th and Harrison Streets and approving an Urban Revitalization Tax Exemption application for the same (Gas Investments, LLC, Petitioner).

WHEREAS, an Iowa City developer has requested City support for their application to the Iowa Economic Development Authority (IEDA) for State tax incentives under the Workforce Housing Tax Credit (WHTC) Program for a new apartment building project located at the northwest corner of Harrison and West 5th Streets; and

WHEREAS, successful completion of this project will require funding from a number of sources, including an award of WHTCs in the form of an investment tax credit and State sales and use tax refund; and

WHEREAS, the application requirements for the WHTC program include a requirement for the submission of a Resolution in support of the housing project by the community where the project will be located and documentation of local matching funds pledged for the project in an amount not less than \$1,000 per dwelling unit; and

WHEREAS, the project is located within the City's Urban Revitalization Tax Exemption (URTE) area and has applied for the 10-year, 100% exemption schedule, subject to State Code amendments; and

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

WHEREAS, the project's location in the downtown will require it to comply with the Downtown Davenport Streetscape Improvement Plan as administered by the City Engineer.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the proposed 5th Street Gold District project at 5th and Harrison Streets is fully supported in submitting an application for the Iowa Workforce Housing Tax Credit Program and the 2024 URTE application is hereby approved.

Passed and approved this 24th day of May, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk





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(3) ST
LAWSON ST





City of Davenport

Department: Community Planning & Economic Development
Contact Info: Bruce Berger | 563-326-7769

Action / Date
5/24/2023

Subject:

Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the proposed 1029 Mound Street project and approving an Urban Revitalization Tax Exemption application for the same (Mad Properties, Petitioner). [Ward 5]

Recommendation:

Adopt the Resolution.

Background:

The developer proposes to rehab this existing 3-story, historic structure into a modern salon (with 16 salon suites on the first floor) and 10 apartment units (on the 2nd and 3rd floors). The top floors have been underutilized for many years.

Dave Miller (Mad Properties Coop) is proposing one 2-bedroom unit and nine 1-bedroom market-rate units as part of a \$1.8 million project to be funded in part with Workforce Housing Tax Credits from the State of Iowa. The remainder of the proposed funding would come from owner equity, State Redevelopment Tax Credits, and conventional mortgage financing.

Mr. Miller intends to begin work on the commercial portion soon. If approved by the State of Iowa, the residential portion would likely be complete in November 2025.

The application requirements for the State of Iowa's Workforce Housing Tax Credit (WHTC) Program include the submission of a Resolution in support of the housing project by the community where the project will be located. The State also requires documentation of local matching funds pledged for the project in an amount not less than \$1,000 per dwelling unit.

The proposed project is located within the City's Urban Revitalization Tax Exemption (URTE) area and the developer has submitted an application, requesting the 10-year, 100% exemption schedule. The URTE benefit will meet the minimum match contribution of \$1,000 per dwelling unit required by the WHTC program.

Adoption of the Resolution will authorize the Mayor and staff to execute the documents needed to support this project's WHTC application.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Cover Memo	Photo

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	5/10/2023 - 9:12 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the proposed 1029 Mound Street project and approving an Urban Revitalization Tax Exemption application for the same (Mad Properties, Petitioner).

WHEREAS, the City has received a request for support for an application to the Iowa Economic Development Authority (IEDA) for State tax incentives under the Workforce Housing Tax Credit (WHTC) Program to rehabilitate 10 unused apartment units on the 2nd and 3rd floors of the building at 1029 Mound Street; 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 project is located within the City's Urban Revitalization Tax Exemption (URTE) area and has applied for the 10-year, 100% exemption schedule, subject to State Code amendments; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that the proposed 1029 Mound Street project is fully supported in submitting an application for the Iowa Workforce Housing Tax Credit Program and the 2024 URTE application is hereby approved.

Passed and approved this 24th day of May, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

1029 Mound Street – Proposed Workforce Housing Tax Credit Application – May 2023



City of Davenport

Department: Community Planning & Economic Development
Contact Info: Laura Berkley | 563-888-3553

Action / Date
5/24/2023

Subject:

Resolution approving Case F22-14 being the request of Elmore Ave, LLC for a final plat of Windsor Meadows Commercial Park 3rd Addition, a 3-lot subdivision on 9.04 acres located at 3860 Elmore Avenue. [Ward 6]

Recommendation:

Adopt the Resolution.

Background:

The purpose of the final plat is to establish two new developable lots with frontage on Elmore Avenue. A cross access easement will enable shared access to Elmore Avenue via the two existing driveways. In addition, an outlot will be established at the southwest corner of the site for stormwater detention. The Plan and Zoning Commission reviewed Case F22-14 at its December 6, 2022 meeting and has recommended approval subject to the listed findings and conditions:

Findings:

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

Conditions:

-

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Add the following note to the plat: "Access to Elmore Avenue is restricted to existing locations. No new access points shall be allowed."
4. Utility easements shall be provided along the south and west property lines of the overall lot.
5. Provide a blanket access easement across all lots for shared access onto Elmore Avenue.
6. Include existing utility easements from Windsor Meadows Commercial Park 2nd Addition.
7. The minimum width of all utility easements shall be 15 feet.
8. Update Note 9 to state: "Outlot A shall serve as a stormwater detention easement and be owned and maintained by the owner or owner's association."

Comprehensive Plan:

1. Within Existing Urban Service Area: Yes
2. Within Urban Service Area 2035: Yes

Future land use designation: Regional Commercial (RC)

Relevant goals to be considered in this case: Strengthen the existing built environment.

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

Zoning: C-3 General Commercial District

Technical Review:

1. Streets: Each lot will have right-of-way access onto Elmore Avenue via the two existing driveway locations. No new access points will be allowed. A blanket access easement shall be recorded to facilitate travel between lots.
2. Stormwater: Stormwater detention and water quality treatment will be required per ordinance on each lot. Outlot A will be utilized for stormwater management and detention.
3. Sanitary Sewer: There is existing sanitary sewer along Elmore Avenue and Pheasant Creek.
4. Other Utilities: Normal utility services are available at this site.

Public Input:

No Public Hearing is required for a final plat.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution
▢ Backup Material	Final Plat of Windsor Meadows Commercial Park 3rd Addition
▢ Backup Material	Zoning & Future Land Use Map
▢ Backup Material	Application

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	5/12/2023 - 2:23 PM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION approving Case F22-14 being the request of Elmore Ave, LLC for a final plat of Windsor Meadows Commercial Park 3rd Addition, a 3-lot subdivision on 9.04 acres located at 3860 Elmore Avenue.

WHEREAS, the Plan & Zoning Commission reviewed Case F22-14 at the December 6, 2022 regularly scheduled meeting with a recommendation for approval subject to the following eight conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Add the following note to the plat: "Access to Elmore Avenue is restricted to existing locations. No new access points shall be allowed."
4. Utility easements shall be provided along the south and west property lines of the overall lot.
5. Provide a blanket access easement across all lots for shared access onto Elmore Avenue.
6. Include existing utility easements from Windsor Meadows Commercial Park 2nd Addition.
7. The minimum width of all utility easements shall be 15 feet.
8. Update Note 9 to state: "Outlot A shall serve as a stormwater detention easement and be owned and maintained by the owner or owner's association."; and

WHEREAS, the conditions will be added to the plat and/or provided.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the final plat of Windsor Meadows Commercial Park 3rd Addition, an addition to the City of Davenport, Scott County, Iowa as filed with the City Clerk, by Elmore Ave, LLC, an Iowa limited liability company, be and the same is hereby approved and accepted; and the dedication for public street purposes and the granting of easements as shown on said plat are accepted and confirmed by the Mayor and Deputy City Clerk of said City; and

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

Passed and approved this 24th day of May, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

FINAL PLAT
WINDSOR MEADOWS COMMERCIAL
PARK 3RD ADDITION

BEING A REPLAT OF LOT 1, WINDSOR MEADOWS
COMMERCIAL PARK 2ND ADDITION TO THE CITY OF
DAVENPORT, SCOTT COUNTY, IOWA.

PLAT INFORMATION

1. Owner:

ME Elmore 1 LLC
PO Box 215
Plover, WI 54467
2. Engineer:

Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
3. Surveyor:

Michael D. Richmond
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
4. Attorney:

Tom Pastinak
313 W. Third Street
Davenport, Iowa 52801
Ph: (563) 323-7737

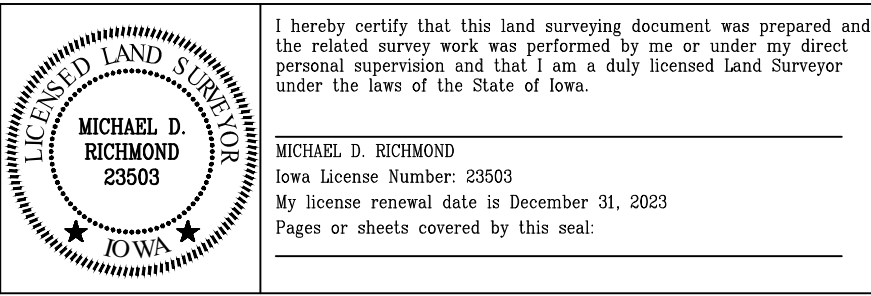
NOTES:

1. MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
2. ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
3. COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.
4. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.
5. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DAVENPORT STANDARD SPECIFICATIONS.
6. BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
7. THE SUBJECT PROPERTY IS ZONED C-3, GENERAL COMMERCIAL DISTRICT.
8. A PORTION OF THE SUBDIVISION IS LOCATED WITHIN THE FEMA DETERMINED SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS SHOWN ON FLOOD INSURANCE RATE MAPS #19163C0376G EFFECTIVE DATE 3/23/2021.
9. STORM WATER QUALITY TREATMENT FACILITIES SHALL BE REQUIRED FOR THIS SUBDIVISION. A BLANKET EASEMENT FOR SAID STORM WATER QUALITY FACILITIES SHALL BE PROVIDED TO ALLOW ACCESS TO AND THROUGHOUT THE STORM WATER QUALITY BEST MANAGEMENT PRACTICE SITE(S).

