

COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, April 3, 2019; 5:30 PM

City Hall, 226 W. 4th Street, Council Chambers

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Presentation

A. Proclamation: National Library Week April 8-12

VII. Public Hearings

B. Community Development

1. Public Hearing on the allocations for Year 45 (July 1, 2019 – June 30, 2020) Community Development Block Grant (CDBG) funds and HOME Investment Partnership (HOME) funds. [All Wards]
2. Public Hearing on the proposed conveyance of the following properties as part of the Urban Homestead Program:

1412 West 15th Street, Parcel H0010-04, to Kelli Torres (Petitioner). [Ward 4]

1501 Eastern Avenue, Parcel E0016-22, to Kelly DeBolt (Petitioner). [Ward 5]

C. Public Works

1. Public Hearing for the Ordinance to change the name of a section of E 60th St to Duggleby Ave located in Eastern Avenue Farms 5th Addition (City of Davenport, petitioner). [Ward 8]
2. Public Hearing to review an application for a State Revolving Fund (SRF) Loan related to the proposed improvements to the City's 1930's Interceptor Sewer, CIP #30038. [All Wards]
3. Public Hearing on adopting the Davenport GO Multi-Modal Transportation Plan as an element of the City of Davenport Comprehensive Plan, CIP #10151. [All Wards]
4. Public Hearing on the plans, specifications, forms of contract, and estimated cost for the 100 Block of E 3rd St Streetscape Improvements Project, CIP #35022. [Ward 3]

5. Public Hearing on the plans, specifications, forms of contract, and estimated cost for covering the Kaiserslautern Square Upgrades Project, CIP #68004. [Ward 3]
6. Public Hearing on the plans, specifications, forms of contract, and estimated cost for the State Patching Program, CIP #35035. [All Wards]

D. Finance

1. Public Hearing on the proposed conveyance of parcel Y0621-05B lying west of the residence at 6700 Jersey Ridge Road (City of Davenport, petitioner). [Ward 8]

VIII. Petitions and Communications from Council Members and the Mayor

A. Community Engagement Update - Alderwoman Meginnis

IX. Action items for Discussion

COMMUNITY DEVELOPMENT

Rita Rawson, Chairman; Ray Ambrose, Vice Chairman

I. COMMUNITY DEVELOPMENT

1. Resolution for case F19-01: Request of Ronald Dirksen for a final plat of Abbey's Estate on 0.36 acres located at 2305 W 67th Street containing 1 lot. [Ward 8]
2. Resolution for Case P19-01: Request of Grunwald Land Development for a preliminary plat of West Lake Settlement on 79 acres located in unincorporated Scott County southwest of the Locust Street/Interstate 280 Interchange containing 47 lots. [Adjacent to Ward 1]

STAFF AND PLAN AND ZONING COMMISSION RECOMMEND DENIAL

3. Resolution supporting the regional effort to create design principles for the Interstate 74 Corridor. [Ward 6]
4. Resolution terminating the New Economy Corridor Development Agreement. [All Wards]
5. Resolution authorizing the Mayor to execute documents necessary to convey the following properties:

Parcel H0010-04, 1412 West 15th Street to Kelli Torres (Petitioner). [Ward 4]

Parcel E0016-22, 1501 Eastern Avenue to Kelly DeBolt (Petitioner). [Ward 5]

6. Motion approving the allocations for Year 45 (July 1, 2019 – June 30, 2020) Community Development Block Grant (CDBG) funds and HOME Investment Partnership (HOME) funds. [All Wards]

II. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Kyle Gripp, Chairman; Maria Dickmann, Vice Chairman

III. PUBLIC SAFETY

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

St. Paul Knights of Columbus; 5th Annual Blue Mass; 915 E Rusholme St; Tuesday, May 14, 2019 4:30 PM to 7:30 PM; **Closure:** E Rusholme from Arlington Ave to Carey Ave. [Ward 5]

City of Davenport Parks and Recreation and Davenport Community Schools; Youthfest; Wednesday, July 10, 2019 6:00 AM – 3:00 PM; **Closure:** W 12th St from Wilkes Ave through Fejervary Park to Telegraph Rd. [Ward 4]

J&M Displays Inc; QCSO Riverfront Pops Concert Fireworks; LeClaire Park; Saturday, August 17, 2019 between 9:00 PM - 10:00 PM (dependent on the concert run time); **Closure:** bike path behind Modern Woodmen Park. [Ward 3]

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

St. Ambrose University; Final Weekend in April; 518 W Locust St; Friday, April 26, 2019 9:00 PM - 12:00 AM in the Rogalski Center parking lot and Saturday, April 27, 2019 12:00 PM - 1:00 AM in student residences; Music, over 50 dBA. [Ward 4]

German American Heritage Center; Best of the Wurst; 712 W 2nd St; Saturday, June 22, 2019 12:00 PM - 3:00 PM; Outdoor music, over 50 dBA. [Ward 3]

J&M Displays Inc; QCSO Riverfront Pops Concert Fireworks; LeClaire Park; Saturday, August 17, 2019 between 9:00 PM - 10:00 PM (dependent on the concert run time); Fireworks, over 50 dBA. [Ward 3]

3. Motion approving beer and liquor license applications.

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

Ward 3

Lopiez Pizza (Lopez Curse, LLC) - 429 E 3rd St Ste 1 - License Type: C Liquor

Taste of Ethiopia (Genet T Moraetes) - 102 S Harrison St Ste 300 - Outdoor Area - License Type: Beer / Wine

Ward 4

The Gypsy Highway Bar and Grill (The Gypsy Highway Corp) - 2606 W Locust St extended to parking lot - Outdoor Area May 4 - 5, 2019 "Rev It Up For Awareness Rally" - License Type: C Liquor

Ward 5

Rookies Sports Bar (Rookies, Inc) - 2818 Brady St - Outdoor Area April 27 - 28, 2019 "Customer Appreciation" Event - License Type: C Liquor

Ward 7

Azteca Mexican Restaurant (Azteca Mexican Restaurant, Inc) - 4811 N Brady St Ste 3 - Outdoor Area May 4 - 5, 2019 "Cinco de Mayo Fiesta" - License Type: C Liquor

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

Ward 1

QC Mart (Bethany Enterprises, Inc) – 2747 Rockingham Rd – License Type: C Beer

Ward 2

Applebee's Neighborhood Grill & Bar (Apple Corps, LP) – 3005 W Kimberly Rd – License Type: C Liquor

Hy-Vee Food & Drugstore #2 (Hy-Vee, Inc) – 2200 W Kimberly Rd – License Type: E Liquor / C Beer / B Wine

Hy-Vee Market Café (Hy-Vee, Inc) – 2200 W Kimberly Rd Café Area – License Type: C Liquor

Ward 3

Blackhawk Bowl & Martini Lounge (Blackhawk Bowl & Martini Lounge LLC) – 200 E 3rd St Lower Level – License Type: C Liquor

Duck City Delicatessen & Bistro (Moskowitz Llewellyn Restaurant Systems, Inc) – 115 E 3rd St – Outdoor Area - License Type: C Liquor

Great River Brewery (Old Capital Brew Works and Public House, LLC) – 322 & 332 E 2nd St – Outdoor Area - License Type: C Liquor

Geezer's Drafthouse (Geezer's, Inc) – 1654 W 3rd St – Outdoor Area – License Type: C Liquor

Mantra Indian Restaurant (Madan LLC) – 220 N Harrison St – License Type: Beer / Wine

Ward 4

Cedar Street Inn (Fleetfood Incorporated) – 810 Cedar St – License Type: C Liquor

Famous Liquors (Jay Liquor Inc) – 2604 W Locust St – License Type: E Liquor / C Beer / B Wine

Ward 6

Aldi Inc. #80 (Aldi Inc – Corporation) – 5262 Elmore Ave – License Type: C Beer / B Wine

Big River Bowling (Kimberly Entertainment LLC) – 2902 E Kimberly Rd – License Type: C Liquor

Fresh Thyme Farmers Market (Lakes Venture, LLC) – 2130 E Kimberly Rd – License Type: C Beer

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

Your Pie (The Gizzeria Group, Inc.) – 4520 E 53rd St Ste 400 – Outdoor Area – License Type: Beer / Wine / Native Wine

Ward 7

American Legion Post 26 (The American Legion, Inc - Davenport Post #26) – 8702 W 35th St – Outdoor Area - License Type: C Liquor

Azteca 4 (Azteca, Inc) – 3566 Brady St – License Type: C Liquor

Azteca Mexican Restaurant (Azteca Mexican Restaurant, Inc) – 4811 N Brady St Ste 3 – Outdoor Area – License Type: C Liquor

Los Portales Mexican Restaurant 2, Inc (Los Portales Mexican Restaurant 2, Inc) – 1012 E Kimberly Rd – License Type: C Liquor

Sanchos (Lorbil Enterprises Inc) – 307 E George Washington Blvd – License Type: C Liquor

Ward 8

QC Mart (Bethany Enterprises, Inc) – 6807 Northwest Blvd – License Type: C Beer

IV. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Rick Dunn, Chairman; JJ Condon, Vice Chairman

V. PUBLIC WORKS

1. Third Consideration: Ordinance amending various sections of Chapter 12.20 (Right of Way Management Regulations) to clarify specific standards for wireless structures placed within the City. [All Wards]
2. First Consideration: Ordinance to change the name of a section of E 60th St to

Duggleby Ave located in Eastern Avenue Farms 5th Addition (City of Davenport, petitioner). [Ward 8]

3. Resolution approving the contract for the Contract Milling Program to Tri City Blacktop Inc. of Bettendorf, IA in the amount of \$111,242.04, CIP #35042. [Wards 1-7]
4. Resolution adopting the Davenport GO Multi-Modal Transportation Plan as an element of the City of Davenport Comprehensive Plan, CIP #10151. [All Wards]
5. Resolution approving the plans, specifications, forms of contract, and estimated cost for the 100 Block of East 3rd St Streetscape Improvements Project, CIP #35022. [Ward 3]
6. Resolution approving the plans, specifications, forms of contract, and estimated cost of covering the Kaiserslautern Square Upgrades Project, CIP #68004. [Ward 3]
7. Resolution approving the plans, specifications, forms of contract, and estimated cost for the State Patching Program, CIP #35035. [All Wards]
8. Resolution approving the contract for the Federal St Permeable Alley to Emery Construction Group Inc of Moline, IL in the amount of \$204,970, CIP #33032. [Ward 3]
9. Resolution approving the contract for Manhole Rehabilitation Project to Save Our Sewers Inc. of Cedar Rapids, IA in the amount of \$2,390,226.60 CIP #30045. [All Wards]
10. Resolution approving the contract for the 46th St Reconstruction between Fillmore Ln and Marquette St to N J Miller Inc. of Bettendorf, IA in the amount of \$237,210.50, CIP #35036. [Ward 7]
11. Resolution approving the contract for the Elmwood Ave Reconstruction between Lincoln and Linwood Project to Hawkeye Paving Corporation of Bettendorf, IA in the amount of \$340,551, CIP #35036. [Ward 3]
12. Resolution approving the contract for the Elmore Avenue Patching project to CDMI Concrete Contractors Inc. of East Moline, IL in the amount of \$206,686, CIP #35035. [Ward 6]
13. Resolution awarding the contract for the General Street Resurfacing contract to Hawkeye Paving Corporation of Bettendorf, IA in the amount of \$955,627, CIP #35035. [Ward 1, 5, and 6]
14. Motion to approve the contract for glazing and door replacement/repair services to Mid-American Glazing Systems of Davenport, IA. [All Wards]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

Mike Matson, Chairman; Rich Clewell, Vice Chairman

VII. FINANCE

1. Resolution authorizing the conveyance of a parcel of land containing a pond, located west of the residential dwelling with a common address of 6700 Jersey Ridge Road,

City of Davenport, Petitioner. [Ward 8]

2. Resolution approving the contract for the purchase of a new Self Contained Breathing Apparatus (SCBA) for the Fire Department from Sandry Fire Supply LLC of DeWitt, IA, CIP #63008. [All Wards]
3. Resolution approving nine Open Prairie Tax Exemptions. [All Wards]
4. Motion approving the purchase of two 9,300 GVW crew cab 4x4 pickup trucks from Reynolds Motor Company in East Moline, IL in the amount of \$60,318.48, CIP #24011. [All Wards]

VIII. Motion recommending discussion or consent for Finance items

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

1. Iowa Individual Health Benefit - CY2016 Assessment - Amount: \$17,176
2. Altorfer Inc - used forklift for Compost - Amount: \$19,000
3. Paper 101 - Annual copy paper order - Amount \$19,515.25
4. Riverstone Group Inc - Sand for sandbagging - Amount \$21,650
5. Hame-Fischbein - Volumetric bagger for compost - Amount \$41,796.02

XI. Other Ordinances, Resolutions and Motions

XII. Public with Business

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

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

XIII. Reports of City Officials

XIV. Adjourn

City of Davenport

Agenda Group:
Department: Office of the Mayor
Contact Info: Samantha Torres 563-326-7701
Wards:

Action / Date
4/3/2019

Subject:
Proclamation: National Library Week April 8-12

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	3/27/2019 - 4:25 PM

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Bruce Berger 563-326-7769
Wards:

Action / Date
3/20/2019

Subject:
Public Hearing on the allocations for Year 45 (July 1, 2019 – June 30, 2020) Community Development Block Grant (CDBG) funds and HOME Investment Partnership (HOME) funds. [All Wards]

Recommendation:
Hold the Hearing.

Background:

The Citizens Advisory Committee (CAC) completed its process for funding recommendations for the Year 45 CDBG program, which is a subpart of the City's FY 2020 operating budget. The CAC reviewed the CDBG applications at a work session and held a public meeting at which applicants made presentations and answered questions about their programs and projects. The CAC's process concluded on March 4th when the CAC voted on its Year 45 funding recommendations for the FY 2020 CDBG estimated entitlement of \$1,401,803. The vote on the entire slate of recommended allocations was unanimous.

The purpose of the HOME Program is to create affordable housing opportunities for low and very low income residents. City HOME dollars are targeted to the construction or rehabilitation of single and multi-unit housing. HOME funds are available to non-profit, for-profit, or Community Housing Development Organizations (CHDO) developers of affordable housing. For FY 2020, the estimated HOME entitlement is \$494,401.

The attached Funding Summary lists for each of these programs: the agency receiving funds, its purpose, the services it will provide, and the amount of funding to be used. HOME dollars are reflected in bold.

Awarding of these funds is contingent upon the City receiving the entitlements as indicated from the Department of Housing and Urban Development.

ATTACHMENTS:

Type	Description
□ Cover Memo	CDBG 45 Allocation Summary for Council

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	3/15/2019 - 9:42 AM

Year 45 (July 1, 2019 – June 30, 2020) CDBG Recommendations

Based on estimates – HUD formula allocations not yet announced

Public Service Programs

This category is capped by HUD regulation. The maximum available under the cap for public services has been recommended by the CAC.

AGENCY	CDBG FUNDED PURPOSE/SERVICES	PROGRAM	PROPOSED ALLOCATION AMOUNT
BIG BROTHERS/ BIG SISTERS OF THE QUAD CITIES	Provides adult mentoring for children	ADULT MENTORING	\$33,201
BOYS & GIRLS CLUBS OF THE IOWA MISSISSIPPI VALLEY	Provides recreation, education, cultural arts and leadership programs	DAVENPORT PROGRAMS	\$34,963
FAMILY RESOURCES	Provides individual and family therapy; counseling; domestic violence advocacy program and shelter; and crisis intervention.	DOMESTIC VIOLENCE	\$36,050
FRIENDLY HOUSE	Provides recreational and educational activities for youth year-round	RECREATION & EDUCATION	\$30,000
HUMILITY OF MARY HOUSING & SHELTER, INC.	Provides shelter, transitional and supportive housing and services	SHELTER & SUPPORTIVE HOUSING	\$28,901
PROJECT RENEWAL	Provides after school program with social, recreational, educational Activities	AFTER SCHOOL PROGRAM	\$33,314
SALVATION ARMY FAMILY SERVICE CENTER	Provides emergency shelter, meal site and case management services. This is the only site for single male head of household with children and intact two parent families with children.	EMERGENCY SHELTER	\$25,571
VERA FRENCH COMM MENTAL HEALTH CTR.	Provides supportive services to Vera French Housing Corp tenants	TENANT SUPPORT SERVICES	\$28,000
PUBLIC SERVICE TOTAL:			\$250,000

Year 45 (July 1, 2019 – June 30, 2020) CDBG Recommendations and HOME funds

Non-Public Service Programs

The amount recommended for Planning & Administration is below the HUD regulatory cap for that category.
No other non-public service programs are capped by HUD.

AGENCY	CDBG FUNDED PURPOSE/SERVICES	PROGRAM	PROPOSED ALLOCATION AMOUNT
PLANNING & ADMINISTRATION			
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (CPED)	Coordinates, administers, and monitors CDBG program; prepares reports and plans required by HUD; prepares needs assessments and other planning efforts including historic and environmental studies and coordination with neighborhood groups on planning Activities	CDBG STAFF & OPERATIONS	\$262,716 ¹
ECONOMIC DEVELOPMENT:			
CDBG ECONOMIC DEVELOPMENT FUND	Formulation, coordination, and implementation of local economic development strategies	STAFF	\$0 ²
		ECONOMIC DEVELOPMENT FUND	\$250,000
HOUSING:			
CDBG HOUSING REHABILITATION/ NEIGHBORHOOD REVITALIZATION FUND	Provides financing for rehabilitation and purchase of housing; elimination of blight; infrastructure in support of housing activities; and accessibility improvements.	STAFF	\$255,663 ³
		CITY REHAB LOANS/ GRANTS/RELOCATION	\$383,424
		HOME STAFF & OPERATIONS	\$49,440
		HOME LOANS / GRANTS	\$444,961
NON PUBLIC SERVICE TOTAL:			\$1,151,803
HOME TOTAL:			\$494,401

¹\$0 in CDBG Program Income for grant administration

² \$46,399 in Economic Development Revolving Loan Fund Program Income for program delivery

³ \$196,972 in Housing Rehabilitation Revolving Loan Fund Program Income for program delivery

City of Davenport

Agenda Group:
Department: Community Development Committee
Contact Info: Bruce Berger 563-326-7769
Wards:

Action / Date
4/3/2019

Subject:
Public Hearing on the proposed conveyance of the following properties as part of the Urban Homestead Program:

1412 West 15th Street, Parcel H0010-04, to Kelli Torres (Petitioner). [Ward 4]

1501 Eastern Avenue, Parcel E0016-22, to Kelly DeBolt (Petitioner). [Ward 5]

Recommendation:
Hold the Public Hearing.

Background:

As part of the Urban Homestead Program which is funded with a variety of Federal housing grants, the City has acquired and rehabilitated two single family homes with the intention of selling them to income eligible households in Davenport. This program, which has been approved by City Council as part of the City's CDBG Five Year Consolidated and Annual Plans, enables abandoned and vacant properties to be returned to the tax rolls and revitalizes neighborhoods while providing eligible working households with affordable homeownership opportunities.

The respective petitioners have applied for and been approved as federal eligible to acquire these properties from the City. Staff solicited appraisals for the properties and they are being sold for \$120,000 and \$85,000 respectively.

ATTACHMENTS:

Type	Description
Backup Material	Public Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	3/28/2019 - 1:27 PM
City Clerk	Admin, Default	Approved	3/28/2019 - 1:30 PM

(Published on March 30, 2019 in the Quad City Times)

NOTICE OF A PUBLIC HEARING ON A RESOLUTION REGARDING THE CONVEYANCE OF URBAN
HOMESTEAD PROPERTIES OWNED BY THE CITY TO INDIVIDUAL HOMEBUYERS
(PETITIONERS AND HOUSE LOCATIONS LISTED) AS FOLLOWS:

1501 Eastern, Davenport, Iowa to Kelly DeBolt
1412 West 15th Street, Davenport, Iowa to Kelli Torres

Notice is hereby given that there is on file in the office of the City Attorney, City Hall,
Davenport, Iowa a RESOLUTION proposing to convey the above properties owned by the City
of Davenport to the proposed Petitioners (Homebuyers). The properties have the following
legal description.

Parcel E0016-22, 1501 Eastern Avenue, Lot One (1) in Spring Valley Addition to the City of
Davenport, Iowa

Parcel H0010-04, 1412 West 15th Street, The East 15 feet of Lot 16 and the West 35 feet of Lot
17 in Block 8 in Sturdevant's 2nd Addition to the City of Davenport, Iowa

This Resolution will come on for a public hearing before the Davenport City Council, City Hall,
Davenport, Iowa, on the 3rd of April, 2019, commencing at 5:30 P.M., Local Time, or as soon
thereafter as the matter can be considered. At said hearing, interested persons may appear
and be heard for or against said Resolution. PO 1911352

City of Davenport
Bruce Berger
563-326-7769

City of Davenport

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

Action / Date
3/19/2019

Subject:
Public Hearing for the Ordinance to change the name of a section of E 60th St to Duggleby Ave located in Eastern Avenue Farms 5th Addition (City of Davenport, petitioner). [Ward 8]

Recommendation:
Hold the Hearing.