APPROVAL SIGNATURES:

MAYOR	DATE:
CITY CLERK	DATE:
CHAIRMAN PLAN & ZONE	DATE:
CENTURY LINK	DATE:
IOWA - AMERICAN WATER COMPANY	DATE:
MEDIACOM	DATE:
MIDAMERICAN ENERGY	DATE:
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD M.E.C.	
METRONET	DATE

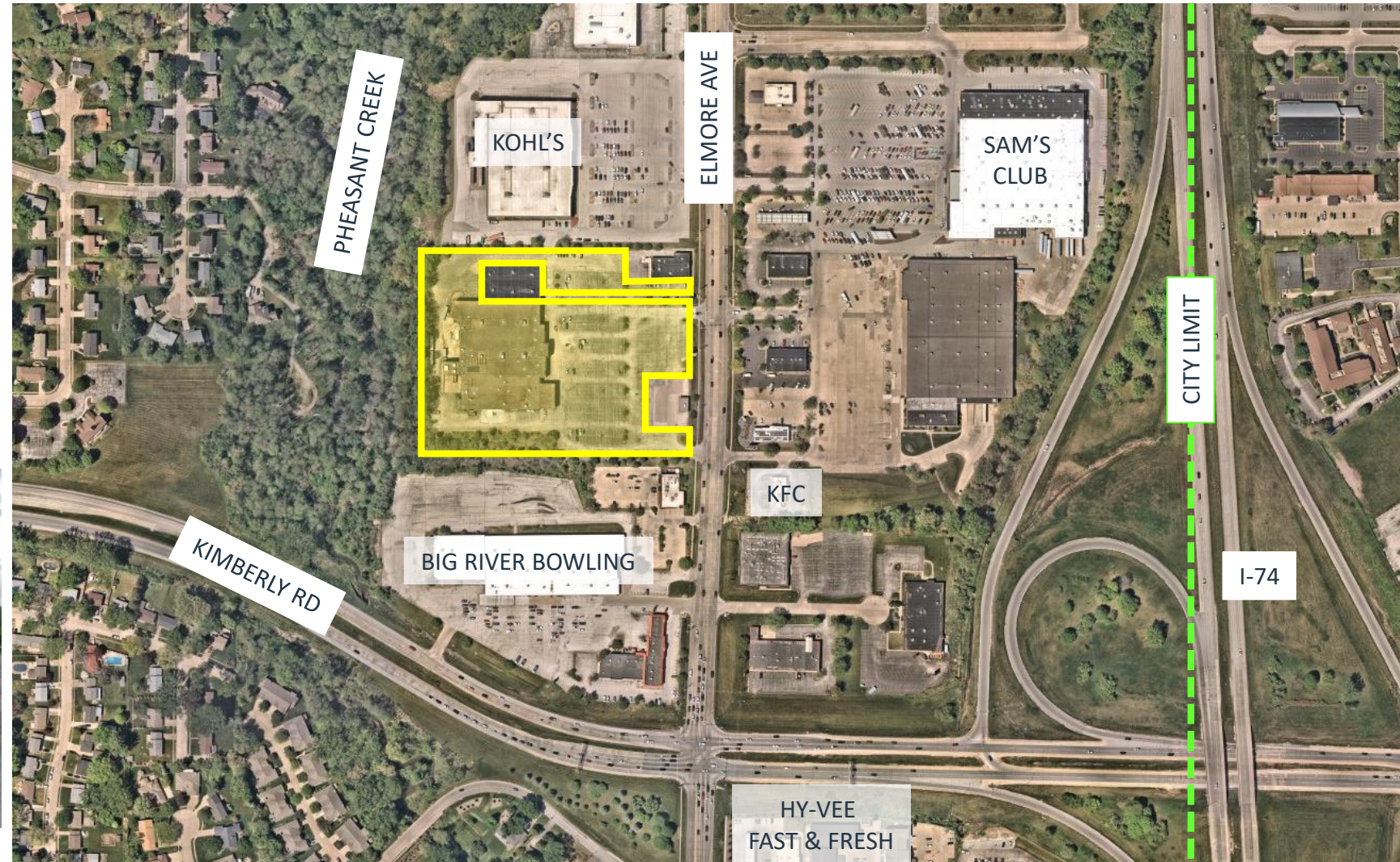
THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US STATE
PLANE COORDINATE SYSTEM, IOWA
SOUTH ZONE (1402) GEOID 12A, NAD 83
(2011) EPOCH 2010.00.



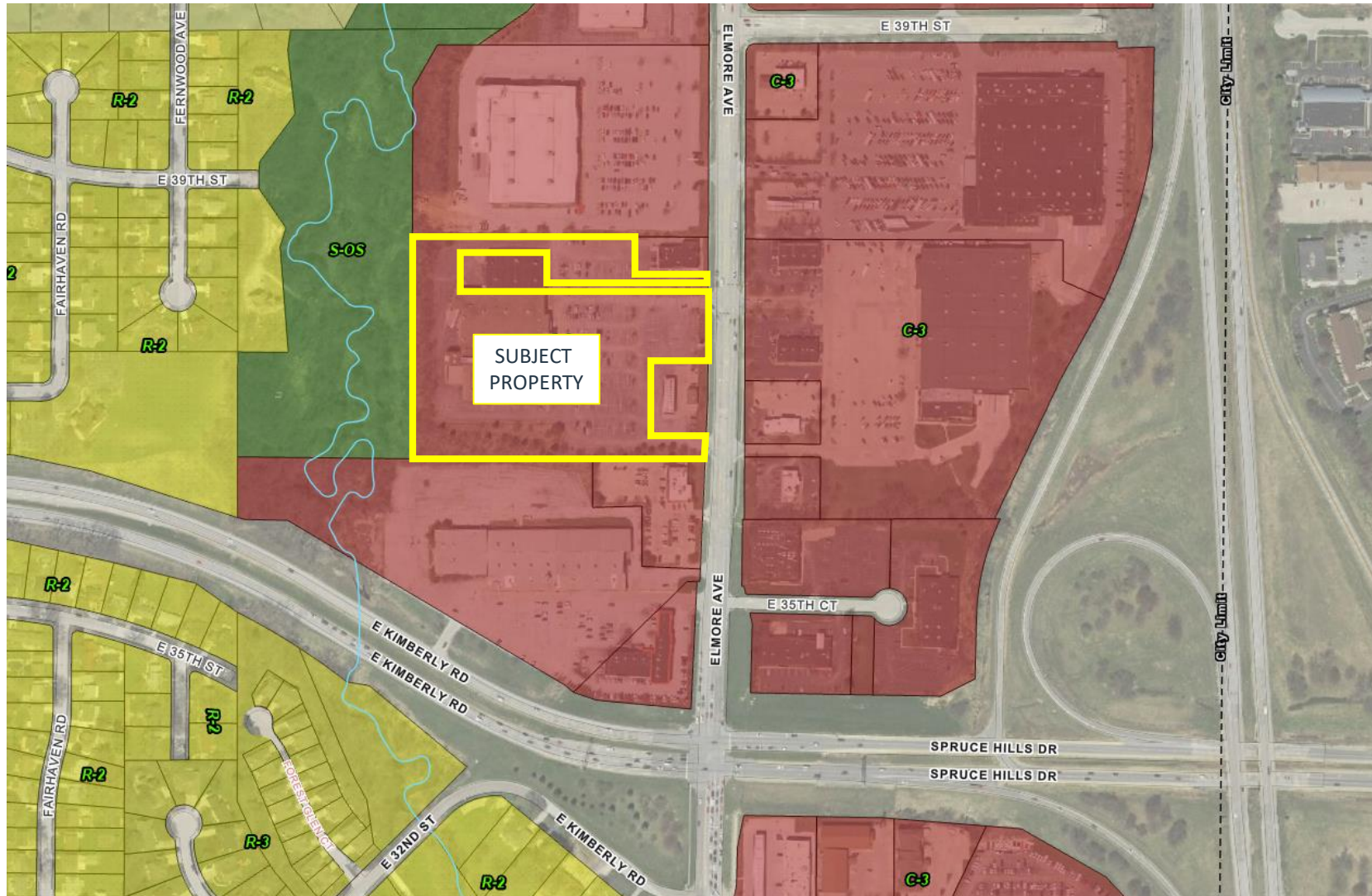
Vicinity Map

DAVENPORT
IOWA | USA

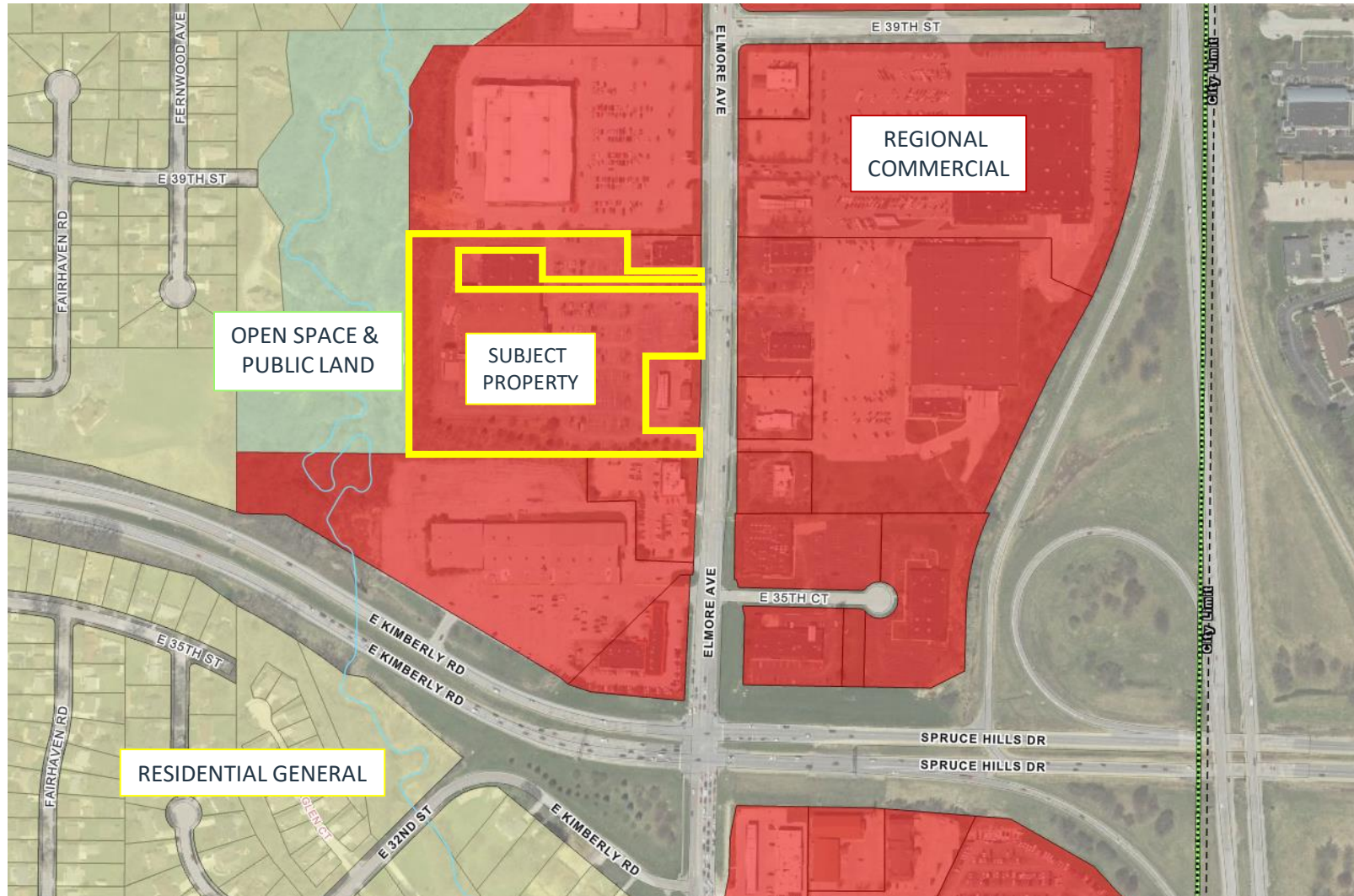
- **Purpose:** Facilitate sale of land for commercial development.
- **Shopping Center Tenants:**
 - Petco
 - Guitar Center
 - Former Gordman's Store



Zoning Map



Future Land Use Map





Complete application can be emailed to planning@davenportiowa.com

Property Address*

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

Applicant (Primary Contact)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Zoning Board of Adjustment

Zoning Appeal
Special Use
Hardship Variance

Engineer (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Design Review Board

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

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

Architect (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Administrative

Administrative Exception
Health Services and Congregate
Living Permit

Attorney (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

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

Property Location:

Total Land Area:

Total Number of Lots:

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: Yes No

Submittal Requirements:

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

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

Property Location:

Total Land Area:

Total Number of Lots:

Linear Feet of Streets Added:

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: Yes No

Submittal Requirements:

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

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

- (1) Application:
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed preliminary plat:
 - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the proposed preliminary plat:
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.

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

- (1) Application:
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed final plat:
 - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the final plat:
 - Prior to forwarding the petition to the City Council, the following must be provided to the Community Planning and Economic Development Department:
 - One full size copy of the corrected final plat and one reduced copy of the corrected final plat signed/stamped by the utility companies.
 - Executed platting certificate.
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.
- (4) Recordation:
 - After the Mayor signs the approved final plats and Acceptance by the City of Davenport, the final will be released to the Surveyor to obtain and return 21 full size copies to the Community Planning and Economic Development Department.
 - After the 21 copies are returned, two copies of the final plat and platting certificates will be released to the petitioner.
 - It is the petitioner's responsibility to record the final plat with the Scott County Recorder's Office.

Petitioner: *Victor Anderson*

Date:

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

Received by:

Date:

Planning staff

Date of Plan and Zoning Commission Public Hearing:

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

Authorization to Act as Applicant

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

Signature(s)

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

This _____ day of _____ 20_____

Form of Identification

Notary Public

My Commission Expires:

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Laura Berkley | 563-888-3553

Action / Date
5/24/2023

Subject:

Resolution approving Case F23-03 being the request of Dan Dolan Homes, LLC for a final plat of Birchwood Grove 2nd Addition, a 42-lot subdivision on 7.4 acres near the terminus of Lakeview Parkway and Ravenwood Lane. [Ward 6]

Recommendation:

Adopt the Resolution.

Background:

The purpose of the plat is to complete the development as proposed in the Birchwood Grove preliminary plat. The lots shall be developed for townhouses and duplex dwellings. The Plan and Zoning Commission reviewed Case F23-03 at its March 14, 2023 meeting and has recommended approval subject to the listed findings and conditions:

Findings:

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

Conditions:

-

1. Surveyor shall sign the plat.
2. Utility providers shall sign the plat when their easement needs have been met.
3. The title/description shall read "Birchwood Grove 2nd Addition; being a replat of Lot 14 of Birchwood Grove Addition, to the City of Davenport, Scott County, Iowa".
4. Curve #9 shall be revised to meet SUDAS back-of-curb radius of 50'.
5. Applicable General Notes from Birchwood Grove Addition shall be added to the plat.
6. Add the label "Stormwater Detention and Access Easement" to Outlot A.

Comprehensive Plan:

1. Within Existing Urban Service Area: Yes
2. Within Urban Service Area 2035: Yes

Future land use designation: Residential General (RG)

Relevant goals to be considered in this case: Strengthen the existing built environment.

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

Zoning: R-MF Multiple-Family Residential District.

Technical Review:

1. Streets: Lakeview Parkway is proposed to be extended approximately 1,100 linear feet, and a short connection to Ravenwood Lane is also proposed.
2. Stormwater: Stormwater detention and water quality treatment will be provided per code requirements.
3. Sanitary Sewer: There is an existing sanitary sewer adjacent to the subdivision.
4. Other Utilities: Normal utility services are available at/near this site.
5. Parks/Open Space: There shall be no impact to parks/open space
6. Natural Resources: Natural Resources code shall be met per code requirements.

Public Input:

No Public Hearing is required for a final plat.

ATTACHMENTS:

Type	Description
☐ Resolution Letter	Resolution
☐ Exhibit	Plat - Birchwood Grove 2nd Addition
☐ Exhibit	Application

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	5/12/2023 - 2:23 PM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION approving Case F23-03 being the request of Dan Dolan Homes, LLC for a final plat of Birchwood Grove 2nd Addition, a 42-lot subdivision on 7.4 acres near the terminus of Lakeview Parkway and Ravenwood Lane.

WHEREAS, the Plan & Zoning Commission reviewed Case F23-03 at the March 14, 2023 regularly scheduled meeting with a recommendation for approval subject to the following six conditions:

1. Surveyor shall sign the plat;
2. Utility providers shall sign the plat when their easement needs have been met;
3. The title/description shall read "Birchwood Grove 2nd Addition; being a replat of Lot 14 of Birchwood Grove Addition, to the City of Davenport, Scott County, Iowa";
4. Curve #9 shall be revised to meet SUDAS back-of-curb radius of 50';
5. Applicable General Notes from Birchwood Grove Addition shall be added to the plat;
6. Add the label "Stormwater Detention and Access Easement" to Outlot A; and

WHEREAS, the conditions will be added to the plat and/or provided.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the final plat of Birchwood Grove 2nd Addition, an addition to the City of Davenport, Scott County, Iowa as filed with the City Clerk, by Dan Dolan Homes, LLC, an Iowa limited liability company, be and the same is hereby approved and accepted; and the dedication for public street purposes and the granting of easements as shown on said plat are accepted and confirmed by the Mayor and Deputy City Clerk of said City; and

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

Passed and approved this 24th day of May, 2023.

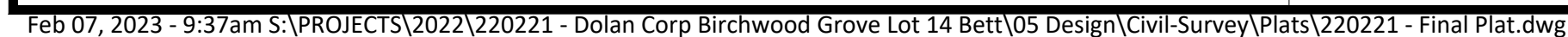
Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

FOR RECORDER'S USE ONLY	RECORDER'S INDEX
	COUNTY: SCOTT
	SECTION: 9-78-04
	QUARTER SECTION: SW 1/4
	CITY: DAVENPORT
	SUBDIVISION: BIRCHWOOD GROVE
	BLOCK: NA
	LOT(S): 14





CITY OF DAVENPORT
Development & Neighborhood
Services – Planning
1200 W. 46th St
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
SUBDIVISION PLAT
(LAND DIVISION)

APPLICANT INFORMATION

Applicant Name
Address
City State Zip
Phone
Secondary Phone
E-Mail Address

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.

In addition to the application fee, I understand I am responsible for all development review costs, including but not limited to a traffic study.

Print Applicant's Name

Applicant's Signature

SUBDIVISION NAME		
LOCATION DESCRIPTION		SUBMITTED
NUMBER OF LOTS BY USE TYPE	ACRES	STREETS ADDED

PLAT TYPE SUBMITTED:

PRELIMINARY PLAT: \$16.16 Requirements
FINAL PLAT: \$16.20 Requirements

PRELIMINARY PLAT REQUIREMENTS:

Preliminary Plat
Contours (2') & Infrastructure (pre/post)

FINAL PLAT REQUIREMENTS:

Platting Certificates per §354.11 State Code
Final Plat

GENERAL REQUIREMENTS:

Authorization to Act as Applicant, if needed
Application Fee (REQUIRED)

Subdivision Platting Fee Schedule

Number of Lots	Fee
1 lot to 10 lots	\$400 plus \$25/lot
11 to 25 lots	\$700 plus \$25/lot
26 or more lots	\$1,000 plus \$25/lot

Submit this form, and any questions, to DNS Planning Division at
planning@davenportiowa.com.

DEVELOPMENT TEAM

Developer / Project Manager		Engineer	
Address		Address	
Phone	Secondary Phone	Phone	Secondary Phone
E-Mail Address		E-Mail Address	
Owner		Attorney	
Address		Address	
Phone	Secondary Phone	Phone	Secondary Phone
E-Mail Address		E-Mail Address	

City of Davenport

Department: Public Safety
Contact Info: Brian Krup | 563-326-6163

Action / Date
5/24/2023

Subject:

Resolution approving street, lane, or public ground closure requests for the listed dates and times to hold outdoor events.

Hope at the BRICK House; Block Parties; 1431 Ripley Street; 4:30 p.m. – 8:30 p.m. every Friday beginning June 9, 2023 and ending August 21, 2023; **Closure:** Ripley Street between West 14th and West 15th Streets. [Ward 5]

Evalyn Reed; Graduation Party; 2818 Grand Avenue; 1:00 p.m. - 6:00 p.m. Saturday, June 10, 2023; **Closure:** north-south alley from East Garfield Street to East 29th Street between Jefferson and Grand Avenues. [Ward 5]

The Friends of MLK; Quad City Juneteenth Festival; 318 East 7th Street; 9:00 a.m. - 6:00 p.m. Saturday, June 17, 2023; **Closure:** Pershing Avenue from East 7th Street to East 8th Street. [Ward 3]

Ken Hopper; Quad City Air Show; Davenport Municipal Airport | 9230 North Harrison Street; 2:30 p.m. - 3:30 p.m. Wednesday, June 21, 2023 (practice); 10:30 a.m. - 12:00 p.m. and 3:00 p.m. - 4:30 p.m. Thursday, June 22, 2023 (practice); 10:30 a.m. - 12:00 p.m. and 1:30 p.m. - 4:30 p.m. Friday, June 23, 2023 (practice); and 12:00 p.m. - 4:30 p.m. Saturday, June 24, 2023 and Sunday, June 25, 2023 (Air Show); **Closures:** Slopertown Road from east of the Sterilite entrance to North Harrison Street; North Division Street from the roundabout at Amazon to Slopertown Road. [Ward 8]

Village of East Davenport Business Association; Village Wine Walk; Village of East Davenport; 2:00 p.m. - 6:00 p.m. Saturday, August 12, 2023 or 2:00 p.m. - 6:00 p.m. Saturday, August 19, 2023 (rain date); **Closures:** East 11th Street between Mound Street and Jersey Ridge Road; Christie Street from East 11th Street north to just south of the alley. [Ward 5]

Recommendation:

Adopt the Resolution.

Background:

Per the City's Special Events Policy, City Council will approve street, lane, and public ground closure requests based on the recommendation of the Special Events Committee.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Hope at the BRICK House Street Closure Petition
▣ Backup Material	Hope at the BRICK House Closure Map
▣ Backup Material	Reed Graduation Party Closure Map
▣ Backup Material	Reed Graduation Party Closure Petition

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

Juneteenth Festival Closure Map
 Juneteenth Festival Closure Petition
 Air Show Closure Map
 Wine Walk Street Closure Map
 Wine Walk Street Closure Petition

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	5/12/2023 - 10:54 AM

Resolution No. _____

Resolution offered by Alderman Jobgen.