Background:
On September 5, 2018 the City Council approved the plat for the Eastern Avenue Farms 5th Addition. Public Works staff requests to rename a section of E 60th St that stretches from the extended lot line between Lot 9 and Lot 10 to Parkview Dr as Duggleby Ave. This request is being made in order to adhere to typical city street naming standards as the section in question has a north/south bearing and E 60th St should be exclusively an east/west street. The developer of the site is in agreement with this change.

ATTACHMENTS:

Type	Description
▣ Backup Material	Eastern Avenue Farms 5th Addition
▣ Backup Material	Map of Proposed Street Rename

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	3/27/2019 - 10:16 AM
Public Works Committee	Lechvar, Gina	Approved	3/27/2019 - 11:32 AM
City Clerk	Admin, Default	Approved	3/27/2019 - 12:07 PM

CITY OF DAVENPORT
BY *Frank Lepore*
DATE 9-12-2018
PLANNING AND ZONING
BY *Frank Lepore*
DATE 9-24-2018
IOWA - AMERICAN WATER CO.
BY *Frank Lepore*
DATE 8-31-18
MID AMERICAN ENERGY CO.
BY *Frank Lepore*
DATE 8/31/18
MEDIACOM
BY *Frank Lepore*
DATE 9-21-18
CENTURYLINK
BY *Frank Lepore*
DATE 9/18/18

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD DISTANCE
C1	30.88'	175.00'	N 82°32'34" E	30.84'
C2	68.09'	175.00'	N 68°22'27" E	67.89'
C3	67.16'	175.00'	N 44°13'50" E	66.77'
C4	67.01'	175.00'	N 22°18'49" E	66.60'
C5	41.93'	175.00'	N 04°28'47" E	41.83'
C6	196.35'	125.00'	N 42°33'54" E	176.78'
C7	23.56'	15.00'	N 47°26'06" W	21.21'
C8	23.56'	15.00'	S 42°33'54" W	21.21'
C9	23.56'	15.00'	N 42°33'54" E	21.21'
C10	23.56'	15.00'	S 47°26'06" E	21.21'
C11	13.62'	15.00'	S 23°34'30" W	13.16'
C12	75.43'	50.00'	N 06°21'55" E	68.48'
C13	89.10'	50.00'	N 76°26'54" W	63.73'
C14	24.80'	50.00'	S 49°45'05" W	24.54'
C15	13.62'	15.00'	N 61°33'18" E	13.16'
C16	23.56'	15.00'	N 47°26'06" W	21.21'
C17	23.56'	15.00'	S 42°33'54" W	21.21'
C18	13.62'	15.00'	S 68°25'30" E	13.16'
C19	24.85'	50.00'	N 54°38'51" W	24.59'
C20	69.06'	50.00'	S 71°32'03" W	63.72'
C21	75.41'	50.00'	S 11°15'12" E	68.46'
C22	13.62'	15.00'	N 28°26'42" W	13.16'
C23	23.56'	15.00'	N 42°33'54" E	21.21'
C24	23.56'	15.00'	S 47°26'06" E	21.21'

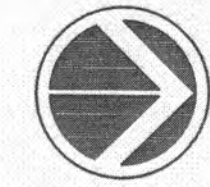
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 87°33'54" E	54.54'
L2	S 02°26'06" E	5.00'

FINAL PLAT
OF
EASTERN AVENUE FARMS FIFTH ADDITION
A RE-PLAT OF LOT 47 OF EASTERN AVENUE FARMS FOURTH ADDITION,
IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA
18.39 ACRES±

AREA TABLE			AREA TABLE			AREA TABLE			AREA TABLE			AREA TABLE		
LOT	AREA S.F.±	AREA AC.±	LOT	AREA S.F.±	AREA AC.±	LOT	AREA S.F.±	AREA AC.±	LOT	AREA S.F.±	AREA AC.±	LOT	AREA S.F.±	AREA AC.±
LOT 1	10,406 SF±	0.24 AC±	LOT 11	17,520 SF±	0.40 AC±	LOT 21	15,011 SF±	0.34 AC±	LOT 31	11,423 SF±	0.26 AC±	LOT 41	13,536 SF±	0.31 AC±
LOT 2	10,400 SF±	0.24 AC±	LOT 12	12,732 SF±	0.29 AC±	LOT 22	26,115 SF±	0.60 AC±	LOT 32	11,438 SF±	0.26 AC±	LOT 42	11,440 SF±	0.26 AC±
LOT 3	10,400 SF±	0.24 AC±	LOT 13	14,858 SF±	0.34 AC±	LOT 23	25,332 SF±	0.58 AC±	LOT 33	13,249 SF±	0.30 AC±	LOT 43	11,440 SF±	0.26 AC±
LOT 4	10,400 SF±	0.24 AC±	LOT 14	13,323 SF±	0.31 AC±	LOT 24	25,346 SF±	0.58 AC±	LOT 34	13,251 SF±	0.30 AC±	LOT 44	11,440 SF±	0.26 AC±
LOT 5	10,400 SF±	0.24 AC±	LOT 15	11,581 SF±	0.27 AC±	LOT 25	25,458 SF±	0.58 AC±	LOT 35	11,440 SF±	0.26 AC±	LOT 45	11,440 SF±	0.26 AC±
LOT 6	12,898 SF±	0.30 AC±	LOT 16	11,855 SF±	0.27 AC±	LOT 26	13,819 SF±	0.32 AC±	LOT 36	11,440 SF±	0.26 AC±	LOT 46	11,440 SF±	0.26 AC±
LOT 7	19,990 SF±	0.46 AC±	LOT 17	11,728 SF±	0.27 AC±	LOT 27	11,469 SF±	0.26 AC±	LOT 37	11,440 SF±	0.26 AC±	LOT 47	13,251 SF±	0.30 AC±
LOT 8	14,814 SF±	0.34 AC±	LOT 18	11,801 SF±	0.27 AC±	LOT 28	11,430 SF±	0.26 AC±	LOT 38	11,440 SF±	0.26 AC±	TOTAL AREA	800,871 SF±	18.39 AC±
LOT 9	18,073 SF±	0.41 AC±	LOT 19	11,874 SF±	0.27 AC±	LOT 29	11,449 SF±	0.26 AC±	LOT 39	11,440 SF±	0.26 AC±			
LOT 10	27,209 SF±	0.62 AC±	LOT 20	12,015 SF±	0.28 AC±	LOT 30	11,443 SF±	0.26 AC±	LOT 40	13,537 SF±	0.31 AC±			

OWNER / SUBDIVIDER
O'BROS LLC
3885 ELMORE AVENUE
DAVENPORT, IOWA 52807
PHONE: (563) 823-1520

BASIS OF BEARING
IOWA STATE PLANE COORDINATE SYSTEM,
SOUTH ZONE NAD 83 (2011 ADJUSTMENT)



60' 0 60' 120'
SCALE: 1" = 60'

LEGEND

- REBAR, FOUND
- CHISELED "X" IN CONCRETE, FOUND
- CHISELED "X" IN CONCRETE, SET
- REBAR WITH CAP #, FOUND
- 5/8" REBAR WITH CAP #13581 SET
- MEASURED DIMENSION
- RECORDED DIMENSION
- LINE CONTINUATION
- SUBDIVISION BOUNDARY
- EXISTING LOT LINE
- PROPOSED LOT LINE
- UNDERLYING DEED LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- EXISTING R.O.W. LINE
- PROPOSED R.O.W. LINE
- BUILDING SETBACK LINE
- UTILITY EASEMENT
- DRAINAGE EASEMENT

ABBREVIATIONS

- AC ACRES
- L LENGTH
- R RADIUS
 SF SQUARE FEET | BSL BUILDING SETBACK LINE | UE UTILITY EASEMENT | DE DRAINAGE EASEMENT |

GENERAL NOTES

This Final Plat was prepared at the request of, and for the exclusive use of O'Bros, LLC.

It should be noted that in the performance of this re-survey, the courses and distances of the re-survey may vary from recorded calls, based on the existence of found monumentation, occupation, or other controlling calls or conditions that have occurred in the re-survey of this property.

This property is subject to any and all easements and roadways of record.

No investigation concerning environmental and subsurface conditions, or for the existence of underground containers, structures or facilities which may affect the use or development of this property was made as a part of this survey.

No investigation was made as apart of this survey to determine or show data concerning existence, size, depth, condition, capacity, or location of any utilities or municipal facilities, except as noted. Call Iowa One-Call at 1-800-292-8989 for information regarding these utilities or facilities.

No part of this subdivision is subject to a Special Flood Hazard Area as designated by FEMA on Community Firm Map No. 19163C0380F with an Effective Date February 18, 2011.

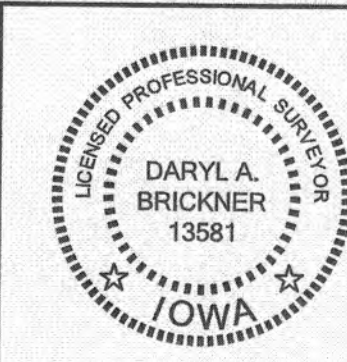
Distances are listed in feet and decimal part of a foot.

All monuments have been found or will be set as shown on this plat by December 1st 2018.

Blanket underground easements granted for all primary and secondary electric cables, pad mounted transformers, electric transformers, primary cable, gas service, water service, sewer laterals, telephone service and cable T.V. to individual structures and street lights.

Easements designated as "Utility Easements" include all utilities that are provided by either the city of Davenport or those companies authorized to provide public utilities within the city of Davenport.

Sidewalks shall be installed along street frontages when so ordered by the City.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.
Daryl A. Brickner
Daryl A. Brickner, PLS No. 13581
My license renewal date is December 31, 2019
No. of sheets covered by this seal: 1

REVISIONS

No.	DESCRIPTION	DATE
1	REVISED PER CITY REVIEW COMMENTS	7/17/2018
2	REVISED UTILITY & DRAINAGE EASEMENT ALONG EAST LINE OF SUBDIVISION	8/27/2018

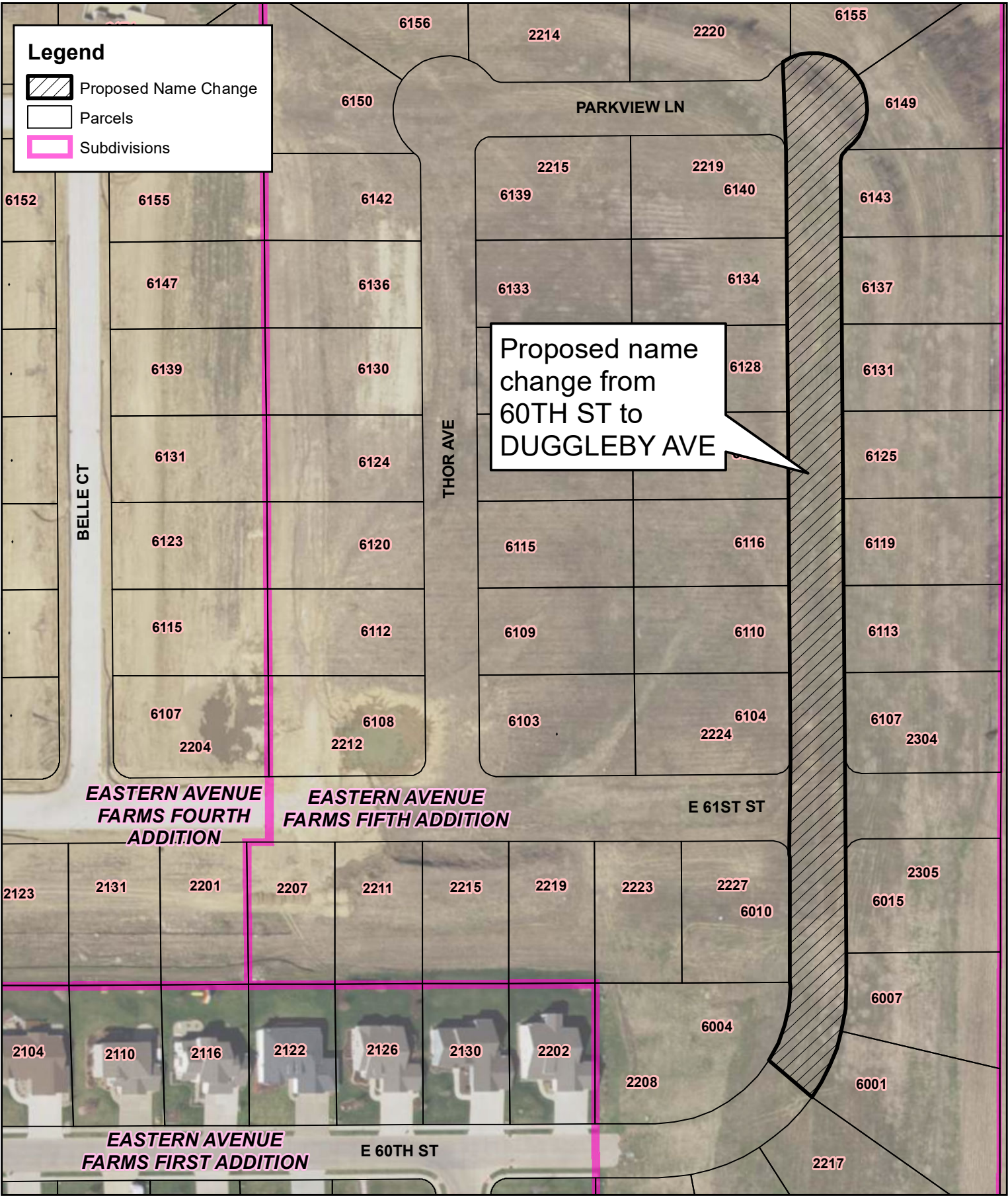
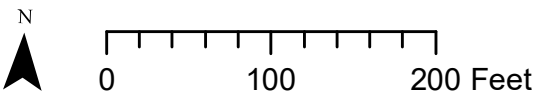
IMEG Project No: 18001330.00
File Name: 18001330_00-PROPERTY.dwg
© COPYRIGHT: 2018 ALL RIGHTS RESERVED
Field Book No:
Drawn By: DAB
Checked By: BDO
Date: 6/7/2018
Sheet 1 of 1

EASTERN AVENUE FARMS 5th ADDITION
DAVENPORT, IOWA
FINAL PLAT

McClure
Professional Engineers & Land Surveyors
FORMERLY
missman, inc.
623 28TH AVENUE
ROCK ISLAND, IL 61201
PH: 309.788.0573
FAX: 309.788.9597
www.missman.com

Proposed Street Name Change

60TH ST to DUGGLEBY AVE



City of Davenport

Agenda Group:
Department: Public Works - Engineering
Contact Info: Brian Schadt 563-326-7923
Wards:

Action / Date
4/3/2019

Subject:
Public Hearing to review an application for a State Revolving Fund (SRF) Loan related to the proposed improvements to the City's 1930's Interceptor Sewer, CIP #30038. [All Wards]

Recommendation:
Hold the Hearing.

Background:

The proposed project includes full abandonment and repurpose of the 1930's Interceptor, including building structures on the 1970's Interceptor and/or rehabilitation of existing structures to intercept the flow prior to getting to the 1930's Interceptor. The project area covers an estimated total of 10.00 acres with approximately 1.00 acres impacted by ground-disturbing construction activity.

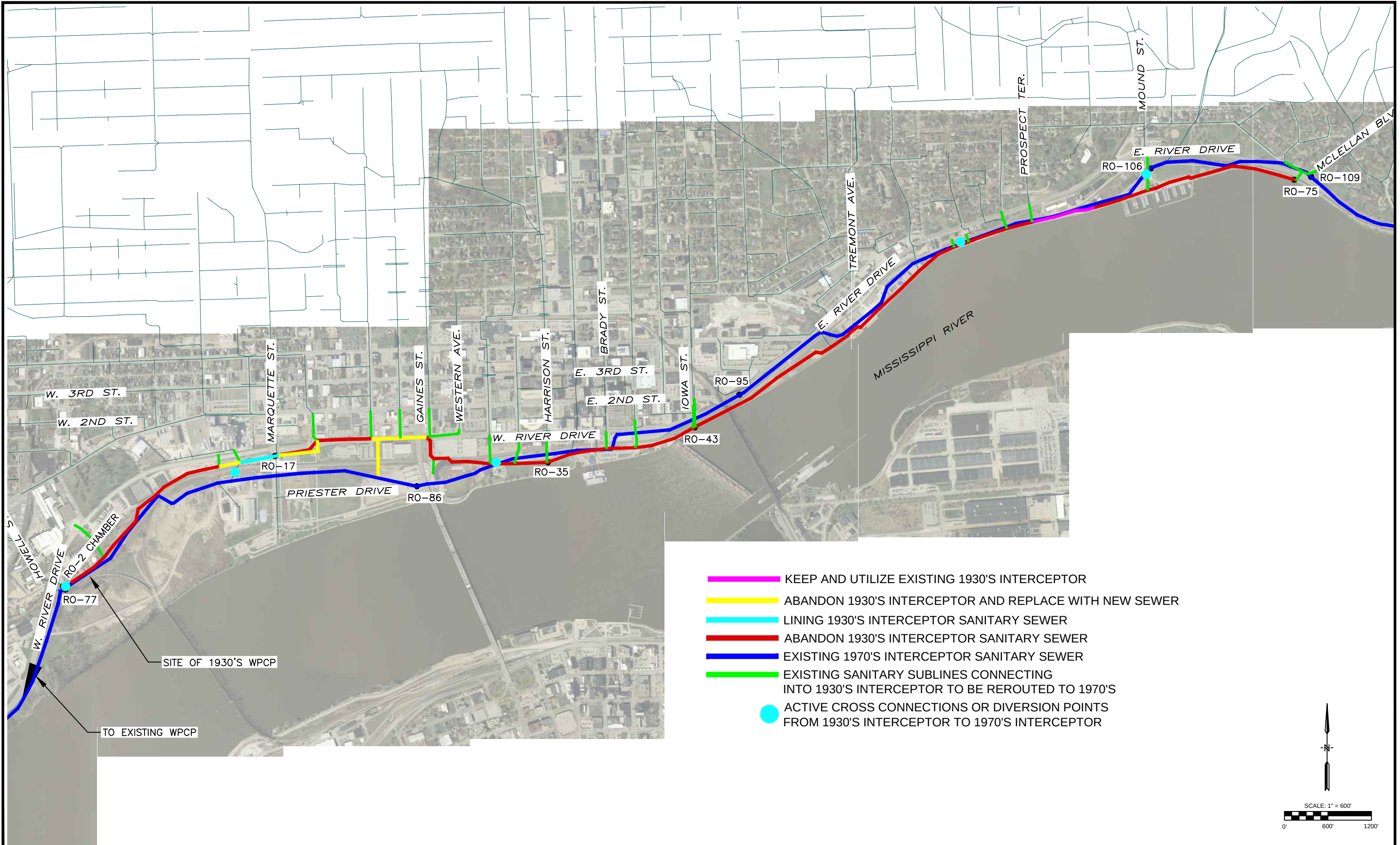
The purpose of this Public Hearing is to inform area residents of the City of Davenport of this proposed action, discuss the actual cost and user fees associated with this project, and to address citizen's concerns, if any, with the plan.

ATTACHMENTS:

Type	Description
▣ Backup Material	Map of 1930's Interceptor Flow Diversion project area

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/27/2019 - 9:51 AM
Public Works Committee	Lechvar, Gina	Approved	3/27/2019 - 11:33 AM
City Clerk	Admin, Default	Approved	3/27/2019 - 12:15 PM



DATE	REVISIONS	SCALE	AS NOTED	VERIFY SCALE	 1930'S INTERCEPTOR DIVERSION INTO JOINT USE INTERCEPTOR CITY OF DAVENPORT, IOWA	PROJECT OVERVIEW - EXISTING RIVERFRONT INTERCEPTOR SEWERS	DWG. NO.
		DRAWN	JAL	BAR IS ONE INCH ON ORIGINAL DRAWING. 0  1" IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.			
		CHECKED	EWL				1
		APPROVED	LFF				
		DATE					
		ISSUED FOR		VEENSTRA & KIMM, INC. 1530 46th Ave • Suite 2B • Moline, Illinois 61265-7019 309-797-0171 • 309-797-0996(FAX) • 877-241-8010(WATS)			PROJECT 22264

City of Davenport

Agenda Group:
Department: Public Works - Engineering
Contact Info: Zach Peterson 563-328-6709
Wards:

Action / Date
4/3/2019

Subject:
Public Hearing on adopting the Davenport GO Multi-Modal Transportation Plan as an element of the City of Davenport Comprehensive Plan, CIP #10151. [All Wards]

Recommendation:
Hold the Hearing.