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

RESOLUTION approving street, lane, or public ground closure requests for the listed dates and times to hold outdoor events.

*Hope at the BRICK House; Block Parties; 1431 Ripley Street; 4:30 p.m. – 8:30 p.m. every Friday beginning June 9, 2023 and ending August 21, 2023; **Closure:** Ripley Street between West 14th and West 15th Streets. [Ward 5]*

*Evalyn Reed; Graduation Party; 2818 Grand Avenue; 1:00 p.m. - 6:00 p.m. Saturday, June 10, 2023; **Closure:** north-south alley from East Garfield Street to East 29th Street between Jefferson and Grand Avenues. [Ward 5]*

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*Village of East Davenport Business Association; Village Wine Walk; Village of East Davenport; 2:00 p.m. - 6:00 p.m. Saturday, August 12, 2023 or 2:00 p.m. - 6:00 p.m. Saturday, August 19, 2023 (rain date); **Closures:** East 11th Street between Mound Street and Jersey Ridge Road; Christie Street from East 11th Street north to just south of the alley. [Ward 5]*

WHEREAS, the City, through its Special Events Policy, has accepted the above applications for events on the listed date and time that are requesting street, lane, or public ground closures; and

WHEREAS, upon review of the applications, it has been determined that streets, lanes, or public grounds will need to be closed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the above street, lane, or public ground closure requests are hereby approved and staff is directed to proceed with the closures.

Passed and approved this 24th day of May, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



CITY OF DAVENPORT

STREET CLOSURE PETITION FOR SPECIAL EVENTS

On the ^{every} FRI day of June 9 - Aug 18, 2023 during the hours of 4:30 - 8:30 pm
there is proposed a street closure, requested by Hope at the Buck which will
require the closing of Ripley Street between 14th House and
15th Streets

Please note: dates and times on this form must match those entered on the special events application.

***Please sign your name and print address below and indicate whether you are in favor of the street closure, opposed to the street closure, or not concerned (mark one).**

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
1329 Ripley <u>Vacant</u>	<u> </u>	<u> </u>	<u> </u>
1330 Ripley <u>Song's Plaza</u>	<u>OK</u>	<u> </u>	<u> </u>
1401 Ripley <u>Allen Smith</u>	<u>OK</u>	<u> </u>	<u> </u>
1409 Ripley <u>5/10 5/12 spoke w/in past and indicated X</u>	<u> </u>	<u> </u>	<u> </u>
1413 Ripley <u>A Bernal</u>	<u> </u>	<u> </u>	<u> </u>
1417 Ripley <u>5/10 5/12 not home favorable in past</u>	<u> </u>	<u> </u>	<u> </u>
1431 Ripley <u>J Klopp</u>	<u>X</u>	<u> </u>	<u> </u>
1502 Ripley <u>J Klopp</u>	<u>X</u>	<u> </u>	<u> </u>
1503 Ripley <u>Shirley Beane</u>	<u>X</u>	<u> </u>	<u> </u>
_____	<u> </u>	<u> </u>	<u> </u>
_____	<u> </u>	<u> </u>	<u> </u>
_____	<u> </u>	<u> </u>	<u> </u>

* If more space is needed, please use additional sheets.

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

Joyce Klopp
Signature of Applicant

5/12/2023
Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com

th St

W 15th St

N Ripley St

Hope At The Brick House

1407

1415

1413

1409

Increase Healthy
Everyday Updatez

W 14th St

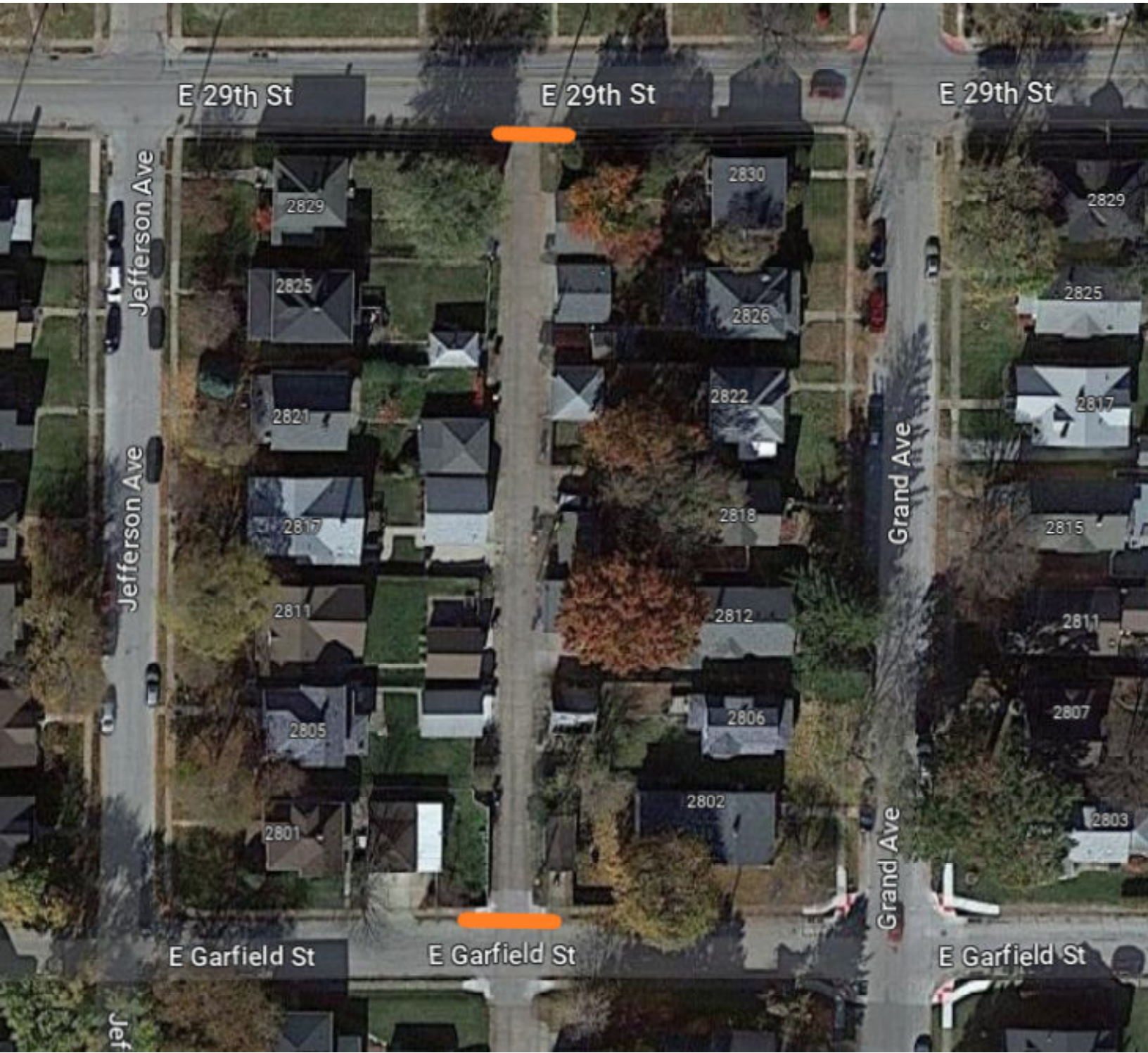
W 14th St

Closure

N Ripley

1330

1329



E 29th St

E 29th St

E 29th St

Jefferson Ave

Jefferson Ave

Grand Ave

Grand Ave

E Garfield St

E Garfield St

E Garfield St

2829

2825

2821

2817

2811

2805

2801

2830

2826

2822

2818

2812

2806

2802

2829

2825

2817

2815

2811

2807

2803



CITY OF DAVENPORT

STREET CLOSING PETITION FOR SPECIAL EVENTS

On the 10 day of June, 2023 during the hours of 1 to 6
there is proposed a street closing, requested by Evelyn Reed, which will
require the closing of Alley between 29 between Garfield and
E 29th Street.

*Please sign your name and print address below and indicate whether you are in favor of the street closure, opposed to the street closure, or not concerned (mark one).

NAME AND ADDRESS

IN FAVOR

OPPOSED

NOT CONCERNED

<u>Handy Phil 2811 Jefferson</u>	<u>X</u>		
<u>2812 GRAND</u>	<u>X</u>		
<u>2821 JEFFERSON</u>	<u>X</u>		
<u>James McEwen 2826 Grand</u>	<u>X</u>		
<u>2871 Jefferson</u>	<u>X</u>		
<u>Mark M... 2829 Jefferson</u>	<u>X</u>		
<u>Chris Vance 2817 Jefferson</u>	<u>X</u>		
<u>Bradley Thernault 2822 Grand Ave</u>	<u>X</u>		
<u>Mark Brown 2826 Grand</u>	<u>X</u>		
<u>Lynelle M... 2805 Jefferson</u>	<u>X</u>		
<u>David Schulz 2830 Grand</u>	<u>X</u>		
<u>2802 Grand</u>	<u>X</u>		

* If more space is needed, please use additional sheets.

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

Evelyn Reed 4/10/23
Signature of Applicant Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com





CITY OF DAVENPORT

STREET CLOSURE PETITION FOR SPECIAL EVENTS

On the 17th day of June, 2023 during the hours of 9AM-6PM
there is proposed a street closure, requested by TNBC, which will
require the closing of Pershing between 2nd and
E 8th St.

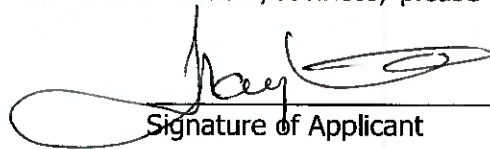
Please note: dates and times on this form must match those entered on the special events application.

***Please sign your name and print address below and indicate whether you are in favor of the street closure, opposed to the street closure, or not concerned (mark one).**

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
<u>718 Pershing</u> <u>Randall Forsythe</u>	☒	☐	☐
_____	☐	☐	☐
_____	☐	☐	☐
_____	☐	☐	☐
_____	☐	☐	☐
_____	☐	☐	☐
_____	☐	☐	☐
_____	☐	☐	☐
_____	☐	☐	☐
_____	☐	☐	☐

* If more space is needed, please use additional sheets.

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


Signature of Applicant

6.10.23
Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com





CITY OF DAVENPORT

VILLAGE OF EAST DAVENPORT BUSINESS ASSOCIATION

STREET CLOSING PETITION FOR SPECIAL EVENTS

Master Business & Address List

NAME & ADDRESS

- #1 11th Street Precinct, 1107 Mound Street
- #2 Winddancer Boutique, 2114 East 11th Street
- #3 Grumpy's Village Saloon, 2120 East 11th Street
- #4 McClellan Stockade, 2124 East 11th Street
- #5 Lagomarcino's, 2132 East 11th Street
- #6 Versailles Jewelry & Gems, 2200 East 11th Street
- #7 99 Proof Designs, 1105 Christie Street
- #8 Mint Green, 2208 East 11th Street
- #9 Rudy's Cantina, 2214 East 11th Street
- #10 Bubble Tea Company, 2218 East 11th Street
- #11 D'Ville, 2228 East 11th Street
- #12 Brew, 1104 Jersey Ridge Road
- #13 Edward Jones, 2107 East 11th Street
- #14 Camp McClellan Cellars, 2302 East 11th Street
- #15 Blevins Brothers Bird Shop, 1108 Jersey Ridge Road
- #16 Royal T's, 1114 Jersey Ridge Road
- #17 Kaleidoscope Artworks, 2302 East 11th Street
- #18 Freddy's Fritters, 1111 Jersey Ridge Road
- #19 Sunlight Yoga Studio

CITY OF DAVENPORT

STREET CLOSING PETITION FOR SPECIAL EVENTS - VILLAGE WINE WALK

On the **12th or 19th day of August, 2023**, there is proposed a street closing, requested by **The Village of East Davenport Business Association**, which will require the closing of **East 11th Street** between **Mound Street and Jersey Ridge Road and Jersey Ridge Road** between **East 11th Street** and **the alley**, during the hours of **2:00 p.m. to 6:00 p.m.** ** Please sign your name and print address below and indicate whether you are in favor of the closing, opposed to the closing, or are not concerned (CHECK ONE, PLEASE).

SIGNATURE	FAVOR	OPPOSED	NOT CONCERNED
#1 _____	_____	_____	_____
#2 per email - mhisho@lynchheatingandplumbing.com _____	<u> X </u>	_____	_____
#3 per email - carxp@mchsi.com _____	<u> X </u>	_____	_____
#4 _____	_____	_____	_____
#5 _____	_____	_____	_____
#6 _____	_____	_____	_____
#7 _____	_____	_____	_____
#8 per email - aimeewinslow@yahoo.com _____	<u> X </u>	_____	_____
#9 per email - btquijas@msn.com _____	<u> X </u>	_____	_____
#10 per email - bubbleteacompanyia@gmail.com _____	<u> X </u>	_____	_____
#11 per email - dvilleeastvillage@gmail.com _____	<u> X </u>	_____	_____
#12 per email - tallmom2@aol.com _____	<u> X </u>	_____	_____
#13 per email - paul.schnell@edwardjones.com _____	<u> X </u>	_____	_____
#14 <u>Julie Keehn</u> _____	<u> X </u>	_____	_____
#15 _____	_____	_____	_____
#16 per email - taylorjarrin@me.com _____	_____	_____	<u> X </u>
#17 _____	_____	_____	_____
#18 per email - tamberg63@aol.com _____	<u> X </u>	_____	_____
#19 per email - rebecca@sunlightyogatherapy.com _____	<u> X </u>	_____	_____

City of Davenport

Department: Public Works - Admin
Contact Info: Brian Schadt | 563-326-7923

Action / Date
5/24/2023

Subject:

Resolution adopting a policy establishing criteria and procedures for the installation of traffic calming measures within the City of Davenport. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The purpose of this document is to establish guidelines for traffic calming within the City of Davenport.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution
▢ Backup Material	Traffic Calming Policy

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	5/10/2023 - 10:55 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION adopting a policy establishing criteria and procedures for the installation of traffic calming measures within the City of Davenport.

WHEREAS, the City may desire to slow traffic and/or reduce vehicular volumes on an existing or proposed roadway; and

WHEREAS, roadway classification and scoring criteria must be established to determine eligibility for calming traffic on a specific roadway; and

WHEREAS, each individual situation must be investigated to determine the appropriate application of enforcement, education, and engineering solutions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a policy establishing criteria and procedures for the installation of traffic calming measures within the City of Davenport is hereby approved.

Passed and approved this 24th day of May, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Traffic Calming Policy

Date: May 25th, 2023



General Policy:

The purpose of this document is to establish criteria for neighborhood traffic calming within the City of Davenport.

Provisions:

1. Applicable Roadways

- a. Roadway classifications shall be as designated by the Urban Federal Function Classification Map prepared by the Iowa Department of Transportation (IDOT).
- b. Local Roads
 - i. Traffic Volumes shall be a minimum of 500 vehicles per day with a maximum of 5,000 vehicles per day.
 - ii. Physical Calming Measures, including but not limited to:
 1. Vertical alterations such as speed humps, raised crosswalks, medians, traffic circles, etc.
 2. Alignment changes such as chicanes .
 3. Width narrowing with medians or curb bulb outs.
 - iii. Educational measures, i.e. speed indicator signage or visual modifications, i.e. painted lane marking may be considered for installation when warranted by the Manual on Uniform Traffic Control Devices (MUTCD).
- c. Collectors and Minor Arterials
 - i. Educational measures, i.e. speed indicator signage or visual modifications, i.e. painted lane marking may be considered for installation when warranted by the MUTCD.
- d. Where appropriate, Public Works shall work with the Police Department on targeted speed and safety enforcement.
- e. Principal Arterials and Interstate Roadways are the jurisdiction of IDOT. Any physical modifications or installation of visual features shall follow their policies and procedures.
- f. All proposed traffic calming features proposed shall be designed and installed in accordance with applicable standards including, but not limited to: the Federal Highway Administration (FHWA) and the Institute

of Transportation Engineering traffic calming publications, the MUTCD, the Iowa Statewide Urban Design and Specifications (SUDAS) and the City Supplemental Specifications.

2. Selection Criteria

- a. A traffic speed and volume study shall be performed by Traffic Engineering to determine current data within the roadway. Consideration must be made to weather conditions, school schedule and special events which may skew data. The following data shall be sampled.
 - i. 85th Percentile Speed – 1 point for every 1 mph greater than 5 mph over the posted speed limit.
 - ii. Excessive Speed – 1 point per percentage of traffic traveling over 10 mph over the posted speed limit.
 - iii. Volume – 1 point per 1,000 vehicles per day observed on the roadway.
 - iv. Distance from a park or school - # of points equals (1,000 feet minus the distance to the facility)/100
 - v. Crash History – 1 point per speed related accident in the past 3 years.
 - vi. Critical Location – If designated as a bike route or school zone, 5 points added.
 - vii. Cut Through Street – If determined by Traffic Engineering that the street is functioning as a cut through street to avoid a collector/arterial, 5 points added.
- b. Roadway must meet a minimum total number of 20 points to be considered for installation of traffic calming.

Neighborhood Street Calming Procedure:

1. Neighborhood Traffic Study Request

- a. Concerned residents shall contact the Public Works Facility to request a traffic speed and volume study be performed on a specific roadway. Pending volume of requests, staff may require a petition from the neighborhood with 30% of the households requesting the study.
- b. Areas determined by staff may also be studied.

2. Traffic Volume and Speed Data Collection, Review and Recommendation

- a. Traffic Engineering will perform a traffic speed and volume study to determine current data as specified in the criteria section of this policy within the roadway. Consideration must be made to weather conditions, school schedule and special events which may skew data.
- b. The data obtained will be reviewed and scored as detailed in this policy.
- c. If the roadway is determined to not meet the selection criteria or the volume does not fall within the minimum/maximum traffic volume set by this policy, calming measures will not be installed on the roadway. One calendar year's time must pass prior to another speed study/review period commencing.

3. Neighborhood Petition for Traffic Calming

- a. A neighborhood representative shall collect signatures regarding support of installation of traffic calming measures on a particular roadway. If greater than 50% of the households indicate opposition to the traffic calming, the project shall not move forward. Per Item #2(c) above, one calendar year's time must pass prior to commencing the review process again.
- b. City Elected Officials or staff may also recommend a roadway be considered for traffic calming measures.

4. Traffic Engineering Concurrence and Ranking

- a. Traffic Engineering staff will review requests for traffic calming as detailed above. Traffic Engineering will provide a recommendation both if traffic calming is appropriate, as well as the applicable calming measures.
- b. Education, engineering and enforcement shall be considered as appropriate for each roadway studied.

5. Neighborhood Correspondence

- a. Staff will send written correspondence to each address within the project area, copying the Ward Alderman. This letter shall include:
 - i. Contact name, phone number and email address of the project manager.
 - ii. An exhibit of the proposed improvements.
 - iii. The proposed timeline for the installation of the improvements.
- b. Any additional dissent comments received will be taken into consideration by Traffic Engineering for project continuance. All comments received will be shared with the Ward Alderman.

6. Project Design, Bidding and Implementation

- a. Traffic Engineering shall provide for design and production of bidding documents.
- b. Pending favorable bids and available funds within the Capital Improvement Plan, the planned traffic calming project shall be implemented in accordance with City policies, purchasing rules and applicable construction standards.
- c. After full implementation of the improvements, Traffic Engineering will provide a follow up traffic speed and volume study. These results will be shared with the Mayor and City Council.

City of Davenport

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

Action / Date
5/24/2023

Subject:

Resolution awarding a contract for the purchase of road salt for the 2023-2024 winter season to Compass Minerals America, Inc of Overland Park, Kansas in the amount of \$498,345. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on April 13, 2023 and sent to contractors. On May 4, 2023, two (2) responsive and responsible bids were opened and read by the Purchasing Division. See attached bid tab.

Compass Minerals America, Inc of Overland Park, Kansas was the lowest responsive and responsible bidder.

This contract is for the purchase of road salt for the 2023-2024 winter season. The base purchase will be for 4,500 tons. The supplemental order must be placed by March 1, 2024. The City must guarantee to purchase 25% of the reserved tonnage. If we experience a light winter, we are only required to purchase this much, but if we have a hard winter, we have 6,000 tons reserved. The total original order will be in the amount of \$498,345.

Funding for this purchase is from account 54702031 520201 SALT.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	5/10/2023 - 10:40 AM
Public Works Committee	Moses, Trish	Approved	5/10/2023 - 10:40 AM
City Clerk	Admin, Default	Approved	5/11/2023 - 3:49 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION awarding a contract for the purchase of road salt for the 2023-2024 winter season to Compass Minerals America Inc of Overland Park, Kansas in the amount of \$498,345.

WHEREAS, the City needs to purchase road salt for the 2023-2024 winter season; and

WHEREAS, Compass Minerals America Inc of Overland Park, Kansas was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the purchase of road salt for the 2023-2024 winter season is hereby awarded to Compass Minerals America Inc of Overland Park, Kansas in the amount of \$498,345.

Passed and approved this 24th day of May, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: ROAD SALT 2023-2024 WINTER SEASON

BID NUMBER: 23-104

OPENING DATE: MAY 4, 2023

FUNDING: 54702031 520201 SALT

RECOMMENDATION: Award the contract to Compass Minerals
America Inc of Overland Park, KS

<u>VENDOR NAME</u>	<u>BASE PURCHASE PLUS 25% OF SUPPLEMENTAL ORDER</u>
Compass Minerals America Inc of Overland Park KS	\$498,345
Morton Salt Inc of Chicago IL	\$532,140

Approved By _____
Purchasing

5/5/2023
Date

Approved By _____
Dept Director

May 5, 2023
Date

Approved By _____
Budget/CIP

5/5/23
Date

Approved By _____
Asst. City Administrator/ CFO

05/05/2023
Date

THE ACTUAL SIGNATURES HAVE BEEN REDACTED TO
PREVENT DUPLICATION AND FRAUDULENT PRACTICES.