Background:
Davenport GO is the culmination of a nearly two-year planning effort carried out with substantial public input. It contains sustainable strategies to help make Davenport a more mobile, healthy and safer community from a pedestrian and cycling standpoint.

Davenport GO was commissioned by the City Council in 2017 in order to revisit the bicycle and pedestrian related recommendations originally brought forth in the *Davenport In-Motion* transportation plan (originally completed in 2011). By doing so, the City desires to update and expand upon the pedestrian, bicycle, and shared-use trail network recommendations proposed in *Davenport In-Motion* as means of achieving the development of a balanced, linked, and sustainable multi-modal transportation system throughout the City.

It should be noted, as with any planning endeavor, that implementation rarely is accomplished in a lineal fashion. The plan is intended to serve as a guide for making incremental decisions as they present themselves. The final design of improvements, and the timing of their construction, are subject to funding opportunities and prioritization decisions of current and future City leaders.

Adoption of this Resolution will allow the recommendations contained within Davenport GO to become an element of the City's Comprehensive Plan for the purposes of helping guide development decisions, CIP allocation, staff, and council actions. Plan adoption does not mean the City Council endorses every goal and strategy listed in Davenport GO but rather, each plan recommendation will be considered individually as part of a larger whole. Capital projects influenced by the plan will be considered individually through the normal course of City Council review and approval of the CIP.

Due to its size, the full document is not attached. It can be viewed here:

<https://rdgusa.com/sites/davenportbikes/2018/05/31/289/>

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/27/2019 - 10:15 AM
Public Works Committee	Lechvar, Gina	Approved	3/27/2019 - 11:36 AM
City Clerk	Admin, Default	Approved	3/27/2019 - 12:16 PM

City of Davenport

Agenda Group:
Department: Public Works - Engineering
Contact Info: Zach Peterson 563-328-6709
Wards:

Action / Date
4/3/2019

Subject:
Public Hearing on the plans, specifications, forms of contract, and estimated cost for the 100 Block of E 3rd St Streetscape Improvements Project, CIP #35022. [Ward 3]

Recommendation:
Hold the Hearing.

Background:
This project encompasses the southern block face of E 3rd St between Brady Street and the River Center Parking Garage access drive. The Downtown Davenport Streetscape Improvement Plan Design Guidelines will be applied which includes a “bump out” at the River Center Ramp access drive, brick banding, decorative lights, and new trees. Sidewalk work will also ensure ADA accessibility to building entrances along this frontage.

Per the May 2017 Streetscape Improvement Plan, cost will be shared between the City, property owners, and the Downtown Davenport Partnership.

The current project estimate is \$197,000.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/27/2019 - 9:50 AM
Public Works Committee	Lechvar, Gina	Approved	3/27/2019 - 11:37 AM
City Clerk	Admin, Default	Approved	3/27/2019 - 12:18 PM

City of Davenport

Agenda Group:
Department: Public Works - Engineering
Contact Info: Zach Peterson 563-328-6709
Wards:

Action / Date
4/3/2019

Subject:
Public Hearing on the plans, specifications, forms of contract, and estimated cost for covering the Kaiserslautern Square Upgrades Project, CIP #68004. [Ward 3]

Recommendation:
Hold the Hearing

Background:
The City of Davenport is set commence construction of comprehensive site upgrades to Kaiserslautern Square in Downtown Davenport.

Once completed, project upgrades will include the following:

1. Replacement of fountain hardware to include dynamic functionality, complemented by LED lighting upgrades to provide additional night-time/year-round interest.
2. Removal and replacement of fountain and plaza pavers, wall veneers, and capstones with updated materials.
3. Development of a more hospitable plaza environment by introducing additional plant material, and shade trees with the subdivision of the plaza into outdoor rooms including a performance stage area.
4. Site regrading to ensure all plaza areas meet ADA accessibility guidelines.
5. Additional commemoration of the City of Davenport's Sister City, Kaiserslautern, Germany via the introduction of flags, signage, and future sculpture area.
6. Integration of green stormwater best management practices to ensure that Kaiserslautern Square is compliant with applicable City stormwater regulations.

The above outlined improvements are being scheduled for a spring 2019 bid for summer 2019 construction. Substantial completion is estimated to occur in time for an anticipated fall opening.

The total project cost with contingency is estimated at \$758,000 (\$179,500 of which has been secured via grant funding and other community partnerships).

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/27/2019 - 10:17 AM
Public Works Committee	Lechvar, Gina	Approved	3/27/2019 - 11:45 AM
City Clerk	Admin, Default	Approved	3/27/2019 - 12:19 PM

City of Davenport

Agenda Group:
Department: Public Works - Engineering
Contact Info: Brian Schadt 563-326-7923
Wards:

Action / Date
4/3/2019

Subject:
Public Hearing on the plans, specifications, forms of contract, and estimated cost for the State Patching Program, CIP #35035. [All Wards]

Recommendation:
Hold the Hearing.

Background:
This program is an Iowa DOT reimbursable program that is administered by the City to repair pavement on state routes.

Funding for the 2019 State Patching Program is established within CIP #35035. The current estimate is \$130,000.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/27/2019 - 9:44 AM
Public Works Committee	Lechvar, Gina	Approved	3/27/2019 - 1:15 PM
City Clerk	Admin, Default	Approved	3/27/2019 - 1:29 PM

City of Davenport

Agenda Group:

Department: Public Works - Engineering

Contact Info: Jen Walker 563-326-6168

Wards:

Action / Date

4/3/2019

Subject:

Public Hearing on the proposed conveyance of parcel Y0621-05B lying west of the residence at 6700 Jersey Ridge Road (City of Davenport, petitioner). [Ward 8]

Recommendation:

Hold the Public Hearing.

Background:

The City and adjoining property owner have come to an agreement in which the City is conveying parcel #Y0621-05B in exchange for easements and other construction related activities.

ATTACHMENTS:

Type	Description
▣ Exhibit	Executed Agreement
▣ Exhibit	Executed License

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	3/28/2019 - 5:00 PM

Scott County Parcel #Y0621-05B and #Y0621-05E

Return to: Mike Atchley, 1200 E. 46th Street, Davenport, IA 52807

Prepared by: Brian Hoyer, 226 W. 4th Street, Davenport, IA 52801; (563) 326-7735

Modification, Settlement and General Release

KNOW ALL MEN BY THESE PRESENTS:

This agreement contains provisions that impose duties and obligations upon the owners of the following described real property, to-wit:

Lot 7 of Jersey Farms, an addition to the City of Davenport, Scott County, Iowa, except those portions conveyed to the City of Davenport by deeds recorded as Document #2011-25075, #2011-28919, and #2014-10062. Also known as Scott County Parcel No. Y0621-05E.

The west 302 feet of Lot 7 of Jersey Farms Addition to the City of Davenport, Scott County, Iowa. Also known as Scott County Parcel No. Y0621-05B.

This Agreement, made and entered into on this 5 day of MARCH, 2019, by and between Joshua M. Heacock, Kelly E. Heacock and the City of Davenport, modifies, settles and releases all prior agreements, obligations and duties between the parties related to the Jersey Ridge Road and Veterans Memorial Drive improvement projects as hereinafter provided.

Whereas, there is on file in the Office of the Scott County Recorder document number 2011-25075 which contains provisions obligating the city to construct a berm, landscape and restore real estate to substantially the same condition it was prior to construction of the Veterans Memorial Parkway improvement project (Eastern Av. to Jersey Ridge Rd.) that have affected parcel Y0621-05E, and

Whereas, Joshua M. Heacock and Kelly E. Heacock agreed to the planting of trees along the top of the retaining wall in place of constructing a berm at the top of the retaining wall, and

Whereas, there is on file in the Office of the Scott County Recorder document number 2011-25076 which provides the city a permanent access easement related to Scott County Parcel Y0621-05B, and

Whereas, the purchase agreement and temporary construction easement and acceptance document (Document #2017-1270) executed between Joshua M. Heacock and the City of Davenport dated December 21, 2016 contains certain terms and obligations imposed upon the City of Davenport related to construction work related to the Veterans Memorial Parkway improvement project (Jersey Ridge Rd. to Elmore Av.), and

Whereas, Joshua M. Heacock emailed the City of Davenport on November 19, 2018 in which he claimed damages from the City of Davenport related to the Veterans Memorial Parkway projects and the Construction Conditions associated with the Veterans Memorial Parkway project (Jersey Ridge Rd. to Elmore Av.), and

Whereas Joshua M. Heacock, Kelly E. Heacock and the City of Davenport desire to resolve and settle all of the disputes between them related to the above-mentioned documents and email related to the Veterans Memorial Parkway improvement projects in mutually agreeable terms,

Now therefore, the parties agree to modify the above-referenced documents, resolve and settle all remaining and outstanding obligations and disputes related to the above-referenced documents as follows:

Joshua M. Heacock and Kelly E. Heacock, both being of lawful age, and in exchange for the conveyance of fee title of Scott County Parcel Y0621-05B and the release of Scott County Recorder document number 2011-25076 to Joshua M. Heacock and Kelly E. Heacock by the City of Davenport, agree to release the City of Davenport from its obligations to satisfy any and all outstanding conditions and obligations as set forth in the above-referenced documents and email, and do forever release and forever discharge for themselves and their heirs, executors, administrators and assigns, the City of Davenport and its officers, employees and agents, of and from any and all claims, demands, rights, and causes of action, of whatever kind and nature, arising from or by reason of any and all known and unknown, foreseen and unforeseen bodily and personal injuries, loss and damages, arising and resulting from any and all construction work and related documents and email associated with the Veterans Memorial Parkway improvement projects.

It is understood and agreed that this is a release and settlement of a disputed claim and that the payment of consideration in settlement of this claim is not to be construed as an admission of liability on the part of the City of Davenport, its officers, employees or agents, and that liability is expressly denied. It is further understood that this agreement is subject to Davenport City Council approval of the conveyance of parcel Y0621-05B. This Modification, Settlement and General Release does not void any contractor warranty related to the projects. The city acknowledges and accepts

responsibility for snow removal, grass cutting and sidewalk maintenance of the public sidewalk and right of way area abutting parcels Y0621-05B and Y0621-05E along Veterans Memorial Parkway and Jersey Ridge Road. The City's obligation and responsibility for snow removal, grass cutting and sidewalk maintenance of the public sidewalk and right of way area abutting parcels Y0621-05B and Y0612-05E terminates and said responsibility becomes that of the owner of those respective parcels at such time as Joshua M. Heacock and Kelly E. Heacock transfer ownership of each parcel or both. If Joshua M. Heacock and/or Kelly E. Heacock transfer ownership of said parcels into a trust of which they are named as the primary beneficiaries, the city's obligation to remove snow, cut grass and maintain the sidewalk shall continue until such time as their longest surviving primary lifetime beneficial interest expires. The City agrees to issue an obstruction permit pursuant to 12.36.090 authorizing the construction/placement of a fence within the public right of way south of the pond and north of the guard rail. The approved fence should be similar in style to the existing fence on the south side of your property. If removal is required due to work in the right-of-way in the future, all costs to remove the fence shall be borne by the property owner. Another obstruction permit shall be required to reinstall the fence within the right-of-way after said work is completed. The property owner retains the right to restore the fence in the same or similar fashion at his expense. Lastly, the city agrees to grant Joshua M. Heacock and Kelly E. Heacock a license which will allow law enforcement to approach any issues as if it is their property.

This release contains the entire agreement between Joshua M. Heacock, Kelly E. Heacock and the City of Davenport and the terms of this release are contractual and not a mere recital.

Joshua M. Heacock and Kelly E. Heacock understand and acknowledge that by signing this release they are settling in full all injuries and damages which he has or may suffer from the Veterans Memorial Parkway improvement projects. By signing this release Joshua M. Heacock and Kelly E. Heacock acknowledge that they have entirely read the foregoing and know and understand the content thereof. They understand that if they sign this release they are bound by it and anyone who succeeds to their rights and responsibilities, such as their heirs, executors, administrators, and assigns are also bound.

THIS IS A RELEASE OF ALL CLAIMS. BY SIGNING THIS RELEASE WE ARE SETTLING AND ENDING EVERY RIGHT AND CLAIM WE HAVE AGAINST THE CITY OF DAVENPORT FOR ANY AND ALL DAMAGES AND CLAIMS RELATED TO THE VETERANS MEMORIAL PARKWAY IMPROVEMENT PROJECTS.

We are dating this agreement and signing our names and executing it as a voluntary and free act performed of our own free will and not under duress.

Signed and dated this 5 day of MARCH, 2019.

The City of Davenport

Joshua & Kelly Heacock

Nicole Gleason

Nicole Gleason
Director, Public Works

Joshua M. Heacock

Joshua M. Heacock

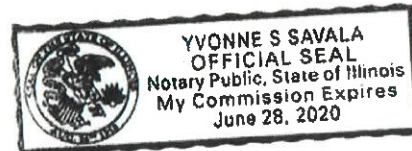
Kelly E. Heacock

Kelly E. Heacock

STATE OF ~~IOWA~~ ^{ILLINOIS})
COUNTY OF ~~SCOTT~~ ^{Rock Island}) SS:

On this 5th day of March, 2019, before me personally appeared Joshua M. Heacock and Kelly E. Heacock, to me known to be the persons who signed the foregoing release having acknowledged to me that they fully understood its content and meaning and that they executed the same as their voluntary act and deed for the sole consideration expressed therein.

Yvonne S. Savala
Notary Public in and for the State of ~~Iowa~~ ^{ILLINOIS}
Seal:



STATE OF IOWA)
COUNTY OF SCOTT) SS:

On this 6th day of March, 2019, before me personally appeared Nicole Gleason, to me known to be the persons who signed the foregoing release having acknowledged to me that they fully understood its content and meaning and that they executed the same as their voluntary act and deed for the sole consideration expressed therein.

Gina M. Lechvar
Notary Public in and for the State of Iowa
Seal:



**LICENSE AGREEMENT
BY AND BETWEEN
THE CITY OF DAVENPORT and JOSHUA AND KELLY HEACOCK**

The City of Davenport, Iowa, in consideration of One Dollar (\$1.00) and other good and valuable consideration, does hereby grant to Joshua M. Heacock and Kelly E. Heacock, (husband and wife, hereinafter "Licensee") a non-exclusive license and authority to use and improve the following described real estate, to-wit:

An area lying within the public right of way on the north side of Veterans Memorial Parkway abutting Scott County Parcel No. Y0621-05B, more particularly described as an area south of parcel Y0621-05B and north of the public sidewalk on the north side of Veterans Memorial Parkway as roughly depicted by the red line and the parcel line in the attached aerial photograph.

Subject to the following terms and conditions.

1. This license agreement is granted to allow the installation of a private fence in the area described so as will protect the Heacocks' private pond located on Scott County Parcel No. Y0621-05B from public access and usage. Licensee bears all costs associated with the demolition, construction, installation and restoration of the area licensed and all ongoing costs associated with the maintenance of the fence.
2. This license agreement shall be effective upon its execution by both parties and shall continue in force and effect thereafter until the earliest of the following: either party terminates it for any reason or no reason.
3. Notices as provided for in this license agreement shall be given to the respective parties at the respective addresses designated herein unless either party notifies the other, in writing, of a different address. Such notice shall be considered given under the terms of this agreement upon deposit in the United States Postal Service mail system, addressed as above designated, postage prepaid, by certified mail.
4. Licensee agrees to save, defend and hold harmless the City of Davenport from any and all liability for damages, costs or expenses from, or as the result of, any action at law or suit in equity that may be brought against the City of Davenport, its officials, agents or employees, by any person or entity on account of the use of the public sidewalk and right of way abutting Scott County Parcel No. Y0612-05B that occur on or about the licensed property related to the Licensee's erection of a fence. The cancellation and termination of this agreement shall not affect the Licensees' obligation to save, defend and hold harmless the City of Davenport in respect to acts or things which shall have been done or which happened before the date fixed for such termination.

5. Licensee accepts the premises in its present condition and agrees that it will not dispose of waste oil, tires, batteries, paint or other chemicals, or hazardous waste as defined by statute or ordinance anywhere on the licensed premises. Licensee shall immediately notify the City of Davenport of any chemical discharge, leak or spill or hazardous waste exposure event that occurs on the premises.

6. The City of Davenport maintains its right to enter upon said premises for any purpose.

7. Licensee shall yield possession of the premises to the City of Davenport without further demand, notice or action, in as good condition as when it first entered upon the premises (normal wear and tear excluded), upon the effective date of this agreement's termination.

8. Licensee is not an agent of the City of Davenport.

9. Licensee may assign this license agreement subject to it providing prior written notification of its intention to assign to the City of Davenport and subject to the City's written approval of said assignment. Each and every term and provision herein contained shall extend to and be binding upon the respective successors, heirs, administrators, executors and assigns of the parties hereto.

10. The parties agree and understand that no permanent structural improvements will be erected or constructed within the area, excepting the aforementioned fence. Any property located upon the premises by Licensee shall be removed immediately upon the termination this license. Any items remaining after termination may be disposed by City in its sole discretion and at the expense of Licensee.

11. Neither Licensee nor anyone claiming by, through or under it shall have the right to file or place any mechanic's lien or other lien of any kind or character whatsoever, upon said premises or upon any building or improvement thereon, and notice is hereby given that no contractor, sub-contractor, or anyone else who may furnish any material, service or labor for any building, improvements, alteration, repairs or any part thereof, shall at any time be or become entitled to any lien thereon.

12. This agreement shall not be construed to create a tenancy of any kind in the above-described real property in favor of Licensee. This agreement simply grants a non-exclusive right to use the property.

13. Licensee agrees to maintain said fence and keep it in good repair and condition. City may take corrective action at Licensee's expense if in the City's sole discretion maintenance is necessary.

14. For the purposes of notice the parties designate the following persons:

Public Works Director

Joshua M. and Kelly E. Heacock

1200 E 46th Street
Davenport, IA 52803
563.326.7923

6700 Jersey Ridge Road
Davenport, IA 52807
319.321.6885

IN WITNESS WHEREOF, the parties have signed this agreement this 5 day
of MARCH, 2019.

City of Davenport

Licensee(s)

Nicole Gleason
Nicole Gleason
Director, Public Works Dept.

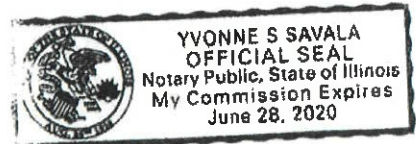
Joshua M. Heacock
Joshua M. Heacock

Kelly E. Heacock
Kelly E. Heacock

ILLINOIS
State of ~~Iowa~~
Rock Island ss.
County of ~~Scott~~

Sworn to and subscribed before me, the undersigned, a Notary Public in and for
the State of ~~Iowa~~, by Joshua M. Heacock to me personally known
this 5 day of March, 2019. Kelly E. Heacock

Yvonne S. Savala
Notary Public in and for State of ~~Iowa~~ ILLINOIS



State of Iowa)
County of Scott) ss.

Sworn to and subscribed before me, the undersigned, a Notary Public in and for
the State of Iowa, by Nicole Gleason to me personally known
this 6th day of March, 2019.

Gina M. Lechvar
Notary Public in and for State of Iowa





City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Matt Flynn 563-888-2286
Wards:

Action / Date
4/3/2019

Subject:
Resolution for case F19-01: Request of Ronald Dirksen for a final plat of Abbey's Estate on 0.36 acres located at 2305 W 67th Street containing 1 lot. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation:

Commercial Node (CN) - Clusters of generally more intense uses found either along existing Urban Corridors or along or at the intersection of major streets in newly developed areas. CN areas may contain commercial uses somewhat more intense than uses found elsewhere on Urban Corridors, as well as higher density residential uses and office and service businesses. CN Nodes should serve a population of about 5000 people within 1/2 mile. Ideally, CN areas should be architecturally integrated, and designed to serve all modes of transportation. Pedestrian connections to the neighborhoods they serve are important. Therefore, master planning and customized zoning provisions for new CN areas should occur before development or redevelopment occurs.

Council Goals: Fiscal Vitality.

The proposed plat would comply with the Davenport 2035 proposed land use section properly conditioned.

Technical Review:

Streets: No new street(s) shall be added, no impact.

Storm Water: Storm water detention and water quality will not be impacted.

Sanitary Sewer: Sanitary sewer service exists in this location.

Other Utilities: Other utilities are existing/present at this site.

Discussion:

The petitioner is requesting a 1 lot subdivision to facilitate a combining of two residential lots.