City of Davenport

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

Action / Date
5/24/2023

Subject:

Resolution awarding a contract for the Mound Street (East Locust Street to Elm Street) Resurfacing project to Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$375,657.40, CIP #35062. [Ward 5]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on April 21, 2023 and sent to contractors. On May 9, 2023, the Purchasing Division opened and read two (2) bids. See attached bid tab. Hawkeye Paving Corporation of Davenport, Iowa was the lowest responsive and responsible bidder.

Project work includes the furnishing of all labor, materials, equipment, and services necessary for the project, including but not limited to, pavement milling, H.M.A. overlay, pavement removal, P.C.C. pavement, 7", P.C.C. pavement patching, ADA sidewalk improvements, and other related construction.

Funding for this project is from CIP #35062 – CY 2023 Neighborhood Program.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	5/11/2023 - 3:33 PM
Public Works Committee	Moses, Trish	Approved	5/11/2023 - 3:33 PM
City Clerk	Admin, Default	Approved	5/11/2023 - 5:03 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION awarding a contract for the Mound Street (East Locust Street to Elm Street) Resurfacing project to Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$375,657.40, CIP #35062.

WHEREAS, the City needs to contract for the Mound Street Pavement Resurfacing Project; and

WHEREAS, Hawkeye Paving Corporation of Davenport, Iowa was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the Mound Street (East Locust Street to Elm Street) Resurfacing project is hereby awarded to Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$375,657.40.

Passed and approved this 24th day of May, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: Mound Street Pavement Resurfacing

BID NUMBER: 23-108

OPENING DATE: May 9, 2023

FUNDING: 70636675 530350 35062 | CY23 Neighborhood Program

RECOMMENDATION: Award the contract to Hawkeye Paving Corporation of Davenport, IA for \$375,657.40.

<u>VENDOR NAME</u>	<u>PRICE</u>
Hawkeye Paving Corporation of Davenport, IA	\$375,657.40
Langman Construction Inc of Rock Island, IL	\$399,220.60

Approved By

[REDACTED]

Purchasing

5-10-23

Date

Approved By

[REDACTED]

Dept. Director

May 10, 2023

Date

Approved By

[REDACTED]

Budget/CIP

5-10-23

Date

Approved By

[REDACTED]

Assist. City Administrator/CFO

05/10/2023

Date

THE ACTUAL SIGNATURES HAVE BEEN REDACTED TO
PREVENT DUPLICATION AND FRAUDULENT PRACTICES

City of Davenport

Department: Finance
Contact Info: Chad Dyson | 563-326-7817

Action / Date
5/24/2023

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the Credit Island Nature Playground Installation project, CIP #64103. [Ward 1]

Recommendation:

Adopt the Resolution.

Background:

This project will install a new nature playground at Credit Island Park and Nature Preserve. The natural play area will be non-traditional, with play elements that mimic natural elements such as rock formations, logs, and other features.

The project total estimate is \$197,440, which includes a construction contingency, and will be funded through CIP #64103.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution
▢ Backup Material	CI Nature Playground Bid Doc

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	5/11/2023 - 9:23 AM
Finance Committee	Merritt, Mallory	Approved	5/11/2023 - 9:23 AM
City Clerk	Admin, Default	Approved	5/11/2023 - 4:58 PM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Credit Island Nature Playground Installation project, CIP #64103.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the Credit Island Nature Playground Installation project; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Credit Island Nature Playground Installation project.

Passed and approved this 24th day of May, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Finance
Contact Info: Scott Vandewoestyne | 563-326-7750

Action / Date
5/24/2023

Subject:

Resolution awarding a one-year contract with the option of two one-year extensions for crossing guard services to Everything Parking Inc dba Cross Safe of Charlotte, North Carolina. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

A Request for Proposals was issued on March 10, 2023 and sent to vendors. On April 3, 2023, the Purchasing Division opened and read three (3) proposals. See attached tabulation.

The proposals were evaluated by an evaluation committee of staff members from Human Resources and the Davenport Community School District. The criteria used for the evaluations were: 1) Scope of services and questionnaire completion - 50%, 2) Proposed pricing - 35%, and 3) References - 15%.

The evaluation committee felt that Cross Safe would best fit the City's needs.

The annual fee proposed for the first year is \$170,550 to be billed in 10 equal monthly installments of \$17,055. In accordance with the current memorandum of understanding between the City of Davenport and the Davenport Community School District, this fee will be split funded between both parties (50/50). The City's share will be \$8,527.50 for each of the 10 months for the first year. The contract has the option for two one-year extensions with an annual increase of 2.5%.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	5/3/2023 - 5:02 PM
Finance Committee	Merritt, Mallory	Approved	5/3/2023 - 5:02 PM
City Clerk	Admin, Default	Approved	5/8/2023 - 5:43 PM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION awarding a one-year contract with the option of two one-year extensions for crossing guard services to Everything Parking Inc dba Cross Safe of Charlotte, North Carolina.

WHEREAS, the City needs to contract for Crossing Guard services; and

WHEREAS, Everything Parking Inc dba Cross Safe of Charlotte, North Carolina submitted the proposal that best fit the City's needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for crossing guard services is hereby awarded to Everything Parking Inc dba Cross Safe of Charlotte, North Carolina.

Passed and approved this 24th day of May, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
RFP TABULATION

DESCRIPTION: Crossing Guard Services

BID NUMBER: 23-88

OPENING DATE: April 3, 2023

FUNDING: 50102520 520217 | Crossing Guards – Professional Services

RECOMMENDATION: Award a contract to Everything Parking Inc dba Cross Safe of Charlotte, NC.

<u>VENDOR NAME</u>	<u>LOCATION</u>
Everything Parking Inc dba Cross Safe	Charlotte, NC
All City Management Services Inc Crossing Guard Services LLC	Santa Fe Springs, CA Stamford, CT

Approved By		<u>4/27/23</u>
	Purchasing	Date
Approved By		<u>4/27/23</u>
	Dept. Director	Date
Approved By		<u>4/27/23</u>
	Budget/CIP	Date
Approved By		<u>04/27/2023</u>
	Assist. City Administrator/CFO	Date

THE ACTUAL SIGNATURES HAVE BEEN REDACTED TO
PREVENT DUPLICATION AND FRAUDULENT PRACTICES

City of Davenport

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

Action / Date
5/24/2023

Subject:

Resolution ratifying the emergency purchase of 200 HESCO flood barriers from HESCO Bastion Inc of North Charleston, South Carolina in the amount of \$102,020. [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

This was an emergency purchase for 200 HESCO Flood Barriers to replace barriers that were damaged or deemed not reusable in the future. The availability of this product is constrained by supply chain disruptions due to recent Mississippi River flooding and widespread regional flooding in California. It is unlikely that the barriers would have been received before potential summer flooding if the City had gone through the normal bidding process and timelines.

The emergency purchase procedure was utilized for this purchase, and approval was given by the department director, Chief Financial Officer, and City Administrator.

Funding for this purchase is from account 50312060-520231 | Flood Damages.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Emergency Purchase Form

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	5/8/2023 - 2:38 PM
Finance Committee	Merritt, Mallory	Approved	5/8/2023 - 2:39 PM
City Clerk	Admin, Default	Approved	5/9/2023 - 10:47 AM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION ratifying the emergency purchase of 200 HESCO flood barriers from HESCO Bastion Inc of North Charleston, South Carolina in the amount of \$102,020.

WHEREAS, the City needed to purchase replacement HESCO flood barriers; and

WHEREAS, the City had an immediate need for the HESCO flood barriers to be prepared for potential summer flooding; and

WHEREAS, HESCO Bastion Inc of North Charleston, South Carolina was able to provide the product with no lead time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the emergency purchase of 200 HESCO flood barriers from HESCO Bastion Inc of North Charleston, South Carolina in the amount of \$102,020 is hereby ratified.

Passed and approved this 24th day of May, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



THE CITY OF
DAVENPORT
IOWA | USA

EMERGENCY PURCHASE

The _____ Public Works _____ Department of the City of Davenport proposes to purchase the following (1) product or service from the (2) named vendor as an emergency purchase. The (3) basis for this emergency determination and the reason no other vendor is suitable is explained below.

1. Product/service: __HESCO Model SL4836 for replenishment of units rendered unusable through deployment in April/May 2023 Flood__

2. Vendor: __HESCO Bastion, Inc.____

3. Basis/Justification:

The Iowa Department of Administrative Services (DAS) awarded a state contract (Contract #21316A) to Flood Defense Group LLC for the purchase of HESCO flood protection barriers. At the time of the award in March of 2021 the bid price was \$440/EA including delivery. This contract has been amended and a new contract bid price of \$576.00/EA (effective from 03/01/2022 through 02/29/2024) has been accepted by the State of Iowa.

Hesco Bastion, Inc. has offered to supply the City of Davenport with 200 units of SL4836 HESCO barriers for \$500/EA and can provide these within 30 calendar days with a total additional shipping charge of \$2,020. The total cost of the 200-unit order is approximately 11% less than the same order at the Iowa DAS contract price.

Because the availability of this product is constrained by supply chain disruptions, increased demand due to recent Mississippi River flooding and widespread regional flooding in California, it is unlikely that the regular bid process would result in better pricing and that process would likely not be completed in time to prepare the Public Works Department for potential summer flooding.

I certify that the statements listed above are true and accurate and that the conditions cited exist and justify this emergency purchase.

REQUESTORS SIGNATURE

DATE: 05/01/23

APPROVED: NM

DISAPPROVED: _____

MANAGER'S SIGNATURE

DIRECTOR'S SIGNATURE:

[REDACTED]

FINANCE DIRECTOR'S SIGNATURE

[REDACTED]

CITY ADMINISTRATOR'S SIGNATURE:

[REDACTED]

THE ACTUAL SIGNATURES HAVE BEEN REDACTED TO
PREVENT DUPLICATION AND FRAUDULENT PRACTICES

City of Davenport

Department: Finance
Contact Info: Jamie Brown | 563-326-7787

Action / Date
5/24/2023

Subject:

Resolution awarding a contract for the Police Department Parking Ramp Secure Entrance project to Raynor Door of the Quad Cities of Davenport, Iowa in the amount of \$141,873. [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

A Request for Proposals was issued on March 16, 2023 and sent to vendors. On April 13, 2023, the Purchasing Division opened and read two (2) proposals. See attached tabulation.

The proposals were evaluated by an evaluation committee of staff members from the Police Department and Public Works. The criteria used for the evaluations were: 1) Proposed pricing - 40%, 2) Hardware and application features - 40%, and 3) Life expectancy and reliability - 20%. The evaluation committee felt that Raynor Door of the Quad Cities would best fit the City's needs.