Staff Recommendation:

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Recommendation:

Staff recommends the City Plan and Zoning Commission forward Case No. F19-01 to the City Council with a recommendation for approval subject to the following condition(s):

1. the owner/developer name of the plat shall be corrected to 'Ronald & Janice Dirksen'.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resoution F19-01
▣ Exhibit	Vote Result
▣ Exhibit	P&Z Letter to Council
▣ Exhibit	Plat
▣ Exhibit	P&Z Staff Report F19-01
▣ Exhibit	Application F19-01

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	3/25/2019 - 10:48 AM

Resolution No. _____

Resolution offered by Rawson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case F19-01: Request of Ronald Dirksen for a final plat of Abbey's Estate on 0.36 acres located at 2305 W 67th Street containing 1 lot. [Ward 8]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the final plat of Abbey's Estate to the City of Davenport, Iowa, be the same and is hereby approved and accepted subject to all the conditions as stated in the Commission's letter dated June 23, 2017 and as follows:

1. That the owner/developer name of the plat shall be corrected to 'Ronald & Janice Dirksen'.

and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution upon said plat as required by law.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

Name:	Public Hearing Roll Call	Regular Meeting Roll Call	3-5-19 Minutes	M	S	F19-01	M	S	F19-03	M	S	F19-04	M	S	P19-01	M	S		M	S				
Connell	✓	✓	Y	10	X	Y	4	0	Y	4	6	Y	4		Y									
Hepner	✓	✓	Y			X			Y			Y			Y									
Inghram	✓	✓																						
Johnson	✓	✓	Y			Y	X		Y	X		X	X		Y	X								
Lammers	✓	✓	Y			Y			Y			Y		X	Y									
Maness	✓	✓	Y			Y			Y		X	Y			Y									
Medd	✓	✓	Y			Y			Y			Y			Y		X							
Quinn	✓	✓	Y			Y			Y			Y			Y									
Reinartz	✓	✓	Y			Y			Y			Y			Y									
Tallman	✓	✓	Y	X		Y		X	Y			Y			ABS									
Schneider	✓	✓	Y			Y			Y			Y			Y									
Result	11	11	10-0			10-0			10-0			10-0			9-0									

Notes:

March 20, 2019

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of March 19, 2019, the City Plan and Zoning Commission considered F19-01: Case F19-01: Request of Ronald Dirksen for a final plat of Abbey's Estate on 0.36 acres located at 2305 W 67th Street containing 1 lot. [Ward 8]

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Recommendation:

The City Plan and Zoning Commission accepted the findings and forwards F19-01 to the City Council for approval, subject to the following conditions:

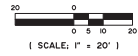
1. that the deed holders name be corrected to "Ronald & Janice Dirksen".

The Commission vote for approval was 10-yes, 0-no and 0-abstentions.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission



LOT AREAS			
NO.	SQUARE FEET	NO.	ACRES
1	15,840	1	0.36

FINAL PLAT OF
ABBHEY'S ESTATE
AN ADDITION TO THE CITY OF DAVENPORT, IOWA

BEING PART OF THE NORTHEAST QUARTER OF SECTION 4
TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5th P.M. AND
BEING A REPLAT OF LOTS 19 AND 20 AND RESERVE AREA B OF
BLOCK 14 IN THE REPLAT OF RIDGEVIEW PARK SECOND ADDITION

OWNER - DEVELOPER

RONALD & JANICE Dirksen
2305 WEST 67th STREET
DAVENPORT, IOWA 52806

GENERAL NOTES

IRON MONUMENTS FOUND SHOWN THUS  (5/8" IRON PIN)

IRON MONUMENTS FOUND SHOWN THUS  (1/2" IRON PIN)

P.K. NAIL IN ASPHALT FOUND SHOWN THUS 

FOUND CUT "+" IN CONCRETE SHOWN THUS 

ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

SUBDIVISION CONTAINS 0.36 ACRES, MORE OR LESS.

BLANKET UNDERGROUND AND OVERHEAD EASEMENTS GRANTED WITHIN THE
MINIMUM WIDTH OF SIDE YARD PROVISIONS OF CHAPTER 17.42 OF THE ZONING
ORDINANCE OF THE CITY OF DAVENPORT, IOWA, ALONG THE SIDE LOT LINES OF
EACH LOT HEREIN FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD
MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLE, GAS
SERVICE, WATER SERVICE, SEWER LATERALS, TELEPHONE SERVICE, CABLE T.V.
AND STREET LIGHTS.

SUBDIVISION IS ZONED R-4 (MODERATE DENSITY DWELLING DISTRICT).

BEARINGS SHOWN ARE BASED ON THE IOWA STATE PLANE COORDINATE SOUTH
ZONE, NAD 83 (2011).

I hereby certify that this land surveying document was
prepared and the related survey work was performed
by me or under my direct personal supervision and
that I am a duly Licensed Land Surveyor under the laws
of the State of Iowa.
Signature: _____
David L. Meyer, P.E. & L.S., License Number 7228
Date: FEBRUARY 05, 2019
My license renewed date is December 31, 2020
THIS SHEET ONLY
Pages or sheets covered by this seal:



PREPARED BY

VERBEKE - MEYER
CONSULTING ENGINEERS, P.C.

4111 EAST 80th STREET
DAVENPORT, IOWA 52807
PHONE NUMBER: (563) 359 - 1348

VMCE 19108

CENTURYLINK

BY _____
DATE _____

MIDAMERICAN ENERGY COMPANY

BY _____
DATE _____
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY
MIDAMERICAN ENERGY COMPANY

IOWA-AMERICAN WATER CO.

BY _____
DATE _____

MEDIACOM

BY _____
DATE _____

PLAN & ZONE COMMISSION

BY _____
DATE _____

CITY OF DAVENPORT, IOWA

BY _____
ATTEST _____
DATE _____



PLAN AND ZONING COMMISSION

Date: March 19, 2019
Request: Abbey's Estates Addition Final Plat Request
Case No.: F18-16
Applicant: McCarthy Improvement Company/ Linwood Stone Products Company

Recommendation:

Staff recommends the City Plan and Zoning Commission accept the listed findings and forward Case No. F19-01 to the City Council with a recommendation for approval subject to the listed conditions.

Introduction:

Case F19-01: Request of Ronald Dirksen for a final plat of Abbey's Estate on 0.36 acres located at 2305 W 67th Street containing 1 lot. [Ward 8]

Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation:

Commercial Node (CN) - Clusters of generally more intense uses found either along existing Urban Corridors or along or at the intersection of major streets in newly developed areas. CN areas may contain commercial uses somewhat more intense than uses found elsewhere on Urban Corridors, as well as higher density residential uses and office and service businesses. CN Nodes should serve a population of about 5000 people within 1/2 mile. Ideally, CN areas should be architecturally integrated, and designed to serve all modes of transportation. Pedestrian connections to the neighborhoods they serve are important. Therefore, master planning and customized zoning provisions for new CN areas should occur before development or redevelopment occurs.

Council Goals: Fiscal Vitality.

The proposed plat would comply with the Davenport 2035 proposed land use section properly conditioned.

Technical Review:

Streets: No new street(s) shall be added, no impact.

Storm Water: Storm water detention and water quality will not be impacted.

Sanitary Sewer: Sanitary sewer service exists in this location.

Other Utilities: Other utilities are existing/present at this site.

Discussion:

The petitioner is requesting a 1 lot subdivision to facilitate a combining of two residential lots.

Staff Recommendation:

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Staff recommends the City Plan and Zoning Commission forward Case No. F19-01 to the City Council with a recommendation for approval subject to the following condition(s):

1. the owner/developer name of the plat shall be corrected to 'Ronald & Janice Dirksen'.

Prepared by:

Scott Koops, AICP
Planner II

**CITY OF DAVENPORT
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (CPED)
SUBDIVISION REFERENCE FILE**

PRELIM / **FINAL** / PUD (circle the appropriate designation)

SUBDIVISION NAME: ABBEY'S ESTATE

LOCATION: 2305 West 67th Street

DEVELOPER: Name: Ronald Dirksen
Address: 2305 West 67th Street
Phone: 563-343-7650 FAX: _____
Mobile Phone: _____ Email: caronitrucking@mchsi.com

ENGINEER: Name: Verbeke-Meyer Consulting Engineers, P.C.
Address: 4111 East 60th Street, Davenport, IA 52807
Phone: 563-359-1348 FAX: 563-359-3295
Mobile Phone: _____ Email: dln@verbeke-meyer.com

ATTORNEY: Name: _____
Address: _____
Phone: _____ FAX: _____
Mobile Phone: _____ Email: _____

OWNER: Name: Ronald Dirksen
Address: 2305 West 67th Street
Phone: 563-343-7650 FAX: _____
Mobile Phone: _____ Email: _____

NUMBER OF LOTS: 1 ACRES: 0.36
SF 2F MF & EST. UNITS COMM IND

STREETS ADDED: -0- LINEAR FEET

Does the plat contain a drainage way or floodplain area: ____ Yes * No

Fee per Plat		Fee
Ten or fewer lots	(< 10 lots)	\$400 plus \$25/lot
Eleven to twenty-five lots	(≥ 11 lots ≤ 25 lots)	\$700 plus \$25/lot
More than twenty-five lots	(> 25 lots)	\$1,000 plus \$25/lot
Reforestation fee	(submit to Land Use Office Prior to City Council review)	\$150 per 50 feet of lineal lot frontage

**NOTE: THE PLAT WILL NOT BE PROCESSED UNTIL THE FEE AND COMPLETED REFERENCE FILE
ARE RECEIVED BY THE PLANNING AND LAND DEVELOPMENT OFFICE.**

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Matt Flynn 563-888-2286
Wards:

Action / Date
3/19/2019

Subject:
Resolution for Case P19-01: Request of Grunwald Land Development for a preliminary plat of West Lake Settlement on 79 acres located in unincorporated Scott County southwest of the Locust Street/Interstate 280 Interchange containing 47 lots. [Adjacent to Ward 1]

STAFF AND PLAN AND ZONING COMMISSION RECOMMEND DENIAL

Recommendation:
Adopt the Resolution.

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

There is an understanding between Scott County and the City that proposed development on the urban fringe will be encouraged to annex. In this case, it is the opinion of City Staff that annexation of this tract is undesirable because it is beyond the Urban Service Boundary (USB).

City staff informed the developer that it was unwilling to support annexation. The developer is proceeding with attempting to gain approval with the subdivision remaining in unincorporated Scott County.

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

Findings:
The plat does not achieve consistency with subdivision requirements (see the eight (8) comments from Public Works) nor is the location of the development within the urban service boundary.

Recommendation:
The City Plan and Zoning Commission concurred with staff findings and the denial recommendation and forwards the extraterritorial plat review to the City Council for a recommendation to the Scott County Board of Supervisors with a recommendation for denial of the proposed preliminary plat based on the findings and the comments from Public Works Natural Resources and Engineer staff.

See attachments for additional information.
Please refer to the Commission's letter and background material for further information.

ATTACHMENTS:

Type	Description
▣ Exhibit	Resoution P19-01
▣ Backup Material	Proposed Preliminary Plat
▣ Backup Material	County Notice

▣ Backup Material

▣ Exhibit

Flynn Huey Correspondence

Staff Report F19-01

REVIEWERS:

Department

Reviewer

Action

Date

City Clerk

Koops, Scott

Approved

3/25/2019 - 11:03 AM

Resolution No. _____

Resolution offered by Rawson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION recommending to the Scott County Board of Supervisors the denial of Case P19-01, Request of Grunwald Land Development for a preliminary plat of West Lake Settlement on 79 acres located in unincorporated Scott County southwest of the Locust Street/Interstate 280 Interchange containing 47 lots. [Adjacent to Ward 1]

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

WHEREAS, the plat is deficient with respect to platting code requirements listed below:

1. The detention basin shall require an agreement from both property owners as it is partly located in the subdivision and partly on county property.
2. All stormwater BMP's shall be in an easement and shall be accessible to public Right-of-Way (Detention near Outlot D shall meet these requirements).
3. The detention basin shall have an easement for the conveyance of a 100-year storm event.
4. Additional R.O.W. shall be required along the south side of Locust Street.
5. R.O.W. street section does not meet Municipal Code standards.
6. Detention area does not meet stormwater standards.
7. SUDAS standards shall be met.
8. The detention basin shall provide an access easement for maintenance and inspection; and

WHEREAS, the location of the development is located outside of the urban service boundary;

NOW, THEREFORE, BE IT RESOLVED, the Davenport City Council concurs with the recommendation of the Plan and Zoning Commission findings and recommendation of denial for request of the Preliminary Plat West Lake Settlement and forwards the extraterritorial plat review to the Scott County Board of Supervisors with a recommendation for denial of the proposed preliminary plat based on the City Plan & Zoning Commission findings and the comments from Public Works Natural Resources and Engineer staff.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

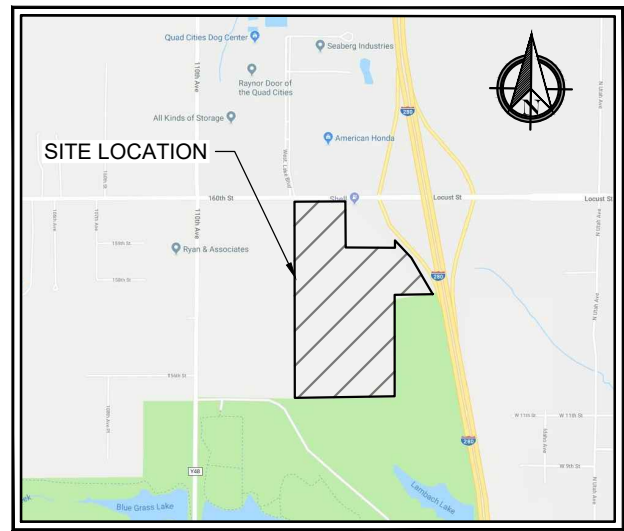
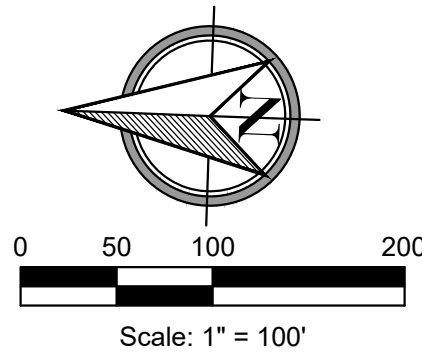
OPEN SPACE REQUIRED (50 LOTS):
10,000 SF (FIRST 15 LOTS)
64,000 SF (2,000 SF X 32 ADD'L LOTS)
74,000 SF TOTAL REQUIRED

OPEN SPACE PROVIDED:
55,800 SF (PARK AREA - OUTLOT C)
26,895 SF (PARK AREA - OUTLOT D)
82,695 SF TOTAL PROVIDED

OWNER
KDC PROPERTIES, LLC
ATTN: KEVIN ENGELBRECHT
ELDRIDGE, IA 52748

DEVELOPER
GRUNWALD LAND DEVELOPMENT
ATTN: DALE GRUNWALD
408 S. SCHULTZ DRIVE
LONG GROVE, IA 52766

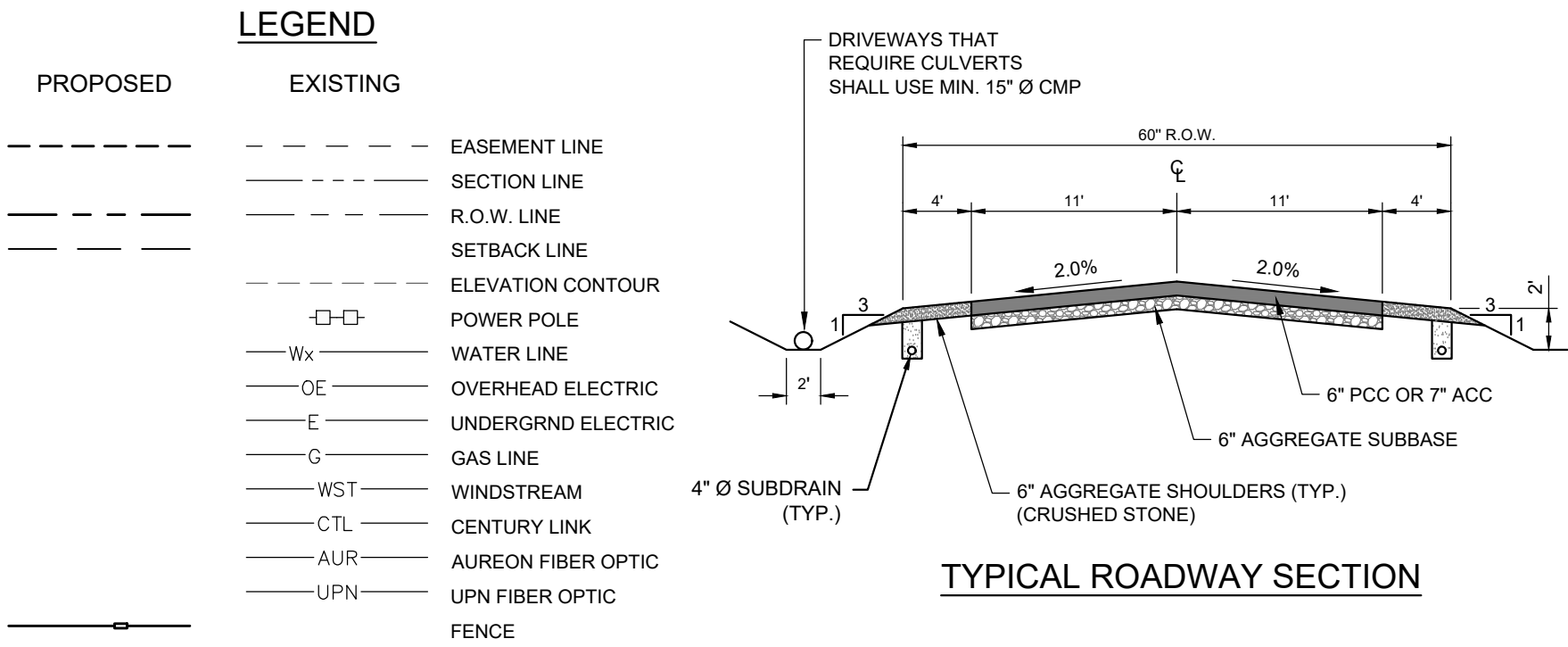
PRELIMINARY PLAT
OF
WEST LAKE SETTLEMENT
SCOTT COUNTY, IOWA



j+m
civil design llc

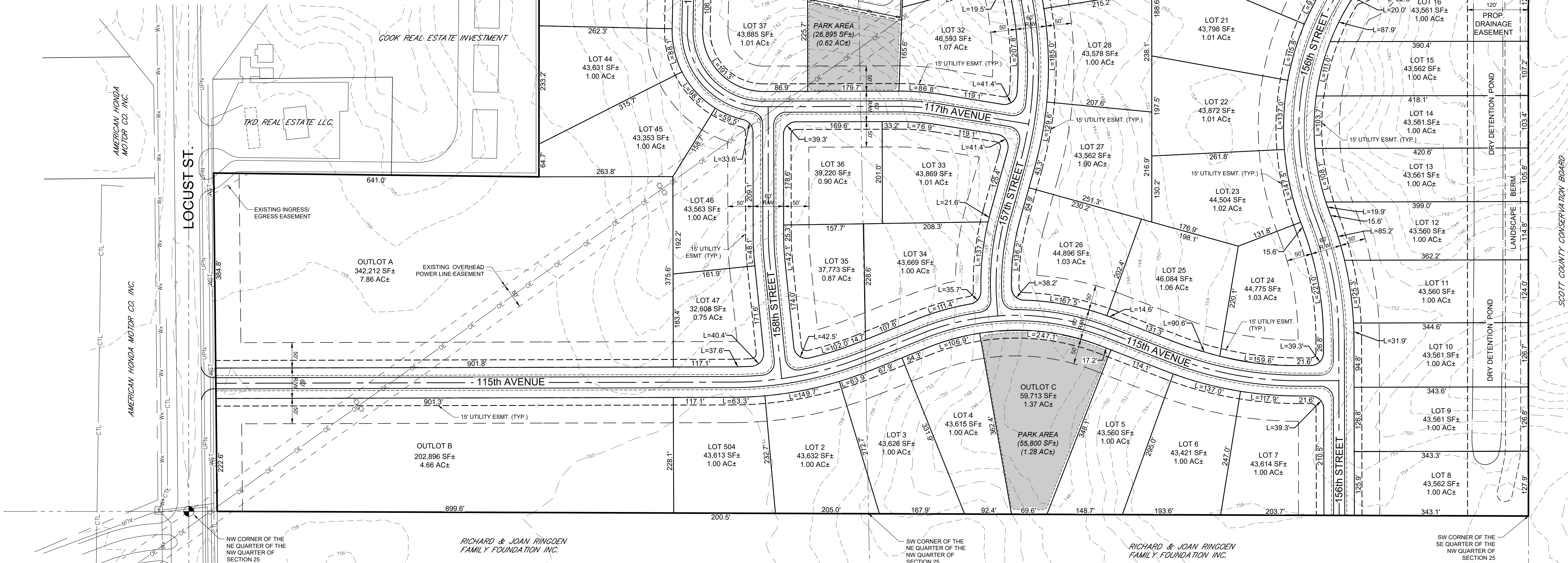
2550 middle road, ste. 300
bettendorf, ia 52722

www.jmcivildesign.com



GENERAL NOTES

- THE PROPERTY CURRENTLY HAS DIRECT PHYSICAL ACCESS TO LOCUST STREET, AND A DEDICATED PUBLIC STREET OR HIGHWAY.
- THE PHYSICAL SITE ADDRESS WAS NOT OBSERVED ONSITE AS THIS PARCEL OF LAND IS UNDEVELOPED. PARCEL CONTAINS APPROXIMATELY 73.4 ACRES.
- THE PROPERTY IS CURRENTLY ZONED AS C-2 AND TAXED AS A-1. PROPOSED ZONING FOR THE PROPERTY WILL BE C-2 IN COMMERCIAL AREA (OUTLOTS A & B) AND R-1 FOR RESIDENTIAL LOTS, INCLUDING OUTLOTS C & D.
- EXISTING TOPOGRAPHIC SURVEY IS FROM SCOTT COUNTY GIS WITH LEGAL DESCRIPTION PREPARED USING SCOTT COUNTY GIS INFORMATION AND AVAILABLE RECORDS. A FORMAL METES AND BOUNDS SURVEY WILL BE COMPLETED AT TIME OF FINAL PLATTING.
- NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
- NO OBSERVABLE EVIDENCE OF CHANGES IN STREET RIGHT OF WAY LINES COMPLETED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION AND NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- THERE IS NO VISIBLE EVIDENCE OF CEMETERIES ON THE SUBJECT PROPERTY AT THE TIME OF SURVEY.
- THIS PROPERTY WILL BE SERVICED BY IOWA-AMERICAN WATER AND PRIVATE SEPTIC SYSTEMS.
- DRAINAGE EASEMENTS ARE SHOWN AS APPROXIMATE. FINAL LOCATION AND DIMENSIONS WILL BE ESTABLISHED WITH FINAL DESIGN AND PRIOR TO FINAL PLATTING.