The purpose of this project is to secure the Police Department upper parking ramp from unauthorized pedestrian and vehicle traffic.

Funding for this project is from account 77103675 530350 23078 | PD Parking Ramp Security.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	5/11/2023 - 9:20 AM
Finance Committee	Merritt, Mallory	Approved	5/11/2023 - 9:20 AM
City Clerk	Admin, Default	Approved	5/11/2023 - 4:58 PM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION awarding a contract for the Police Department Parking Ramp Secure Entrance project to Raynor Door of the Quad Cities of Davenport, Iowa in the amount of \$141,873.

WHEREAS, the City needs to contract for the Police Department Parking Ramp Secure Entrance project; and

WHEREAS, Raynor Door of the Quad Cities of Davenport, Iowa submitted the proposal that best fit the City's needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the Police Department Parking Ramp Secure Entrance project is hereby awarded to Raynor Door of the Quad Cities of Davenport, Iowa in the amount of \$141,873.

Passed and approved this 24th day of May, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

**CITY OF DAVENPORT, IOWA
RFP TABULATION**

DESCRIPTION: Police Department Parking Ramp Secure Entrance

RFP NUMBER: 23-92

OPENING DATE: April 13, 2023

FUNDING: 77103675 530350 23078 | PD Parking Ramp Security

RECOMMENDATION: Award a contract to Raynor Door of the Quad Cities of Davenport, Iowa in the amount of \$141,873.

<u>VENDOR NAME</u>	<u>LOCATION</u>
Raynor Door of the Quad Cities	Davenport, IA
Lovewell Fence Inc	Davenport, IA

Approved By  5-11-23
Purchasing Date

Approved By  5/11/23
Dept/ Director Date

Approved By  5-11-23
Budget/CIP Date

Approved By  05/11/2023
Assst. City Administrator/CFO Date

THE ACTUAL SIGNATURES HAVE BEEN REDACTED TO
PREVENT DUPLICATION AND FRAUDULENT PRACTICES

City of Davenport

Department: Public Safety
Contact Info: Brian Krup | 563-326-6163

Action / Date
5/24/2023

Subject:

Motion approving noise variance requests for the listed dates and times for outdoor events.

Humility Homes and Services; Welcome Home Party; 519 Fillmore Street; 11:00 a.m. - 1:00 p.m.
Saturday, June 10, 2023; Outdoor music, over 50 dBA. [Ward 3]

The Friends of MLK; Quad City Juneteenth Festival; 318 East 7th Street; 11:00 a.m. - 4:00 p.m.
Saturday, June 17, 2023; Outdoor music/performances, over 50 dBA. [Ward 3]

Hydrocephalus Association; Eastern Iowa WALK to End Hydrocephalus; Architectural Sculpture
Park | Lindsay Park; 8:00 a.m. - 1:00 p.m. Sunday, August 27, 2023; Outdoor music/DJ, over 50
dBA. [Ward 5]

Recommendation:

Pass the Motion.

Background:

These requests for noise variances have been received pursuant to the Municipal Code of
Davenport, Iowa Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

ATTACHMENTS:

Type	Description
▢ Backup Material	Welcome Home Party Noise Variance Petition
▢ Backup Material	Hydrocephalus Association Noise Variance Petition

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	5/12/2023 - 10:58 AM



CITY OF DAVENPORT

NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 10th day of June, 20 23, there is proposed an event which will include outdoor music or a band, requested by Humility Homes, during the hours of 11:00 AM - 1:00 PM.

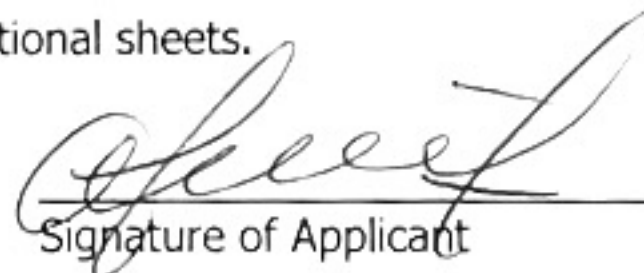
Please note: dates and times on this form must match those entered on the special events application.

***Please sign your name and print address below and indicate whether you are in favor of the noise variance, opposed to the noise variance, or are not concerned (mark one).**

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
1442 W 6th St.	☒	☐	☐
1440 W 6th St.	☐	☐	☐
1438 W 6th St.	☐	☐	☐
1436 W 6th St.	☒	☐	☐
1432 W 6th St. Vacant	☐	☐	☐
1430 W 6th St. Vacant	☐	☐	☐
1426 W 6th St. Vacant	☐	☐	☐
1422 W 6th St.	☒	☐	☐
1418 W 6th St.	☐	☐	☐
Cant find house #?	☐	☐	☐
1408 W 6th St.	☒	☐	☐
1404 W 6th St.	☒	☐	☐
1446 W 6th St.	☐	☐	☐

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

***If more space is needed, please use additional sheets.**



Signature of Applicant

04/21/23
Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com

**City of Davenport
Noise Variance Signature Petition**

On the 27th day of August, 2023, there is proposed an event which will include outdoor music or band, requested by Katalina Kutsch during the hours of 0800 - 1300.

Please print your address and sign your name below and indicate whether you are in favor, oppose, or are not concerned about a noise variance being issued for this event (check one please). **Applicants:** if a resident is unavailable, please list the address and indicate the date(s) and time you tried to make contact.

Name and Address	Favor	Oppose	Not Concerned
Natalia 1019 Md St Davenport IA	☒	☐	☐
Natalia Mueen	☐	☐	☐
Gulld Cheese Bar	☐	☐	☐
Village Corner Deli	☐	☐	☐
1030 Mound St Davenport Iowa	☒	☐	☐
Mini Sparks / Five Star Salon	☒	☐	☐
1026 Mound St Davenport Iowa	☐	☐	☐
SENB Bank	☒	☐	☐
2036 E River Dr. Davenport Iowa	☐	☐	☐
Andrew Doe	☐	☐	☐
Jessie Clout - Vice Commodore	☒	☐	☐
Windsor Park Yacht Club	☐	☐	☐
Mound St Davenport, IA	☐	☐	☐

*Please use additional sheets, if necessary.

Katalina Kutsch 04/09/23
Signature of applicant Date

Office of the City Clerk
563-326-6163

226 West 4th Street
Davenport, IA 52801

Email: Brian.Krup@davenportiowa.com

City of Davenport

Department: Public Safety
Contact Info: Jamie Swanson | 563-326-7795

Action / Date
5/24/2023

Subject:
Motion approving beer and liquor license applications.

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

Ward 6

Flavor of India (Kita, LLC) - 2660 East 53rd Street - New License - License Type: Class C Liquor (On-Premises)

Ward 7

Tantra (Double Chen Holdings, Inc) - 589 East 53rd Street - License Type: Class C Liquor (On-Premises)

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

Ward 2

Dollar General Store #4010 (Dolgencorp, LLC) - 3936 North Pine Street - License Type: Class C Beer (Carry-Out)

Hy-Vee Wine and Spirits (Hy-Vee, Inc) - 3301 West Kimberly Road - License Type: Class E Liquor (Carry-Out)

Ward 3

Lopiez Pizza (Lopez Curse, LLC) - 429 East 3rd Street #1 - License Type: Class C Liquor (On-Premises)

Ward 4

The Gypsy Highway Bar and Grill (The Gypsy Highway Corp) - 2606 West Locust Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 5

Rudy's Tacos (Larosa S A, Inc) - 2214 East 11th Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 6

Dollar General Store #254 (Dolgencorp, LLC) - 2170 East Kimberly Road - License Type: Class C Beer (Carry-Out)

Portillo's Hot Dogs (Portillo's Hot Dogs, LLC) - 2741 East 53rd Street - Outdoor Area - License Type: Special Class C Beer/Wine (On-Premises)

Rhythm City Casino (Rhythm City Casino, LLC) - 7077 Elmore Avenue - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 7

Dollar General Store #9381 (Dolgencorp, LLC) - 109 East 50th Street - License Type: Class C Beer (Carry-Out)

Lunardi's (Ts Lunardi, Inc) - 102 East Kimberly Road Unit E - License Type: Class C Liquor (On-Premises)

Olive Garden Italian Restaurant #1144 (GMRI, Inc) - 330 West Kimberly Road - License Type: Class C Liquor (On-Premises)

Recommendation:
Pass the Motion.

Background:

These applications have been reviewed by the Police, Fire, and Zoning Departments.

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Admin, Default	Approved	5/12/2023 - 4:29 PM

City of Davenport

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

Action / Date
5/24/2023

Subject:

Motion awarding a contract for the City Hall Historic Clock Restoration project to The Tower Clock Company of South Charleston, Ohio in the amount of \$49,800. [Ward 3]

Recommendation:

Pass the Motion.

Background:

A sole source procurement justification is on file with the Purchasing Division for selection of The Tower Clock Company for this project.

Many companies exist that retrofit with new clocks, but this is not appropriate for the historic City Hall. A company located in New Hampshire was reviewed, but its work was limited to a small geography in the northeast US.

The historic tower clock at City Hall has been non-functional for many years due to it's age and there is a very limited amount of service providers qualified to perform proper restoration and repairs.

The Tower Clock Company has restored, repaired, and maintained hundreds of tower clocks and dials throughout the United States, including the largest tower clock movement in the United States located at the Rock Island Arsenal.

Funding for this project is from account 77104675 530350 23079.

ATTACHMENTS:

Type	Description
▢ Cover Memo	The Tower Clock Company Proposal

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Merritt, Mallory	Approved	5/11/2023 - 9:22 AM
Finance Committee	Merritt, Mallory	Approved	5/11/2023 - 9:22 AM
City Clerk	Admin, Default	Approved	5/11/2023 - 5:02 PM



The Tower Clock Company

10340 Columbus-Cincinnati Road

South Charleston, Ohio 45368

(937) 605-1904

email: phil@thetowerclockcompany.com

website: thetowerclockcompany.com

Phil Wright, Owner

HOROLOGICAL EXPERIENCE

Phil Wright – The Tower Clock Company

As a third generation carpenter and machinist, I established **The Tower Clock Company**, in April, 1984, with the purpose of providing the highest standards of the preservation, restoration and repair of antique tower clock movements and dials that can be provided.

We have restored, repaired and maintained hundreds of tower clocks and dials throughout the United States over the past thirty-six years.

I have been a member of the National Association of Watch and Clock Collectors (member #0118002) since 1992 and a member of the National Trust for Historic Preservation. I am a trustee of the South Charleston Heritage Commission, our local Historical Society.

We specialize in the preservation of the major manufacturers of antique tower clocks -E. Howard, Seth Thomas, A.S. Hotchkiss and Nels Johnson Century clocks. These manufacturers built tower clocks from the mid 1800's to the early 1900's and are mechanical works of art.

We have built tower clock movement displays, custom built dials and hands. We have designed, built and restored clock housings, weight chutes, weight boxes, bell hammers and automatic winding systems.

I am the preservation consultant and repairman for The Henry Ford Museums' Tower Clock Collection. Two of these clocks are located on the grounds and one is on display in the museum.