LEGAL DESCRIPTION - TRACT C

The East Half of the Northwest Quarter of Section 25, Township 78 North, Range 2 East of the 5th P.M., Scott County, Iowa, excepting therefrom 10 acres situated in the northeast corner thereof being more particularly described as beginning at the northeast corner of the Northwest Quarter of said Section 25; thence South 0° 49' West 705 feet; thence West 660 feet; thence North 0° 49' East 705 feet; thence East 660 feet to the point of beginning.

ALSO INCLUDING:

Part of the Northwest Quarter of the Northeast Quarter of said Section 25 lying southwesterly of a line beginning at the point of intersection to the southwesterly right of way line of Interstate Route No. 280 with the west line of the Northeast Quarter of said Section 25; thence South 43° 10' 30" East 307.4 feet along said right of way line; thence South 30° 51' 30" East 553.8 feet along said right of way line to a point on the south line of the Northwest Quarter of the Northeast Quarter of said Section 25 and 494.4 feet easterly of the southwest corner of the Northwest Quarter of the Northeast Quarter of said Section 25.

revision	LOT LINES AND SIZES; ADD FENCE; REV. STREET NAMES	
	LOT LINES AND SIZES; SUBDRAIN ON TYP SECTION	
date	02.05.2019	
	02.13.2019	
no.	1	
	2	

PRELIMINARY PLAT
West Lake Settlement
Davenport, Iowa

Grunwald Land Development

jmcd project no. 18-024
drawn by: cam
checked by: baj
date: 01-09-2019

Preliminary
Plat

PLANNING & DEVELOPMENT

600 West Fourth Street

Davenport, Iowa 52801-1106

Office: (563) 326-8643 Fax: (563) 326-8257

Email: planning@scottcountyiowa.com



Timothy Huey,
Director

January 25, 2019

**NOTICE OF PLANNING AND ZONING COMMISSION PUBLIC HEARING FOR A
PRELIMINARY PLAT OF A MAJOR SUBDIVISION**

Public Notice is hereby given as required by Section 6-25 of the County Code (Zoning Ordinance for unincorporated Scott County), that the Scott County Planning and Zoning Commission hold a public hearing for a preliminary plat of a major subdivision known as West Lake Settlement, submitted by Dale Grunwald Development at a public meeting on **Tuesday, February 5, 2019 at 7:00 PM.** The meeting will be held in the **1st Floor Board Room of the Scott County Administrative Center, 600 W. 4th Street, Davenport, Iowa 52801.**

The Planning and Zoning Commission will hear the request of **Grunwald Land Development** to rezone a 29 acre tract, more or less, from "Commercial and Light Industrial (C-2)" to "Single-Family Residential (R-1)," legally described as a 29 acre tract part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Blue Grass Township **ALSO INCLUDING** a 5 acre tract part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Blue Grass Township **ALSO INCLUDING** a 40 acre tract part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Blue Grass Township. The acreage of proposed rezoning totaling 79 acres, more or less. According to the petition to rezone, the intended new use of the property would include "Residential single family homes, villas, and commercial units."

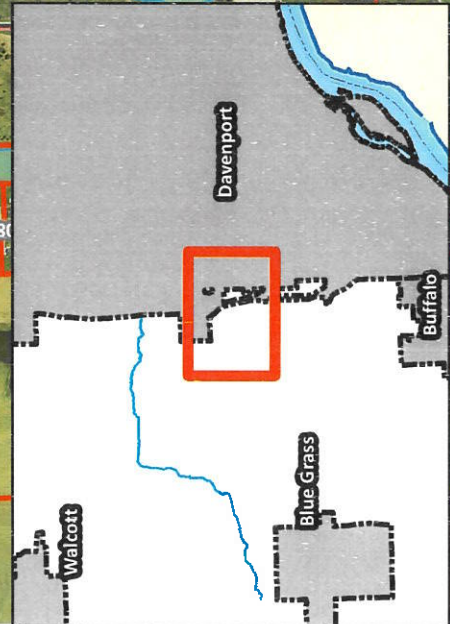
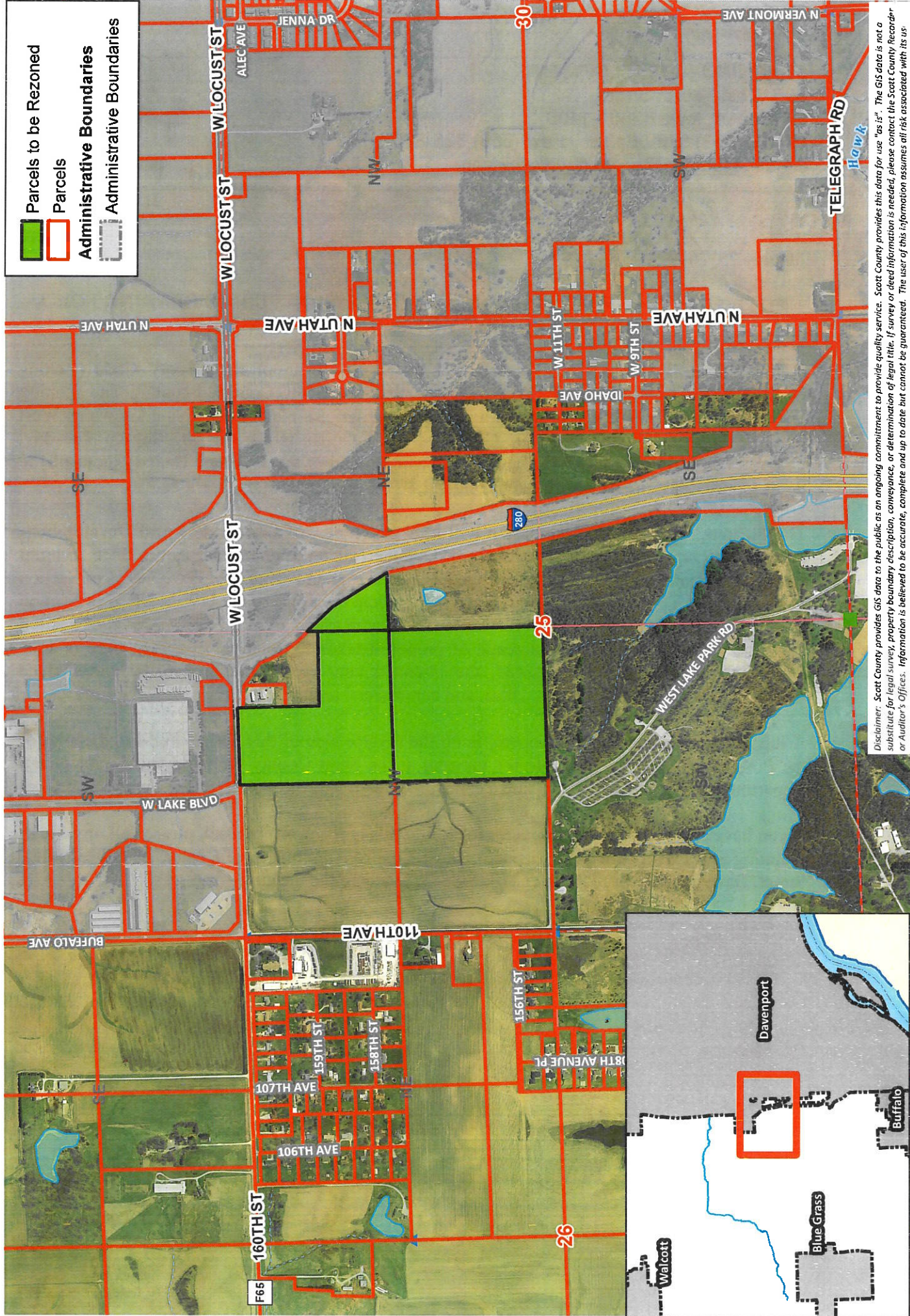
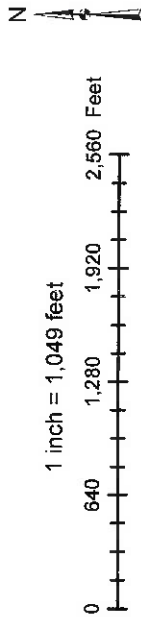
A location map of the subject property is on the reverse side of this notice. Full-sized copies of the Preliminary Plat are available for viewing at the Scott County Planning and Development Department at the address below, and a condensed version of the plat is attached with this notice.

If you have any questions or comments regarding this meeting or proposal, please call or write the Planning and Development Department, Scott County Administrative Center, 600 West Fourth Street, Davenport, Iowa 52801, (563) 326-8643, or attend the meeting.

Timothy Huey
Director



Location - Grunwald Land Development Proposed Rezoning Scott County, Iowa



Disclaimer: Scott County provides GIS data to the public as an ongoing commitment to provide quality service. Scott County provides this data for use "as is". The GIS data is not a substitute for legal survey, property boundary description, conveyance, or determination of legal title. If survey or deed information is needed, please contact the Scott County Recorder or Auditor's Offices. Information is believed to be accurate, complete and up to date but cannot be guaranteed. The user of this information assumes all risk associated with its use.

From: [Huey, Timothy](#)
To: [Flynn, Matt](#)
Cc: [Schadt, Brian](#); [Berger, Bruce](#); [Beswick, Taylor](#)
Subject: RE: Rezoning and Preliminary Plat for Review: West Lake Settlement Subdivision
Date: Tuesday, January 29, 2019 2:14:29 PM

Thank you for your thorough analysis and prompt reply. It is much appreciated. I will forward your comments on to the Scott County Planning Commission and also take them into consideration in formulating my own recommendation.

Again much appreciation;

Tim

Timothy Huey AICP, CRBI
Scott County Planning Director
563-326-8212



From: Flynn, Matt <matt.flynn@ci.davenport.ia.us>
Sent: Tuesday, January 29, 2019 12:42 PM
To: Huey, Timothy <Timothy.Huey@scottcountyiowa.com>
Cc: Schadt, Brian <bschadt@ci.davenport.ia.us>; Berger, Bruce <beb@ci.davenport.ia.us>
Subject: RE: Rezoning and Preliminary Plat for Review: West Lake Settlement Subdivision

Tim – thanks for the opportunity to comment on the proposal by Grunwald Land Development.

As you know, the City of Davenport did discuss the possibility of extending sanitary sewer to this property. The cost of this extension has been estimated at \$4.5 million, which is not currently budgeted within the City's Capital Improvement Plan. Both the City and Mr. Grunwald agree this extension is cost-prohibitive at this time.

Davenport lacks any adopted policies addressing extraterritorial development around the City. We believe that in the very long term, there may be opportunities for industrial and/or commercial development along the I-280 corridor. But currently, the City is looking at other development opportunities within or adjacent to the City's Urban Service Boundary.

We have discussed the possibility of annexation with Mr. Grunwald. We do not support annexation without connection to the sanitary sewer system, at a minimum. In order to be annexed to the City, all infrastructure improvements would need to meet the City's construction standards and be inspected by City staff or be certified by a professional engineering firm licensed in the State of Iowa. Understandably, Mr. Grunwald cannot absorb the costs of the sewer and still have a viable project.

In addition to the sewer issue, the location of this property cannot access any City services efficiently. It is conceivable even with the support of the City for annexation, the City Development Board may not look favorably to the proposal on account of the lack of municipal services.

So in summary, the City does not support annexation and also does not object to Scott County rezoning this property from C-2 to R-1.

Matt Flynn, AICP
Senior Planning Manager
City of Davenport, Iowa
Direct Phone: 563.888.2286

www.cityofdavenportiowa.com

From: Huey, Timothy <Timothy.Huey@scottcountyiowa.com>
Sent: Monday, January 28, 2019 1:29 PM
To: Flynn, Matt <matt.flynn@ci.davenport.ia.us>
Subject: FW: Rezoning and Preliminary Plat for Review: West Lake Settlement Subdivision

Matt:

I want to be sure you got this. I see Taylor sent it to CPEDINFO mail box.

If you could get me back your comments in the next couple of days I would appreciate it.

Let me know if you want to discuss any of this.

Tim

From: Beswick, Taylor <Taylor.Beswick@scottcountyiowa.com>
Sent: Friday, January 25, 2019 4:21 PM
To: Burgstrum, Jon <Jon.Burgstrum@scottcountyiowa.com>; Kersten, Angela <Angela.Kersten@scottcountyiowa.com>; Bradley, Eric <Eric.Bradley@scottcountyiowa.com>; Kean, Roger <Roger.Kean@scottcountyiowa.com>; Bulat, Denise L. <dbulat@bistateonline.org>; cped.info@ci.davenport.ia.us
Cc: Huey, Timothy <Timothy.Huey@scottcountyiowa.com>
Subject: Rezoning and Preliminary Plat for Review: West Lake Settlement Subdivision

All,

Attached are public hearing notices, location map, preliminary plat, and meeting agenda for a proposed rezoning and preliminary plat for a major subdivision near West Lake. The public hearings will take place at the next Planning & Zoning Commission Meeting on February 5th.

Please review and respond with any formal comments by Thursday, January 31st.

Thanks,

Taylor Beswick
Planning & Development Specialist
563.326.8643





PLAN AND ZONING COMMISSION

Date: March 19, 2019
Request: West Lake Settlement Preliminary Plat Request
Case No.: P19-01
Applicant: Grunwald Land Development

Recommendation:

Staff recommends the City Plan and Zoning Commission accept the listed findings and forward Case No. P19-01 to the City Council with a recommendation for approval subject to the listed conditions.

Introduction:

Case P19-01: Request of Grunwald Land Development for a preliminary plat of West Lake Settlement on 79 acres located in unincorporated Scott County southwest of the Locust Street/Interstate 280 Interchange containing 47 lots. [Adjacent to Ward 1]

Background:

Comprehensive Plan:

Within Existing Urban Service Area: No

Within Urban Service Area 2035: No

Future Land Use Designation:
None.

Council Goals: Sustainable Infrastructure

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

There is an understanding between Scott County and the City that proposed development on the urban fringe will be encouraged to annex. In this case, it is the opinion of City Staff that annexation of this tract is undesirable because it is beyond the Urban Service Boundary (USB).

Staff Recommendation:

Findings:

1. The plat does achieve consistency with subdivision requirements nor is the location of the development within the urban service area.

Comments for Natural Resources and Engineering are as follows:

1. The detention basin shall require an agreement from both property owners as it is partly located in the subdivision and partly on county property.
2. All stormwater BMP's shall be in an easement and shall be accessible to public Right-of-Way (Detention near Outlot D shall meet these requirements).
3. The detention basin shall have an easement for the conveyance of a 100-year storm event.
4. Additional R.O.W. shall be required along the south side of Locust Street.
5. R.O.W. street section does not meet Municipal Code standards.
6. Detention area does not meet stormwater standards.
7. SUDAS standards shall be met.
8. The detention basin shall provide an access easement for maintenance and inspection.

Prepared by:

Scott Koops, AICP
Planner II

City of Davenport

Agenda Group:
Department: Community Development Committee
Contact Info: Bruce Berger 563-326-7769
Wards:

Action / Date
4/3/2019

Subject:
Resolution supporting the regional effort to create design principles for the Interstate 74 Corridor.
[Ward 6]

Recommendation:
Adopt the Resolution.

Background:

As the I-74 Bridge project impacts the entire Quad Cities and that corridor in particular, an I-74 Gateway Corridor Workgroup was formed in 2017 as part of the QC Chamber's Q2030 Regional Action Plan. The workgroup has representation from public and private sectors, including each municipality and county that maintains property along the corridor. With the largest infrastructure project in the history of the Quad Cities underway, there are opportunities for community connectivity, economic development, and quality of place.

To that end, the Workgroup is seeking to empower City and County officials to work together to implement a common set of design principles for the I-74 Corridor, to be emblematic of the current and future economic vitality of the Quad Cities region.

Adoption of this Resolution commits the City to the process of reviewing existing guidelines and to help in identification of major features and themes that can be incorporated into a region-wide plan through the design elements of lighting, landscaping, and signage.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	3/28/2019 - 12:33 PM
City Clerk	Admin, Default	Approved	3/28/2019 - 1:26 PM

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION supporting the regional effort to create design principles for the Interstate 74 Corridor. [Ward 6]

WHEREAS, the Davenport City Council has previously expressed its support for the Q2030 Regional Action Plan, which aims to transform the Quad Cities region in cool, creative, connected and prosperous ways through coordinated and collaborative participation from multiple entities; and

WHEREAS, the Q2030 Interstate 74 Gateway Corridor Workgroup was established in order to create a unified and vibrant sense of place along the I-74 corridor from the Rhythm City Casino Resort to the Quad City International Airport that complements the new iconic bridge across the Mississippi River; and

WHEREAS, working together and implementing a common set of design principles for the I-74 corridor, emblematic of the current and future economic vitality of the Quad Cities region, is central to the Q2030 mission of growing, attracting and retaining talent, jobs and investments in the Quad Cities; and

WHEREAS, representatives from each municipality and county that maintains property along the I-74 corridor have been recruited to the Q2030 Workgroup; and

WHEREAS, the Workgroup is in the process of reviewing existing guidelines for development along the corridor and identifying major features and themes that can be incorporated into a region-wide plan.

NOW, THEREFORE, BE IT RESOLVED BY THE DAVENPORT CITY COUNCIL, as follows:
That the effort to create a unified and vibrant sense of place along the I-74 corridor through the elements of lighting, landscape and signage that boost the brand of the corridor is hereby supported by the City of Davenport and the Mayor and Deputy City Clerk are authorized and instructed to certify to the adoption of this resolution.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Legal
Contact Info: Tom Warner
Wards:

Action / Date
4/3/2019

Subject:
Resolution terminating the New Economy Corridor Development Agreement. [All Wards]

Recommendation:
Adopt the Resolution.

Background:

As part of the Vision Iowa project in Davenport, specifically the New Economy Corridor, DavenportOne Foundation (part of the QC Chamber), Kaizen Company of America, LC, and the City of Davenport agreed to participate in the creation of a business incubator – a place where inventors and entrepreneurs could obtain access to advice, venture capital, and affordable office space. In the time since the building was constructed, the DavenportOne Foundation transferred the property to Grow Quad Cities Fund – Iowa (also a QC Chamber entity). The agreement between the three parties began in 2002 and expires in 2023. The building was successfully completed and the Chamber has been occupying the building.

Grow Quad Cities Fund – Iowa wishes to sell and Kaizen Company of America, LC wishes to purchase the building. The QC Chamber will then rent office space from Kaizen. Under the terms of the agreement, the parties may mutually agree to shorten the term of the agreement or the City can unilaterally shorten the term. Rather than wait four years to purchase the building, Kaizen and the Grow Quad Cities Fund – Iowa would like to complete the purchase now. They are asking the City cooperate in the shortening of the term of the agreement.

The agreement has language to address a specific situation where Grow Quad Cities Fund – Iowa determines it is not commercially reasonable to perform its obligations and if that was the case, it would allow the City to purchase the building for \$1. However that is not the situation here. Grow Quad Cities Fund – Iowa has and continues to meet its obligations under the agreement.

Staff recommends approving early termination of the agreement as opposed to making the parties wait four years to transfer ownership.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Warner, Tom	Approved	3/28/2019 - 12:21 PM

RESOLUTION NO. _____

Resolution offered by Alderman Rawson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION terminating the New Economy Corridor Development Agreement.

WHEREAS pursuant to New Economy Corridor Agreement the City of Davenport ("City"), the Chamber of Commerce ("Chamber"), and Kaizen Company of America, LC ("Kaizen") agreed to the development of a business incubator center;

WHEREAS such a center was constructed along with supporting infrastructure and continues to provide services to developing businesses; and

WHEREAS Chamber wishes to transfer ownership of the center to Kaizen and lease back office space in the building rather than own the building;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that the City wishes to terminate the Agreement to facilitate the transfer and authorizes the Mayor and City staff to take the steps necessary to do so.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Community Development Committee
Contact Info: Bruce Berger 563-326-7769
Wards:

Action / Date
4/3/2019

Subject:
Resolution authorizing the Mayor to execute documents necessary to convey the following properties:

Parcel H0010-04, 1412 West 15th Street to Kelli Torres (Petitioner). [Ward 4]

Parcel E0016-22, 1501 Eastern Avenue to Kelly DeBolt (Petitioner). [Ward 5]

Recommendation:
Adopt the Resolution.

Background:

As part of the Urban Homestead Program funded with a variety of Federal housing grants, the City has acquired and rehabilitated two single family homes with the intention of selling them to income eligible households in Davenport. This program, which has been approved by City Council as part of the City's CDBG Five Year Comprehensive and Annual Plans, enables abandoned and vacant properties to be returned to the tax rolls and helps revitalize neighborhoods, while providing eligible working households with affordable homeownership opportunities.

The respective petitioners have applied for and been approved as federally eligible to acquire these properties from the City. City staff solicited appraisals for the properties and they are being sold for \$120,000 and \$85,000 respectively.

Approval of this Resolution will authorize the Mayor and staff to execute closing documents and other agreements to convey the properties to the respective petitioners.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Resolution
▢ Cover Memo	Public Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	3/28/2019 - 1:27 PM
City Clerk	Admin, Default	Approved	3/28/2019 - 1:33 PM

Resolution No. _____

Resolution offered by Ald. Rawson.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION authorizing the Mayor to execute documents necessary to convey the following properties:

[Ward 4] Parcel H0010-04, 1412 West 15th Street, to Kelli Torres (Petitioner) legally described as: The East 15 feet of Lot 16 and the West 35 feet of Lot 17 in Block 8 in Sturdevant's 2nd Addition to the City of Davenport, Iowa and

[Ward 5] Parcel E0016-22, 1501 Eastern Avenue, to Kelly DeBolt (Petitioner) legally described as: Lot One (1) in Spring Valley Addition to the City of Davenport, Iowa.

WHEREAS, the City has operated the Urban Homestead Program since the 1980s to acquire typically abandoned or vacant houses, rehabilitate them with Federal funding, and sell them to income qualifying homebuyers; and

WHEREAS, this program helps revitalize and stabilize neighborhoods, often increasing homeownership and encouraging reinvestment; and

WHEREAS, the two properties referenced are the latest homes that have been completed via the Urban Homestead Program; and

WHEREAS, the petitioners have applied for the program, met all of the requirements, and were selected to acquire the respective homes; and

WHEREAS, per State requirements, notification of a public hearing was published and the public hearing was held on April 3.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City Council does hereby approve the conveyance of the above properties and authorize the Mayor and staff to execute documents necessary to accomplish the transfer.

Attest:

Approved:

Brian Krup, Deputy City Clerk

Frank Klipsch, Mayor

(Published on March 30, 2019 in the Quad City Times)

NOTICE OF A PUBLIC HEARING ON A RESOLUTION REGARDING THE CONVEYANCE OF URBAN
HOMESTEAD PROPERTIES OWNED BY THE CITY TO INDIVIDUAL HOMEBUYERS
(PETITIONERS AND HOUSE LOCATIONS LISTED) AS FOLLOWS:

1501 Eastern, Davenport, Iowa to Kelly DeBolt
1412 West 15th Street, Davenport, Iowa to Kelli Torres

Notice is hereby given that there is on file in the office of the City Attorney, City Hall,
Davenport, Iowa a RESOLUTION proposing to convey the above properties owned by the City
of Davenport to the proposed Petitioners (Homebuyers). The properties have the following
legal description.

Parcel E0016-22, 1501 Eastern Avenue, Lot One (1) in Spring Valley Addition to the City of
Davenport, Iowa

Parcel H0010-04, 1412 West 15th Street, The East 15 feet of Lot 16 and the West 35 feet of Lot
17 in Block 8 in Sturdevant's 2nd Addition to the City of Davenport, Iowa

This Resolution will come on for a public hearing before the Davenport City Council, City Hall,
Davenport, Iowa, on the 3rd of April, 2019, commencing at 5:30 P.M., Local Time, or as soon
thereafter as the matter can be considered. At said hearing, interested persons may appear
and be heard for or against said Resolution.

City of Davenport
Bruce Berger
563-326-7769

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Bruce Berger 563-326-7769
Wards:

Action / Date
4/10/2019

Subject:
Motion approving the allocations for Year 45 (July 1, 2019 – June 30, 2020) Community Development Block Grant (CDBG) funds and HOME Investment Partnership (HOME) funds. [All Wards]

Recommendation:
Pass the Motion.

Background:

The Citizens Advisory Committee (CAC) completed its process for funding recommendations for the Year 45 CDBG program, which is a subpart of the City's FY 20 operating budget. The CAC reviewed the CDBG applications at a work session and held a public meeting at which applicants made presentations and answered questions about their programs and projects. The CAC's process concluded on March 4th when the CAC voted on its Year 45 funding recommendations for the FY20 CDBG estimated entitlement of \$1,401,803. The vote on the entire slate of recommended allocations was unanimous.

The purpose of the HOME Program is to create affordable housing opportunities for low and very low income residents. City HOME dollars are targeted to the construction or rehabilitation of single and multi-unit housing. HOME funds are available to non-profit, for-profit, or Community Housing Development Organizations (CHDO) developers of affordable housing. For FY20, the estimated HOME entitlement is \$494,401.

The attached Funding Summary lists for each of these programs: the agency receiving funds, its purpose, the services it will provide, and the amount of funding to be used. HOME dollars are reflected in bold.

Awarding of these funds is contingent upon the City receiving the entitlements as indicated from the Department of Housing and Urban Development.

A Public Hearing on these recommendations was held. If Council wishes to make changes to these recommendations, this motion should be amended following the Public Hearing at the Committee of the Whole meeting. Final Council action will take place at the April 10 Council meeting.

ATTACHMENTS:

Type	Description
□ Cover Memo	CDBG 45 Allocation Summary for Council

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	3/15/2019 - 9:42 AM

Year 45 (July 1, 2019 – June 30, 2020) CDBG Recommendations

Based on estimates – HUD formula allocations not yet announced

Public Service Programs

This category is capped by HUD regulation. The maximum available under the cap for public services has been recommended by the CAC.

AGENCY	CDBG FUNDED PURPOSE/SERVICES	PROGRAM	PROPOSED ALLOCATION AMOUNT
BIG BROTHERS/ BIG SISTERS OF THE QUAD CITIES	Provides adult mentoring for children	ADULT MENTORING	\$33,201
BOYS & GIRLS CLUBS OF THE IOWA MISSISSIPPI VALLEY	Provides recreation, education, cultural arts and leadership programs	DAVENPORT PROGRAMS	\$34,963
FAMILY RESOURCES	Provides individual and family therapy; counseling; domestic violence advocacy program and shelter; and crisis intervention.	DOMESTIC VIOLENCE	\$36,050
FRIENDLY HOUSE	Provides recreational and educational activities for youth year-round	RECREATION & EDUCATION	\$30,000
HUMILITY OF MARY HOUSING & SHELTER, INC.	Provides shelter, transitional and supportive housing and services	SHELTER & SUPPORTIVE HOUSING	\$28,901
PROJECT RENEWAL	Provides after school program with social, recreational, educational Activities	AFTER SCHOOL PROGRAM	\$33,314
SALVATION ARMY FAMILY SERVICE CENTER	Provides emergency shelter, meal site and case management services. This is the only site for single male head of household with children and intact two parent families with children.	EMERGENCY SHELTER	\$25,571
VERA FRENCH COMM MENTAL HEALTH CTR.	Provides supportive services to Vera French Housing Corp tenants	TENANT SUPPORT SERVICES	\$28,000
PUBLIC SERVICE TOTAL:			\$250,000

Year 45 (July 1, 2019 – June 30, 2020) CDBG Recommendations and HOME funds

Non-Public Service Programs

The amount recommended for Planning & Administration is below the HUD regulatory cap for that category.
No other non-public service programs are capped by HUD.

AGENCY	CDBG FUNDED PURPOSE/SERVICES	PROGRAM	PROPOSED ALLOCATION AMOUNT
PLANNING & ADMINISTRATION			
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (CPED)	Coordinates, administers, and monitors CDBG program; prepares reports and plans required by HUD; prepares needs assessments and other planning efforts including historic and environmental studies and coordination with neighborhood groups on planning Activities	CDBG STAFF & OPERATIONS	\$262,716 ¹
ECONOMIC DEVELOPMENT:			
CDBG ECONOMIC DEVELOPMENT FUND	Formulation, coordination, and implementation of local economic development strategies	STAFF	\$0 ²
		ECONOMIC DEVELOPMENT FUND	\$250,000
HOUSING:			
CDBG HOUSING REHABILITATION/ NEIGHBORHOOD REVITALIZATION FUND	Provides financing for rehabilitation and purchase of housing; elimination of blight; infrastructure in support of housing activities; and accessibility improvements.	STAFF	\$255,663 ³
		CITY REHAB LOANS/ GRANTS/RELOCATION	\$383,424
		HOME STAFF & OPERATIONS	\$49,440
		HOME LOANS / GRANTS	\$444,961
NON PUBLIC SERVICE TOTAL:			\$1,151,803
HOME TOTAL:			\$494,401

¹\$0 in CDBG Program Income for grant administration

² \$46,399 in Economic Development Revolving Loan Fund Program Income for program delivery

³ \$196,972 in Housing Rehabilitation Revolving Loan Fund Program Income for program delivery

City of Davenport

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

Action / Date
4/10/2019

Subject:

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

St. Paul Knights of Columbus; 5th Annual Blue Mass; 915 E Rusholme St; Tuesday, May 14, 2019 4:30 PM to 7:30 PM; **Closure:** E Rusholme from Arlington Ave to Carey Ave. [Ward 5]

City of Davenport Parks and Recreation and Davenport Community Schools; Youthfest; Wednesday, July 10, 2019 6:00 AM – 3:00 PM; **Closure:** W 12th St from Wilkes Ave through Fejervary Park to Telegraph Rd. [Ward 4]

J&M Displays Inc; QCSO Riverfront Pops Concert Fireworks; LeClaire Park; Saturday, August 17, 2019 between 9:00 PM - 10:00 PM (dependent on the concert run time); **Closure:** bike path behind Modern Woodmen Park. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:

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

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Blue Mass Map
▣ Backup Material	YouthFest Parking Map
▣ Backup Material	QCSO Fireworks

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	3/28/2019 - 1:25 PM

Resolution No. _____

Resolution offered by Alderman Gripp

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

RESOLVED by the City Council of the City of Davenport.

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

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

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

*St. Paul Knights of Columbus; 5th Annual Blue Mass; 915 E Rusholme St; Tuesday, May 14, 2019 4:30 PM to 7:30 PM; **Closure:** E Rusholme St from Arlington Ave to Carey Ave. [Ward 5]*

*City of Davenport Parks and Recreation and Davenport Community Schools; Youthfest; Wednesday, July 10, 2019 6:00 AM – 3:00 PM; **Closure:** W 12th St from Wilkes Ave through Fejervary Park to Telegraph Rd. [Ward 4]*

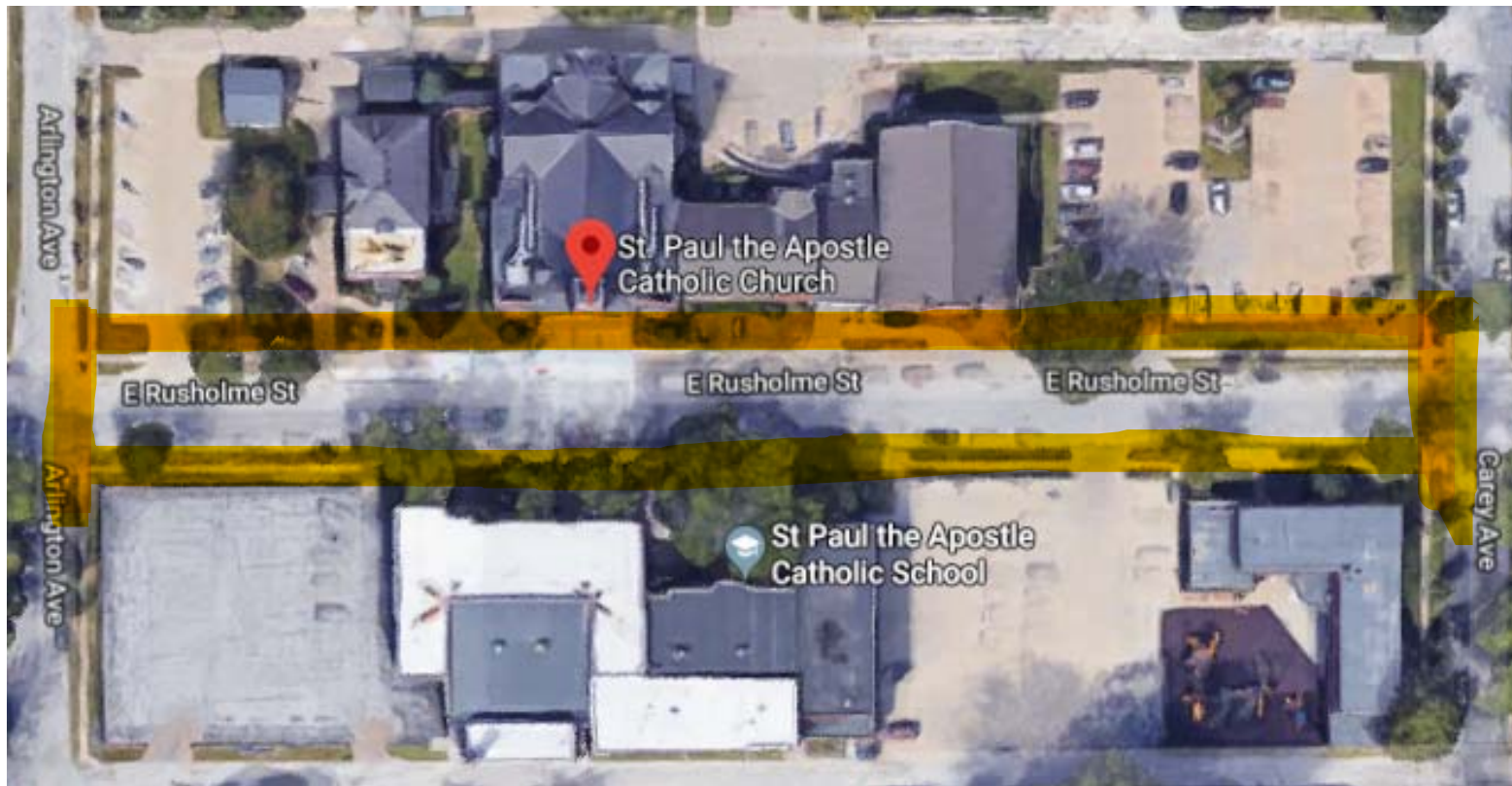
*J&M Displays Inc; QCSO Rivefront Pops Concert Fireworks; LeClaire Park; Saturday, August 17, 2019 between 9:00 PM - 10:00 PM (dependent on the concert run time); **Closure:** bike path behind Modern Woodmen Park. [Ward 3]*

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk





2018

YOUTHFEST PARKING

Street Closed

Vendor/
Handicap
Parking

Fejervary Park

No Parking On Street

1800

Street Closed

Overflow
Parking

Overflow
Parking
(Putnam)

Street Closed

WILKES AVE

1757

1737

1717

1027

1228

1220

1756

1746

1742

1736

1730

1227

1223

1219

1230

1226

1302

1305

1304

1310

1307

1303

1304

1302

W 19TH ST

DAVIE ST

N DIVISION ST

QC Symphony Riverfront Pops Concert

Katie & Steve Baumer
(563)370-7697
J&M Displays

Legend
▣ Quad Cities River Bandits

Audience 490ft

Fall out zone 270ft

Shoot site

City of Davenport

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

Action / Date
4/10/2019

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

St. Ambrose University; Final Weekend in April; 518 W Locust St; Friday, April 26, 2019 9:00 PM - 12:00 AM in the Rogalski Center parking lot and Saturday, April 27, 2019 12:00 PM - 1:00 AM in student residences; Music, over 50 dBa. [Ward 4]

German American Heritage Center; Best of the Wurst; 712 W 2nd St; Saturday, June 22, 2019 12:00 PM - 3:00 PM; Outdoor music, over 50 dBa. [Ward 3]

J&M Displays Inc; QCSO Riverfront Pops Concert Fireworks; LeClaire Park; Saturday, August 17, 2019 between 9:00 PM - 10:00 PM (dependent on the concert run time); Fireworks, over 50 dBa. [Ward 3]

Recommendation:
Pass the Motion.

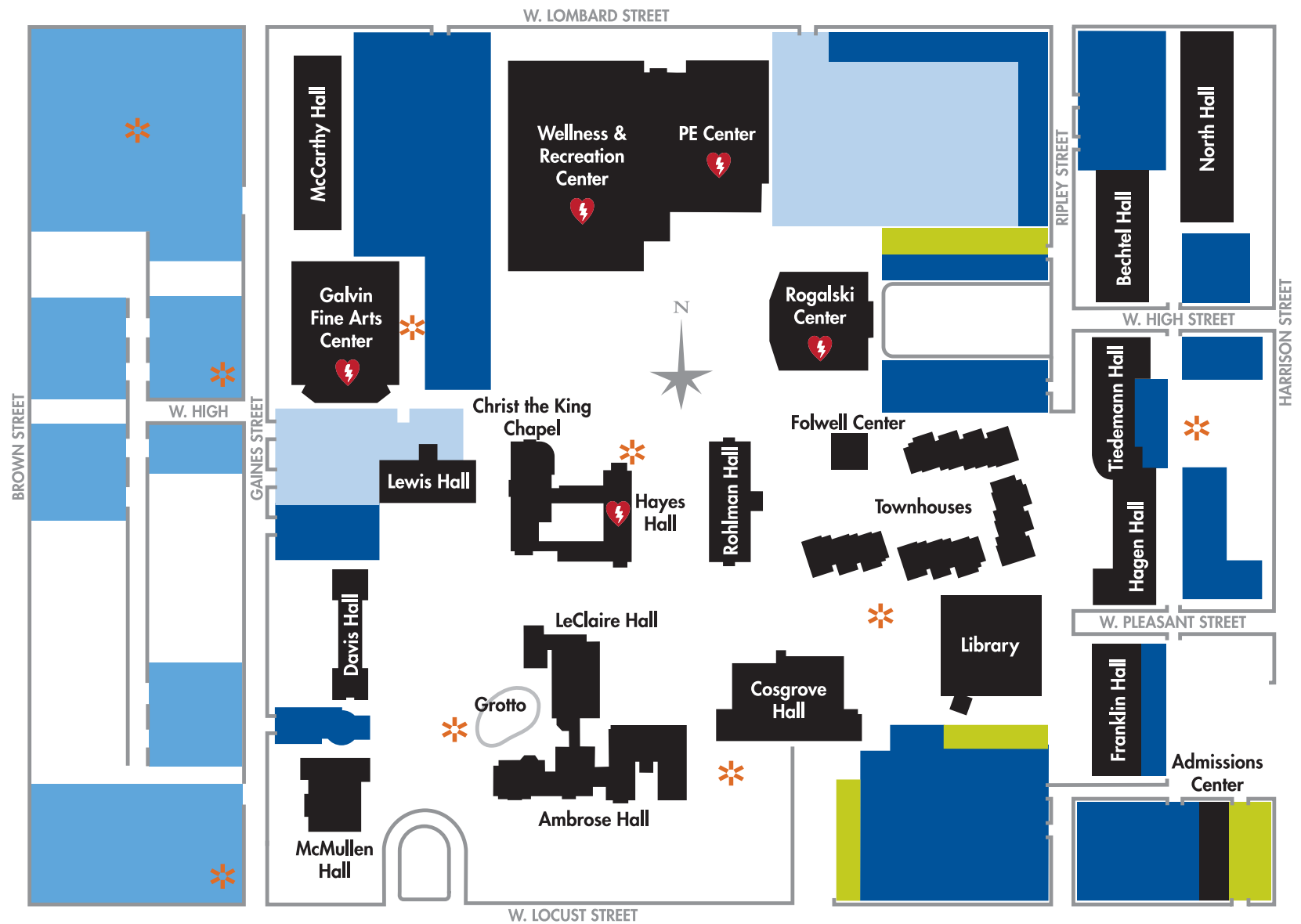
Background:
The following requests for noise variances have been received pursuant to the Davenport Municipal Code Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

ATTACHMENTS:

Type	Description
▣ Cover Memo	SAU Map
▣ Cover Memo	SAU Event Application
▣ Cover Memo	Best of the Wurst Neighbor Flyer
▣ Backup Material	QCSO Fireworks

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	3/28/2019 - 1:26 PM



PARKING

- Zone 1 Student Parking, 24 hours, 7 days a week
- Zone 2 Student Parking, 7 am–3 pm, Monday–Friday, open parking other hours
- Faculty/Staff, 7 am–3 pm, Monday–Friday, open parking other hours
- Visitor

- Emergency phone
- AED unit in building

Event Name

St. Ambrose University Final Weekend in April

Event Purpose

We will be asking for a noise variance for events that we will have outside the last weekend in April on the main campus of St. Ambrose University. On Friday, April 26 we will be having a Food Truck Fest outside of the Rogalski Center between 9pm and Midnight. Food trucks and a DJ will be present playing music. On Saturday, April 27 we traditionally have had noise/music coming from our townhouses on campus all day starting at 12pm and going until 1am.