The Tower Clock Company

We have preserved and repaired some of the most historically significant tower clocks in this country, including the #16 Seth Thomas Henry Ford purchased in 1928. I recently finished the preservation and repair of the largest tower clock movement ever made in the United States – The 1867 A.S. Hotchkiss, located in the tower at the Rock Island Army Arsenal in Illinois.

Our shop is located at 200 High Street, South Charleston, Ohio. The shop was originally opened in 1947 by my father, Charles P. Wright, who was a carpenter, cabinet maker, custom home builder, machinist and preservation expert.

Many of the tools and machines in our shop used in the restoration process are antique machines we have restored.

Our preservation process includes the delicate process of preserving the original paint layer and artwork design.

We do not use glass bead blasting or use harsh chemicals on the wheels, pinions, arbors and all other machined parts. This process can and will remove the original machining marks, which are important in a proper preservation of a historical timepiece. All machined parts are cleaned and polished by hand.

Please visit my website, thetowerclockcompany.com, to see before and after pictures of mechanisms and dial restorations/preservations. You can find me at Facebook – Tower Clock Company.



The Tower Clock Company

10340 Columbus-Cincinnati Road

South Charleston, Ohio 45368

(937) 605-1904

email: phil@thetowerclockcompany.com

website: thetowerclockcompany.com

Phil Wright, Owner

April 25, 2023

PROPOSAL

Restoration of Davenports' 1895 E. Howard #0 Special Striker

1. Your tower clock movement will be carefully disassembled documenting the condition of each piece as it is inspected and photographed.
2. All parts will be carefully packed into transport boxes.
3. All parts will be transported back to my shop for preservation.
4. All internal working parts of the clock – wheels, pinions, arbors, pivots, gathering pallets, strike leers and strike rack will be carefully hand cleaned of all dirt and old oil.
5. All parts showing wear will be repaired, machined to their original tolerances.
6. All missing parts will be replaced with original #0 E. Howard tower clock parts we have in stock.
7. All repair work will be photographed and documented.
8. All parts will then be deburred, polished and sealed with preservation wax.



The Tower Clock Company

9. All the painted cast iron parts will be carefully cleaned by hand, using mild cleaners to preserve their original paint, we will consult with you before we repaint with the original color scheme.
10. All cast iron painted parts will then be sealed with Renaissance Preservation Wax.
11. All new bronze bushings will be made and machined to their original tolerances.
12. The clock will be assembled and fitted with the new motors.
13. A new 2 RPM (Hurst) time motor will be installed with a brass pivoting bracket.
14. A new 40 RPM strike motor will be installed using new sprockets and chains.
15. The old mercury tube system that operates the strike system will be completely modernized. The old mercury tube switches will be replaced with low voltage DC proximity sensors.
16. All new wiring in steel conduit will be installed on both motors.
17. Every machine screw, nut, bolt, pin and washer will be hand cleaned, polished and sealed.
18. The pilot dial will be preserved.
19. The clock will be completely assembled and tested in our shop for accuracy using a #0 E. Howard Frame we have in our shop.
20. The motion works assemblies behind the dials will be completely restored.
21. New gaskets will be made to seal the motion works to the dials.
22. The new hands will be made of $\frac{3}{4}$ inch thick #1 sugar pine, tapered to $\frac{3}{8}$ " thickness at their outer edges. The hands will be styled to your specifications. (I will bring original style samples). They will be sanded smooth and then primed and painted with 6 or more coats of satin black



The Tower Clock Company

(Sherwin Williams) paint. The number of coats depends on how many it takes to make the hands smooth.

23. New counter-balance rods will be made of $\frac{1}{2}$ " diameter brass rod approximately two feet in length.
24. New counter-balance weights will be made of $1\frac{1}{4}$ " diameter bronze and will be secured on the rods with $\frac{1}{4}$ " stainless steel screws.
25. The hands will then be precisely balanced.
26. The universal joints will be completely restored.
27. All parts will be packed for transport.
28. Your E. Howard tower clock mechanism and all other parts will be brought back and reassembled.
29. The center sections of the dial glass will be replaced with $\frac{1}{4}$ " thick, milk white cast acrylic material.
30. The new hands and motion works will be installed.
31. The restored dial shafts will then be installed, connecting the clock movement to the dials.
32. All the electrical connections will be made.
33. The 4 dials will be set to the correct time. Time and strike will be synchronized, and the clock will be restarted.
34. Your #0 E. Howard tower clock mechanism will look and operate like new.

5-year guarantee on all parts and labor.

The Tower Clock Company agrees to complete the proceeding 34 items for the following amount.

Total Cost: \$49,800.00



The Tower Clock Company

Please feel free to contact me at any time if you have any questions.

Thank you,

Phil Wright

Owner of the Tower Clock Company

City of Davenport

Department: Public Works - Admin
Contact Info: Richard Oswald | 563-326-6115

Action / Date
5/24/2023

Subject:

Motion awarding a contract for 2023 Spring Demolitions to Johnson Hauling & Excavating LLC of Davenport, Iowa in the amount of \$84,100, CIP #60024. [Wards 3 & 5]

Recommendation:

Pass the Motion.

Background:

On April 13, 2023, the Purchasing Division issued an Invitation to Bid to qualified contractors to provide demolition services for six (6) non-City-owned properties. On April 27, 2023, one (1) responsive and responsible bid was received and opened. See attached bid tab.

This contract is for the demolition of vacant/abandoned properties that are past the point of repair or pose a public safety risk.

Funding for this contract is from CIP #60024 – Demolition Program.

ATTACHMENTS:

Type	Description
▣ Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	5/10/2023 - 10:39 AM
Public Works Committee	Moses, Trish	Approved	5/10/2023 - 10:39 AM
City Clerk	Admin, Default	Approved	5/11/2023 - 4:59 PM

**CITY OF DAVENPORT, IOWA
BID TABULATION**

DESCRIPTION: 2023 Spring Demolitions

BID NUMBER: 23-105

OPENING DATE: April 27, 2023

FUNDING: 79525675 530350 60024 | Demolition Program

RECOMMENDATION: Award the contract to Johnson Hauling & Excavating LLC of Davenport, IA for \$84,100.

<u>VENDOR NAME</u>	<u>PRICE</u>
Johnson Hauling & Excavating LLC of Davenport, IA	\$84,100

Approved By  5-1-23
Purchasing Date

Approved By  5-1-2023
Dept. Director Date

Approved By  5-1-23
Budget/CIP Date

Approved By  05/02/2023
Assist. City Administrator/CFO Date

THE ACTUAL SIGNATURES HAVE BEEN REDACTED TO
PREVENT DUPLICATION AND FRAUDULENT PRACTICES

City of Davenport

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

Action / Date
5/24/2023

Subject:

Motion approving the purchase of gas monitors for the Water Pollution Control Plant from Allied Systems Inc of Des Moines, Iowa in the amount of \$59,431.56. [Ward 1]

Recommendation:

Pass the Motion.

Background:

A Request for Proposals was issued on March 17, 2023 and sent to vendors. On April 6, 2023, the Purchasing Division opened and read two (2) proposals. See attached tabulation.

The proposals were evaluated by an evaluation committee of staff members from Public Works. The criteria used for the evaluations were: 1) Pricing - 30%, 2) Quality of equipment and web-based services agreement - 40%, and 3) Completeness of proposal - 30%. The evaluation team also conducted interviews and product demonstrations with the two (2) vendors who submitted a proposal.

The evaluation committee felt that the product offered by Allied Systems Inc would best fit the City's needs.

Funding for this purchase is from account 51151975 520226 | Maintenance - Machine & Equipment.

ATTACHMENTS:

Type	Description
▢ Backup Material	RFP Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	5/10/2023 - 10:40 AM
Public Works Committee	Moses, Trish	Approved	5/10/2023 - 10:40 AM
City Clerk	Admin, Default	Approved	5/11/2023 - 5:03 PM

**CITY OF DAVENPORT, IOWA
RFP TABULATION**

DESCRIPTION: Gas Monitors

RFP NUMBER: 23-91

OPENING DATE: April 6, 2023

FUNDING: 51151975 520226 Maintenance – Machine & Equipment

RECOMMENDATION: Award the contract to Allied Systems Inc of Des Moines, Iowa for \$59,431.56.

<u>VENDOR NAME</u>	<u>LOCATION</u>
Allied Systems Inc	Des Moines, IA
Quad City Safety	Davenport, IA

Approved By

[Redacted Signature]

Purchasing

5-2-23

Date

Approved By

[Redacted Signature]

Dept. Director

5-2-23

Date

Approved By

[Redacted Signature]

Budget/CIP

5-2-2023

Date

Approved By

[Redacted Signature]

Assist. City Administrator/CFO

05/02/2023

Date

THE ACTUAL SIGNATURES HAVE BEEN REDACTED TO
PREVENT DUPLICATION AND FRAUDULENT PRACTICES.

City of Davenport

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

Action / Date
5/24/2023

Subject:

Motion approving the purchase of a John Deere 331G Compact Track Loader from Martin Equipment of Rock Island, Illinois in the amount of \$85,607.40, using Sourcewell contract #011723-JDC. [All Wards]

Recommendation:

Pass the Motion.

Background:

The Public Works Department has a need to purchase a compact track loader to assist in various maintenance- and construction-related tasks. The John Deere 331G will meet that need and will be purchased from Martin Equipment of Rock Island, Illinois in the amount of \$85,607.40 using Sourcewell contract #011723-JDC.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Admin, Default	Approved	5/15/2023 - 3:00 PM

City of Davenport

Department: Finance
Contact Info: Chad Dyson | 563-326-7817

Action / Date
5/24/2023

Subject:

Motion directing completion of various parks projects in the FY 2024 Park Development Program in an amount not to exceed \$350,000. [All Wards]

Recommendation:

Pass the Motion

Background:

City Council and the Parks and Recreation Advisory Board members were asked to rate and score potential parks projects that would most benefit the community and the parks system. Below are the projects that received the highest overall scores among those who participated in the rating of these projects.

Project	Budget Amount
Cork Hill Park Playground	\$65,000
Monroe Park Playground	\$65,000
Park Amenities	\$50,000
Junior Theatre Dance Floor Replacement	\$7,500
Day Camp Improvements and Equipment	\$10,000
Shade Structures	\$70,000
Concession Remodel	\$25,000
Range Tees at Duck Creek Golf Course	\$15,000
Education Room Remodel and Expansion	\$15,000
Centennial Dog Park Agility Equipment	<u>\$19,000</u>
Total: \$341,500	
Remaining Funding: \$8,500	

This Motion directs the completion of these projects with the \$350,000 allocation during FY 2024. The remaining funding of \$8,500 is being withheld from allocation at this time as a contingency due to the continued fluctuation of overall project costs.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	5/3/2023 - 5:03 PM
Finance Committee	Merritt, Mallory	Approved	5/3/2023 - 5:04 PM
City Clerk	Admin, Default	Approved	5/9/2023 - 11:03 AM