Setup Info

On Friday, April 26 the tent for the Food Truck Fest will be located in the Rogalski Center Parking lot on campus. Food trucks will be located in a semi-circle surrounding the tent. The DJ will play underneath the tent. The sound and trucks will be facing the center of campus towards the townhouses. On Saturday, April 27 it is just a noise variance because we know traditionally our students will hold their own gatherings in their residences. The university monitors and controls the noise to the best of our ability, but know that noise will carry on a nice evening.

Cleanup Info

Everything on campus will be cleaned up by our housekeeping staff. Nothing should overflow onto public property.

Security Info

As in the past, the university security office will work with the Davenport Police liaisons to determine the amount of coverage needed for the surrounding neighborhood and on campus.

Number of Tents

1

Date Submitted

Wednesday, March 6th 2019

Date Accepted

2019-03-06 11:22:04

Event Type

General

Is the event located in the downtown area

No

Site Location

St. Ambrose University - main campus

Street Closure Info

No public streets will need to be closed, however on Harrison Street between Lombard and Locust we usually seen an increase in foot traffic crossing the street during Friday evening and Saturday during the day and evening.

Projected Attendees

600

Will your event have music?

yes

Will your event have food sales?

yes

GERMAN AMERICAN HERITAGE CENTER PRESENTS:

THE BEST OF THE WURST:

THE SAUSAGE STRIKES BACK

SATURDAY, : 12PM - 3PM
: 712 W. 2ND ST.
JUNE 22 : DAVENPORT, IA

**Join us for our Second Annual Best of the
Wurst Sausage Competition!**

Sample local vendors' recipes, purchase delicious food, enjoy an ice cold beer, and vote for your favorite 'wurst'!

Music TBA!

Tickets: \$5 Adults & Free for Kids under 12!



Zimmerman
Honda • Alfa Romeo FIAT
www.ZimmermanCars.com



GERMAN
AMERICAN
HERITAGE
center & museum

QC Symphony Riverfront Pops Concert

Katie & Steve Baumer
(563)370-7697
J&M Displays

Legend

- Quad Cities River Bandits

Audience 490ft

Fall out zone 270ft

Shoot site

City of Davenport

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

Action / Date
4/10/2019

Subject:
Motion approving beer and liquor license applications.

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

Ward 3

Lopiez Pizza (Lopez Curse, LLC) - 429 E 3rd St Ste 1 - License Type: C Liquor

Taste of Ethiopia (Genet T Moraetes) - 102 S Harrison St Ste 300 - Outdoor Area - License Type: Beer / Wine

Ward 4

The Gypsy Highway Bar and Grill (The Gypsy Highway Corp) - 2606 W Locust St extended to parking lot - Outdoor Area May 4 - 5, 2019 "Rev It Up For Awareness Rally" - License Type: C Liquor

Ward 5

Rookies Sports Bar (Rookies, Inc) - 2818 Brady St - Outdoor Area April 27 - 28, 2019 "Customer Appreciation" Event - License Type: C Liquor

Ward 7

Azteca Mexican Restaurant (Azteca Mexican Restaurant, Inc) - 4811 N Brady St Ste 3 - Outdoor Area May 4 - 5, 2019 "Cinco de Mayo Fiesta" - License Type: C Liquor

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

Ward 1

QC Mart (Bethany Enterprises, Inc) – 2747 Rockingham Rd – License Type: C Beer

Ward 2

Applebee's Neighborhood Grill & Bar (Apple Corps, LP) – 3005 W Kimberly Rd – License Type: C Liquor

Hy-Vee Food & Drugstore #2 (Hy-Vee, Inc) – 2200 W Kimberly Rd – License Type: E Liquor / C Beer / B Wine

Hy-Vee Market Café (Hy-Vee, Inc) – 2200 W Kimberly Rd Café Area – License Type: C Liquor

Ward 3

Blackhawk Bowl & Martini Lounge (Blackhawk Bowl & Martini Lounge LLC) – 200 E 3rd St Lower Level – License Type: C Liquor

Duck City Delicatessen & Bistro (Moskowitz Llewellyn Restaurant Systems, Inc) – 115 E 3rd St – Outdoor Area - License Type: C Liquor

Great River Brewery (Old Capital Brew Works and Public House, LLC) – 322 & 332 E 2nd St – Outdoor Area - License Type: C Liquor

Geezer's Draffthouse (Geezer's, Inc) – 1654 W 3rd St – Outdoor Area – License Type: C Liquor

Mantra Indian Restaurant (Madan LLC) – 220 N Harrison St – License Type: Beer / Wine

Ward 4

Cedar Street Inn (Fleetfood Incorporated) – 810 Cedar St – License Type: C Liquor

Famous Liquors (Jay Liquor Inc) – 2604 W Locust St – License Type: E Liquor / C Beer / B Wine

Ward 6

Aldi Inc. #80 (Aldi Inc – Corporation) – 5262 Elmore Ave – License Type: C Beer / B Wine

Big River Bowling (Kimberly Entertainment LLC) – 2902 E Kimberly Rd – License Type: C Liquor

Fresh Thyme Farmers Market (Lakes Venture, LLC) – 2130 E Kimberly Rd – License Type: C Beer

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

Your Pie (The Gizzeria Group, Inc.) – 4520 E 53rd St Ste 400 – Outdoor Area – License Type: Beer / Wine / Native Wine

Ward 7

American Legion Post 26 (The American Legion, Inc - Davenport Post #26) – 8702 W 35th St – Outdoor Area - License Type: C Liquor

Azteca 4 (Azteca, Inc) – 3566 Brady St – License Type: C Liquor

Azteca Mexican Restaurant (Azteca Mexican Restaurant, Inc) – 4811 N Brady St Ste 3 – Outdoor Area – License Type: C Liquor

Los Portales Mexican Restaurant 2, Inc (Los Portales Mexican Restaurant 2, Inc) – 1012 E Kimberly Rd – License Type: C Liquor

Sanchos (Lorbil Enterprises Inc) – 307 E George Washington Blvd – License Type: C Liquor

Ward 8

QC Mart (Bethany Enterprises, Inc) – 6807 Northwest Blvd – License Type: C Beer

Recommendation:
Pass the Motion.

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

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	3/29/2019 - 12:00 PM

City of Davenport

Agenda Group:
Department: Public Works - Engineering
Contact Info: Brian Schadt 563-326-7923
Wards:

Action / Date
3/6/2019

Subject:
Third Consideration: Ordinance amending various sections of Chapter 12.20 (Right of Way Management Regulations) to clarify specific standards for wireless structures placed within the City. [All Wards]

Recommendation:
Adopt the Ordinance.

Background:
To protect City right-of-way and for consistency on the placement of wireless structures placed within the City of Davenport, various sections of Chapter 12.20 are being amended and will include specific standards for these structures.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Ord pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	2/28/2019 - 9:57 AM
Public Works Committee	Lechvar, Gina	Approved	2/28/2019 - 11:29 AM
City Clerk	Admin, Default	Approved	2/28/2019 - 5:28 PM

ORDINANCE NO. _____

Ordinance amending various sections of Chapter 12.20 (Right of Way Management Regulations) to clarify specific standards for wireless structures placed within the city.

Chapter 12.20 RIGHT OF WAY MANAGEMENT REGULATIONS

Sections:

12.20.010	Title.
12.20.020	Legislative findings.
12.20.030	Purposes.
12.20.040	Rules of construction.
12.20.050	Definitions.
12.20.060	Authority.
12.20.070	Reservation of rights; police power.
12.20.080	Authorization required.
12.20.090	Construction standards.
12.20.100	Placement of facilities.
12.20.110	Relocation of facilities.
12.20.120	Restoration.
12.20.130	Work permits.
12.20.140	Business license.
12.20.150	Reimbursement of costs.
12.20.160	Administration and permitting to use space within the right-of-way.
12.20.170	Specific Standards for Wireless Structures.
12.20.180	Reports and records.
12.20.190	Bond or letter of credit.
12.20.200	Insurance.
12.20.210	Enforcement.
12.20.220	Indemnification.
12.20.230	Severability.

12.20.010 Title.

This chapter is known and may be cited as the Davenport Right-of-Way Management Ordinance. (Ord. 2017-111 § 1 (part)).

12.20.020 Legislative findings.

The city council hereby finds and declares:

A. That the public rights-of-way within the city can be partially occupied by public utilities and other service entities for facilities used in the delivery, conveyance, and transmission of services rendered by private or for profit entities, to the enhancement of the health, welfare, and general economic well-being of the city and its citizens;

B. That the public rights-of-way within the city are physically limited so that proper management by the city is necessary to maximize the efficiency and to minimize the costs to the taxpayers of the foregoing uses, to prevent foreclosure of future uses through premature exhaustion of available right-of-way capacity, and to minimize the inconvenience to the public from such facilities' construction, emplacement, relocation, and maintenance in the rights-of-way;

C. That the use of the public rights-of-way by multiple users renders more pressing the city's right-of-way management responsibilities;

D. That the public rights-of-way within the city are valuable public property acquired and maintained by the state and the city at great expense to the taxpayers;

E. That the right to occupy portions of such public rights-of-way for limited times for the business of providing utility and information services is a valuable economic asset; and

F. The city's street and alley rights-of-way are owned or held by the city primarily for the purpose of pedestrian and vehicular passage and for the city's provision of essential public safety services, including police and fire services; the city's provision of public health services, including solid waste removal, sanitary sewer and storm drainage services; and other municipal operations and the means to support and provide those services — these interests are paramount. (Ord. 2017-111 § 1 (part)).

12.20.030 Purposes.

The city council adopts this chapter to better:

A. Manage a limited resource to the long term benefit of the public;

B. Recover and allocate the costs of managing the public rights-of-way;

C. Minimize inconvenience to the public occasioned by the emplacement and maintenance of facilities in the public rights-of-way;

D. Prevent premature exhaustion of capacity in the public rights-of-way to accommodate communications and other services; and

E. Promote competition in the provision of communications service in the city and ensure that citizens have a wide variety of services available to them by establishing clear and consistent rules by which providers may occupy the public rights-of-way. (Ord. 2017-111 § 1 (part)).

12.20.040 Rules of construction.

A. When not inconsistent with the context, words used in the present tense include the future tense; words in the plural number include the singular number, and words in the singular number include the plural number; and the masculine gender includes the feminine gender.

B. The words "shall" and "will" are mandatory, and "may" is permissive.

C. Unless otherwise specified, references to laws, ordinances or regulations shall be interpreted broadly to cover government actions, however nominated, and include laws, ordinances and regulations not in force on hereinafter enacted or amended.

D. Any conflict between this chapter and a city franchise agreement or Iowa Utilities Board ("IUB") authorization will be resolved in favor of the terms of the city franchise agreement or IUB authorization.

E. Nothing in this chapter shall be construed to create a special duty by the city to any owner or operator of a facility within the right-of-way.

F. Nothing in this chapter shall be construed to create any property interest or right to occupy space within the right-of-way whatsoever.

G. In the case of conflict, the rights granted to an owner or operator by federal or state law shall not be impaired. (Ord. 2017-111 § 1 (part)).

12.20.050 Definitions.

For the purposes of this chapter the following terms, phrases, words, and abbreviations shall have the meanings given herein, unless otherwise expressly stated. Unless otherwise expressly stated, words not defined herein shall be given the meanings set forth in Title 47 of the United States Code, as amended, and, if not defined therein, their common and ordinary meaning.

AFFILIATE: When used in relation to any person, means another person who de facto or de jure owns or controls, is owned or controlled by, or is under common ownership or control with, such person.

CITY: City of Davenport, Iowa, and any agency, department, or agent thereof.

CITY ADMINISTRATOR: The person appointed pursuant to Section 2.30.030 of this code or her designee.

CITY ENGINEER: The city engineer or the city engineer's designee.

COMMUNICATIONS FACILITY OR COMMUNICATIONS SYSTEM: Facilities for the provision of "communications services," as that term is defined herein.

COMMUNICATIONS SERVICES: Tele-communications services, interactive computer services, and any other services involving the transmission of information by electronic or optical signals, except that it shall not include cable service as that term is used in the cable communications policy act of 1984, as amended.

COUNCIL: The principal governmental body of the City of Davenport, Iowa, its officers, or a representative person or entity as may be designated to act on its behalf.

FACILITY OR FACILITIES: Any tangible asset in the public right-of-way used to provide drainage, sanitary or storm sewer, gas, electric, water or communication/information services.

FEDERAL COMMUNICATIONS COM-MISSION OR FCC: The Federal Communications Commission or any successor.

FRANCHISE: An authorization granted by the city to a person to construct, maintain, or emplace facilities generally upon, across, beneath, and over the public rights-of-way in the city, subject to the terms and conditions specified in a franchise agreement. The term also includes an authorization by the Iowa Utilities Board or other appropriate authority or as otherwise authorized by law.

FRANCHISE AGREEMENT: The contract entered into between the city and a grantee that sets forth the terms and conditions under which the franchise may be exercised.

GRANTEE: A person that has been granted a franchise by the city or right to operate within Davenport by the Iowa Utilities Board or other appropriate authority or as authorized by law or such other parties that wish to locate facilities in the right-of-way.

OWNER OR OPERATOR OF A FACILITY: Any person which has a possessory interest in such facility or which controls or is responsible for, through any arrangement, the management and operation of such facility.

PERMITTEE: A person who has received a permit to locate a facility or facilities within the right-of-way.

PERSON: Any individual, corporation, partnership, association, joint stock company, trust, governmental entity, or any other legal entity, but not the city.

PUBLIC RIGHTS-OF-WAY: The surface and space above, on, and below any public highway, avenue, street, lane, alley, boulevard, concourse, driveway, bridge, tunnel, park, parkway, waterway, dock, bulkhead, wharf, pier, public easement, or right-of-way within the city in which the city now or

hereafter holds any property interest which, consistent with the purposes for which it was dedicated or otherwise acquired, may be used for the purpose of constructing, operating, and maintaining a facility.

TELECOMMUNICATIONS: This term has the meaning ascribed to it in 47 USC section 153(43).

TELECOMMUNICATIONS SERVICE: This term has the meaning ascribed to it in 47 USC section 153(46).

WORK PERMIT: An authorization issued by the city to enter upon the public rights-of-way at specified times and places to erect, construct, emplace, or otherwise work on facilities. (Ord. 2017-111 § 1 (part)).

12.20.060 Authority.

This chapter is adopted pursuant to the city's powers, including, but not limited to, those under title III, section 38A of the Iowa constitution and section 364.2 of the Iowa Code. (Ord. 2017-111 § 1 (part)).

12.20.070 Reservation of rights; police power.

All rights and privileges granted in a franchise agreement are subject to the police powers of the city and its rights under applicable laws and regulations to exercise its governmental powers to their full extent and to regulate a grantee and the construction, operation and maintenance of the grantee's system, including, but not limited to, the right to adopt, amend, and enforce ordinances and regulations as the city shall find necessary in the exercise of its police powers, the right to adopt and enforce applicable zoning, building, permitting and safety ordinances and regulations, the right to adopt and enforce ordinances and regulations relating to equal employment opportunities, and the right to adopt and enforce ordinances and regulations containing right-of-way, telecommunications, utility and cable television consumer protection and service standards and rate regulation provisions.

Further, nothing in this chapter shall prevent the city from constructing, repairing or replacing sewers; grading, paving, repairing, or replacing any right-of-way; or constructing, repairing, or replacing any other public work or facility, or from performing work pursuant to weather related activities or response to natural disasters. Nothing shall prevent the city from altering the layout or design of a right-of-way for public safety reasons. (Ord. 2017-111 § 1 (part)).

12.20.080 Authorization required.

A. No person shall install, erect, hang, lay, bury, draw, emplace, construct, reconstruct, maintain, or operate any facility upon, across, beneath, or over any public right-of-way in the city or other city property without first obtaining from the city the necessary authorization (e.g., in the case of a cable operator, a franchise) required under local, state or federal law.

B. An owner or operator of facilities may be required to hold different authorizations for its use of the public rights-of-way to provide different services. For example, and without limitation, the owner or operator of facilities that provides both cable service and telephone service must obtain both a cable franchise and any authorization needed to provide telephony. (Ord. 2017-111 § 1 (part)).

12.20.090 Construction standards.

A. Compliance with Regulations; Safety Practices: Construction, operation, maintenance, and repair of facilities shall be in accordance with all applicable law and regulation, and with sound industry

practice. All safety practices required by law shall be used during construction, maintenance, and repair of facilities.

B. Excavations: No holder of any work permit for any facility shall dig, trench, or otherwise excavate in the public rights-of-way without complying with the provisions of the Iowa one call system, Iowa Code § 480.3 et seq., or its successor.

C. Prevention of Failures and Accidents: An owner or operator shall at all times employ at least ordinary care and shall install and maintain using commonly accepted methods and devices preventing failures and accidents that are likely to cause damage, injury, or nuisance to the public.

D. Most Stringent Standards Apply: In the event of a conflict among codes and standards, the most stringent code or standard shall apply (except insofar as that standard, if followed, would result in a system that could not meet requirements of federal, state or local law, or is expressly preempted by other such standards).

E. Trimming of Trees: A grantee or permittee shall have the authority to trim trees that overhang public rights-of-way of the city so as to prevent the branches of such trees from coming in contact with the facilities of the grantee or permittee, in accordance with standards approved by the city administrator and administered by the city arborist or ANSI standards. Grantee or permittee shall be responsible for notifying abutting property owners.

F. Construction Schedule: Every owner or operator shall, at least forty-five (45) days prior to commencing significant construction activity (including a significant rebuild, upgrade, or repair to existing facilities) - emergencies excepted - upon, across, beneath, or over any public right-of-way in the city or other city property, strive to provide to the city in writing the date on which the owner or operator anticipates it will begin construction and the approximate length of time required for such construction. This timeframe represents a preference only.

G. Coordination of Construction With City: Prior to the erection, construction, upgrade, or rebuild of any facilities in the public right-of-way, the owner or operator of such facilities shall first submit to the city for written approval a concise description of the facilities proposed to be erected or installed, including engineering drawings, if required by the city, together with maps and plans indicating the proposed location of all such facilities. The owner or operator shall provide the best information it has in such reasonable format as may be specified by the city engineer for the city's planning function. No such erection or construction shall be commenced by any person until approval therefor has been received from the city. At the time of such approval, the city shall inform the grantee whether the reports and other information described by subsection 12.20.180C.1 of this chapter shall be required with respect to the approved construction.

H. Coordination of Construction With Third Parties: Developers or other parties planning the construction or opening of streets in the city shall provide reasonable notice to the city and to the owners or operators of facilities subject to this chapter so that joint trenching and joint emplacement of facilities may be conducted wherever practicable. Such owners and operators shall similarly provide notice to each other and to any relevant developers, for the same purpose. The city shall maintain a list of owners and operators of facilities subject to this chapter for reference by other parties.

I. City Engineer Stakeholder Meetings: The city engineer may establish recurring meetings of businesses who make use of the right-of-way for their facilities and contractors who perform such work to discuss ongoing and upcoming projects to further the efforts of coordinating projects within the right-of-way.

J. Contractors and Subcontractors: Any contractor or subcontractor used for work or construction, installation, operation, maintenance, or repair of facilities in the public rights-of-way must be properly licensed and insured under laws of the state and all applicable local ordinances. Each contractor or

subcontractor shall have the same obligations with respect to its work as an owner or operator of the facility would have if the work were performed by the owner operator. An owner or operator shall be responsible for all activities carried out by its contractors, subcontractors and employees at the owner's or operator's request.

K. **Publicizing Proposed Construction Work:** The owner or operator of facilities in the public rights-of-way shall notify the public prior to commencing any construction, other than emergency repair or overhead work, that, in its determination, will significantly disturb or disrupt public property or have the potential to present a danger or affect the safety of the public generally. Written notice of such construction work shall be delivered to the city at least one week prior to commencement of that work. Notice shall be provided to those persons most likely to be affected by the work in at least one (1) of the following ways: by telephone, in person, by mail, by distribution of flyers to residences, by publication in local newspapers, by clearly legible signage at the location of the proposed work, or in any other manner reasonably calculated to provide adequate notice.
(Ord. 2017-111 § 1 (part)).

12.20.100 Placement of facilities.

A. All facilities shall be installed and located to minimize interference with the rights and convenience of other property owners.

B. An owner or operator of facility shall not place facilities, equipment, or fixtures where they will interfere with any other facilities, or obstruct or hinder in any manner the various utilities serving the residents of the city or their use of any public rights-of-way. Placement of facilities may be denied if the facility proposed will occupy greater than ten-percent (10%) of the available clear right-of-way area to a ten foot depth.

C. The city may reasonably direct the specific placement of facilities to ensure that users of the public rights-of-way do not interfere with each other and that the public rights-of-way are used safely and efficiently. For example, in the case of an owner or operator of a fiber optic network that is not a "Public Utility" under Iowa Code Chapter 480A, the city engineer may order extra ducts for fiber optic cable be installed for use by the city or other grantees or permittees when, in the opinion of the city engineer, the subject right-of-way is too congested due to existing facilities and space limitations or will likely be used by at least four other entities including the city for running fiber optic cable. Such company shall then certify to the city engineer the additional cost of said installation per linear foot which the city shall pay. Other future users of the surplus duct will be charged an upfront, one-time fee to locate in said duct to recover a proportional share of the city's upfront and carrying costs as calculated by the city engineer. This fee will be in addition to, and not in lieu of, any recurring fee charged by city for location within the right-of-way.

D. Every grantee or permittee that ceases operating or maintaining any facility shall, upon written request of the city within two (2) years of the cessation of maintenance of such facility, promptly remove it. Should the grantee or permittee neglect, refuse, or fail to remove such facility, the city may remove the facility at the expense of the grantee or permittee. The obligation to remove shall survive the termination of the franchise or permit for a period of two (2) years and shall be bonded. The city engineer may determine that it is in the best interests of the city to allow the facility to be wholly or partially abandoned in place.

E. No owner or operator of a facility shall erect new aerial plant, other than to repair existing plant, in or on a public right-of-way in which both electric and telephone service providers have placed their

lines underground, or in an area which the city has by ordinance forbidden new aerial plant to be constructed or existing aerial plant to be maintained.

F. If at any time the city determines that existing wires, cables or other like facilities of public utilities anywhere in the city shall be changed from an overhead to underground installation, the owner or operator of a facility shall, at no expense to the owner or operator, convert its system in that location to an underground installation unless the owner or operator's city franchise agreement, tariff or applicable state or federal law provides otherwise.

G. A grantee or permittee shall use, with the owner's permission, existing poles, conduits and other facilities whenever feasible. A grantee or permittee may not erect poles, conduits, or other facilities in public rights-of-way without the express permission of the city. Copies of agreements for use of conduits or other facilities shall be filed with the city upon city request. The city engineer may require that foundation plans and structural load analysis signed and sealed by a professional engineer licensed in the State of Iowa be submitted for review and approval for either reuse of an existing pole or installation of a new pole. Soil boring analysis may be required for new pole installations.

H. To the extent practicable, aboveground equipment placed on private property shall be placed at the location requested by the property owner. An owner or operator shall provide affected homeowners with at least ten (10) days' advance written notice of its plans to install such equipment, and shall make reasonable efforts to confer with such homeowners before any work is done.

I. Whenever aboveground equipment is placed on private property within a utility easement, the grantee or permittee shall provide landscaping camouflage reasonably acceptable to the city engineer, at the grantee's or permittee's expense. It shall be the grantee's or permittee's responsibility to negotiate the terms of the camouflage with the city engineer.

J. Any underground fiber optic project by a non-Iowa Code Chapter 480A Public Utility involving a run of less than a full city block is not allowed unless it is ancillary to a wireless facility.

K. The city engineer may develop and institute a standardized cross-section location protocol for new or reconstructed rights-of-way.

L. Unless exigent circumstances exist, no new facilities may be installed that disturb the roadway hard surface or subsurface/subbase within three years of the construction or reconstruction of the roadway.

M. All above ground facilities, whether placed within public right-of-way or private property within a utility easement shall aesthetically match the surrounding area. Equipment shall be concealed or housed within the smallest possible cabinet or other appropriate enclosure. No external loose cables or wires shall be allowed. Owners of facilities shall maintain such in good working order and condition.

N. No above ground poles or structure within the public right-of-way shall exceed thirty (30) feet in height from the ground surface. This item shall not be applicable to electrical transmission facilities.

(Ord. 2017-111 § 1 (part)).

12.20.110 Relocation of facilities.

The owner or operator of a facility on or within the public rights-of-way shall, at its own expense, upon written notice from the city reasonably in advance, promptly relocate any facility located on or within the public rights-of-way as the city may deem necessary or appropriate to facilitate the realignment (for public safety reasons), reconstruction, improvement or repair of public streets, sidewalks, curbs, drains, sewers, and public improvements of any sort; provided, however, that an operator may be permitted to

abandon any property in place with the written consent of the city. This subsection does not apply to relocations covered by 12.20.100F. (Ord. 2017-111 § 1 (part)).

12.20.120 Restoration.

A. Unless governed contractually between the owner or operator and its customer, if an owner or operator of a facility disturbs a pavement, sidewalk, driveway or other surfacing, or landscaping, or other structure, either on private property or in public rights-of-way, the owner or operator shall, in a manner approved by the city engineer, replace and restore all pavement, sidewalk, driveway or other surfacing, or landscaping disturbed, in substantially the same condition and in a good, workmanlike, timely manner, in accordance with any standards for such work set by the city. Such restoration shall be undertaken within no more than ten (10) days after the damage is incurred, weather permitting, and shall be completed as soon as reasonably possible thereafter. The owner or operator shall guarantee and maintain restoration of a public: improvement for at least one year against defective materials or workmanship.

B. In the event an owner or operator of a facility fails to complete any work required for the protection or restoration of the public rights-of-way, or any other work required by city law or ordinance, within the time specified by and to the reasonable satisfaction of the city, the city, following notice and an opportunity to cure, may cause such work to be done, and the owner or operator of a facility shall reimburse the city the cost thereof within thirty (30) days after receipt of an itemized list of such costs; or the city may recover such costs through the security fund provided by an owner or operator of a facility, pursuant to the procedures for recovery from the security fund specified in the owner's or operator's franchise agreement.

C. Any and all public rights-of-way, public property, or private property that is disturbed or damaged during the construction, repair, replacement, relocation, operation, maintenance, or reconstruction of a system shall be promptly repaired by the owner or operator of a facility. (Ord. 2017-111 § 1 (part)).

12.20.130 Work permits.

A. Unless otherwise provided by law, franchise, IUB authorization or emergency circumstances, no person shall install, erect, hang, lay, excavate, bury, draw, emplace, construct, or reconstruct any facility upon, across, beneath, or over any public right-of-way in the city, or enter into the public rights-of-way to work on a facility, without first obtaining a work permit therefor from the city. Notwithstanding the foregoing, under no provision in this chapter shall any work permit or other approval from the city be required to install, construct, repair, maintain or replace any service drop.

B. Denial. The city engineer may deny a work permit for failure to meet the requirements of this chapter, failure to meet monetary obligations to the city or it is necessary to protect the health, safety and welfare or the right-of-way and its current use. Failure to meet the requirements includes, but is not limited to, striking or damaging another facility within the right-of-way.

C. Large Capital Programs. The city engineer may develop and institute a special streamlined permit and inspection process for large capital programs by mutual agreement with the applicant or applicants in the case of a joint project after receiving authorizing from the city administrator.

D. The city engineer may issue a stop work order to anyone failing to secure the proper permit or for not following the ordinances or city standards.
(Ord. 2017-111 § 1 (part)).

12.20.140 Business license.

A franchise under this chapter does not render unnecessary or take the place of any generally applicable business license that may be required by the city for the privilege of transacting and carrying on a business within the city generally. (Ord. 2017-111 § 1 (part)).

12.20.150 Reimbursement of costs.

All grantees or permittees will reimburse the city for its internal and out of pocket costs, including, but not limited to, attorney and consultant fees actually and reasonably incurred by the city in connection with an application for an initial franchise or permit under this chapter as determined by the city after it takes action on the application. Any application fee submitted with the application will be credited against this amount. The applicant will remit to the city payment for such costs within thirty (30) days of its receipt of the city's invoice. (Ord. 2017-111 § 1 (part)).

12.20.160 Administration and permitting to use space within the right-of-way.

A. The city engineer shall oversee the following administrative functions:

1. Collect any applicable fees from all owners or operators of facilities using public rights-of-way in the city;
2. Audit any franchise fees or payments owed to the city;
3. After approval by separate ordinance of the applicability, amount and formula for a right-of-way occupancy fee, publish from time to time a schedule of applicable fees hereunder;
4. Be responsible for the continuing enforcement of all terms and conditions of city-granted franchises.

B. The city engineer shall oversee permitting as follows:

1. No person shall occupy or use public right-of-way for the purpose of providing utility, communication, information or data services to customers without first obtaining a franchise or permit from the city or the authorization from the Iowa Utilities Board or other appropriate authority or as otherwise authorized by law.

The city shall not grant, issue, or enter into any franchise or permit that grants or allows exclusive use or occupancy of the right-of-way. Any person seeking a franchise or permit for use of city right-of-way shall make application for a franchise or permit as provided in this chapter.

An application for a franchise or permit for occupancy or use of a right-of-way shall be filed with the city engineer on a form developed and provided by the city engineer.

2. Authority to Issue Permit; Form of Permit and Term.

a. Permits required by this chapter shall be issued by the city engineer. The city engineer shall review each application and shall issue each permit which he or she determines to be in compliance with the requirements of this chapter and any other applicable local, state, or federal requirements. In issuing a permit, the city engineer may require a change in the proposed location of the permittee's equipment where necessary to avoid interference with other equipment placed within the public right-of-way.

b. Permits issued pursuant to this chapter shall be in writing and shall be executed by the permittee. The form of permits to be issued pursuant to this chapter shall be uniform, but shall be subject to periodic review and modification. When available, the city engineer may implement an electronic or digital permit system.

3. Limit on Term of Franchises; Limit on Initial or Renewal Term of Permits.

- a. No franchise for use of the public right-of-way shall be granted for a term in excess of 25 years.

b. No permit for use of the public right-of-way issued by the city engineer shall be issued or renewed for a term in excess of 25 years.

4. Existing Facilities. Any facilities existing on or before May 1, 2017 and mapped are exempt from the issuance of a permit for occupancy.

5. Application for Initial Issuance of a Permit; Registration Required.

A person desiring to obtain a permit as required in this chapter shall register such proposed use and occupancy of public right-of-way, shall make application for a permit for such use and occupancy as provided in this chapter, and shall pay an application fee for initial issuance of the permit. The application fee for initial issuance of a permit and any future changes thereto shall be effective upon its inclusion in a schedule of fees adopted by the city council by resolution such fee shall be based upon the administrative costs of processing the permit. The application for initial issuance of a permit shall be filed with the city engineer not less than 60 days prior to the proposed effective date of the permit and shall be filed upon a form provided by the city for that purpose. The application shall include, at a minimum, the following information:

a. The name, address and telephone number of the applicant.

b. The name, address and telephone number of a responsible person whom the city may notify or contact at any time or in case of emergency concerning the equipment or utility system.

c. A statement of the purpose for the equipment or system proposed for installation in the public right-of-way, the type of service it will provide, and the intended customers which it will serve.

d. Any additional information which the city engineer in his or her discretion may require.

6. Issuance and Renewal of Permits; Permit Revocation and Cancellation.

a. Prior to the initial issuance of a permit for use or occupancy of public right-of-way, the city engineer shall conduct a review of the permittee's background to determine the permittee's ability to meet the requirements stated in subsection B.6.e of this section. If on the basis of such review the city engineer determines that it would not be appropriate to issue the permit, the city engineer shall give notice of intent not to issue the permit as provided in subsection B.6.g. of this section.

b. To obtain renewal of a permit, the permittee shall file a renewal application with the city engineer on the form provided by the city and pay an application fee for renewal of the permit. The renewal application fee and any future changes thereto shall be effective upon its inclusion in a schedule of fees adopted by the city council by resolution. The renewal application shall be filed with the city engineer not less than 180 days prior to the expiration of the initial or any renewal term of the permit. Upon receipt of the renewal application, the city engineer shall conduct a review of the permittee and the permittee's prior use of the public right-of-way to determine the permittee's continued compliance with the requirements stated in subsections B.6.c. and B.6.e. of this section. If on the basis of such review the city engineer determines that the permittee and the permittee's prior use of the public right-of-way complies with all requirements stated in subsections B.6.c. and B.6.e. of this section, the city engineer may renew the permit for an additional term of up to 25 years. If on the basis of such review the city engineer determines that the permittee and the permittee's use of public right-of-way do not comply with one or more of the requirements stated in subsections B.6.c. and B.6.e. of this section, the city engineer shall give notice of intent not to renew the permit as provided in subsection B.6.g. of this section. If a permittee holds multiple permits for use or occupancy of various rights-of-way within the city for the same or similar purpose, the permittee shall be required to renew all such permits under a single permit at such time as the earliest issued permit expires.

c. In determining the length of the term of an initial or a renewal permit, the city engineer shall take into consideration the likelihood that the city will require the use of the specific portion of the subject right-of-way for municipal purposes or that such use of the subject right-of-way will unduly burden the

city or the public in its use of the subject right-of-way during the proposed term of the permit and the life cycle of the technology to be deployed. A permit shall not be issued or renewed if the city engineer determines that any of the following conditions exist in the right-of-way proposed for licensing:

- (1) There is insufficient space in the right-of-way to accommodate the proposed use, given the other existing uses thereof;
- (2) The proposed private utility service connection would interfere with or conflict with existing or planned city equipment or utility equipment located or to be located in the right-of-way;
- (3) Such use is incompatible with adjacent public or private uses of that right-of-way.
- (4) Such use would involve an unacceptably high frequency of repair or maintenance to the private utility service equipment thereby requiring excessive excavation in or obstruction of the right-of-way; or
- (5) The construction or installation of such private utility service equipment would interfere with a public improvement undertaken or to be undertaken by the city or with an economic development project in which the city has an interest or investment.

d. If during the term of any permit the city engineer determines that the permit should be revoked due to the permittee's failure to comply with any of the requirements stated in subsection B.6.e. of this section, the city engineer shall give notice of intent to revoke such permit as provided in subsection B.6.g. of this section.

e. The following shall constitute grounds for refusal to issue or renew a permit, or for revocation of a permit for use or occupancy of public right-of-way:

- (1) The permittee's failure to observe or comply with any of the following:
 - (a) The permittee's use or prior use of public right-of-way has been conducted in full and timely compliance with all laws and regulations applicable thereto, and the permittee has complied fully and in a timely manner with the requirements of any previously issued permit, and with the orders or instructions of city officials issued pursuant to this chapter; or
 - (b) The permittee is current in the payment of permit fees, if applicable, and the permittee has made such payments fully and when due.
- (2) The permittee's commission of any of the following acts:
 - (a) The permittee has made a misleading statement or a material misrepresentation in connection with an application for initial issuance or renewal of a permit, in connection with its registration of its use of the public right-of-way or in connection with its use of public right-of-way; or
 - (b) The permittee has transferred its equipment, its business, or its permit to another person or has made a change in use of its equipment, without giving the city notice thereof and obtaining city consent thereto; or
 - (c) Striking or damaging another facility within the right-of-way.
- (3) The subject right-of-way is highly congested and a reasonable likelihood exists in the city engineer's opinion that the space is needed in the future for a different service to a broader segment of the population.

f. The city engineer shall give notice of intent to cancel such permit as provided in subsection B.6.g. of this section if during the term of any permit the city engineer determines that:

- (1) The permittee's continued use of the public right-of-way will unduly burden the city or the public in its use of that property;
- (2) The public right-of-way for which the permit was issued will be required for municipal purposes during the term of the permit;
- (3) The permittee's equipment at a particular location will interfere with:
 - (a) A present or future city use of the right-of-way;
 - (b) A public improvement undertaken or to be undertaken by the city;

- (c) An economic development project in which the city has an interest or investment; or
- (d) The public's safety or convenience in using the right-of-way for ordinary travel; or
- (4) The public health, safety and welfare requires it.

g. Notice of intent not to issue a permit for use of the public right-of-way shall be given to the applicant, either by certified mail, return receipt requested, or by actual service or delivery thereof. Notice of intent not to renew a permit for use of the public right-of-way shall be given to the permittee, either by certified mail, return receipt requested, or by actual service or delivery thereof, which notice shall be given not more than 90 days after submission of the renewal application. Notice of intent to revoke or cancel a permit shall also be given to the permittee in the manner provided above. The notice shall set forth the grounds for refusal to issue or renew or for revocation or cancellation and shall inform the applicant or permittee of the right to an appeal hearing upon request. Such request for hearing shall be filed in writing with the city administrator, and the hearing shall be scheduled and held as provided in Chapter 2.86. At the hearing, the applicant or permittee shall have the burden of establishing that the grounds asserted in the notice do not exist.

h. Upon the effective date of revocation or cancellation as provided in the city engineer's notice thereof, or upon the effective date specified in the city engineer's written decision upon the permittee's appeal, the permittee shall be required to cease its use and occupancy of the right-of-way or to remove or relocate its equipment therefrom, as provided in the notice or decision. Equipment not removed or relocated from the right-of-way as required in such notice or order shall be considered a nuisance and may be removed, relocated, or taken possession of by the city, at the permittee's expense. Except in emergency circumstances, the requirement to relocate, remove, or cease use of equipment shall be suspended during the pendency of any appeal taken by a permittee pursuant to this chapter.

i. If a permit is refused or cancelled upon the basis that the subject city property is or will be required for municipal purposes, the applicant or permittee shall not be entitled to appeal. However, in that event, the permittee shall be entitled to a partial refund of the annual fee already paid, such refund to be computed on the basis of 1/12 of the required annual fee multiplied by the number of unexpired whole months of the year remaining in the permit term. In all other cases where a permit is not issued or renewed or is revoked, no refund of any portion of the required annual fee shall be paid to the permittee.

j. Notwithstanding the notice and hearing requirements of subsection B.6.g. of this section, the city engineer may in emergency circumstances order the immediate relocation or removal of equipment from the right-of-way.

k. Regardless of any other provision, a refusal, cancellation or revocation may be appealed under the applicable processes specified in state or federal law such as Iowa Code Chapter 480A.

7. Failure to Secure, Renew or Comply. Any person who fails to secure or renew a franchise or IUB authorization or permit required under this chapter or any franchisee or permittee who fails to comply with the of the respective franchise or IUB authorization or permit, or this chapter, or with any other applicable legal requirements shall, upon notification of such violation by the city engineer, immediately act either to abate the violation or to cease its use and occupancy of the right-of-way and remove its equipment or system from the right-of-way.

8. Transfer of Franchise, Permit, Lease, Business, or Equipment Without City's Consent; Change in Use of Equipment Without City's Consent.

A permit issued pursuant to this chapter shall not be transferred to any other person without the prior written notice to the city engineer. A permittee shall not transfer the permit, the business, or the equipment in the right-of-way to another person without giving the city engineer 90 days' prior written notice of such proposed transfer. In such notice, the permittee shall clearly identify the proposed

transferee, giving the name and address of a representative of the transferee who is authorized to discuss and provide information to the city regarding the transfer.

A franchisee or permittee shall not change the use of its equipment without giving the city 90 days' prior written notice of such proposed change in use. In such notice, the franchisee, permittee, or lessee shall clearly and completely set forth the proposed change in use of equipment, how it would be accomplished, including any excavations required to accomplish such change, and projections as to the future maintenance implications of such change in use. Any proposed change in use of a franchisee's or permittee's equipment shall require the prior approval of the city engineer. Such approval may be withheld if the city engineer determines that the proposed use of the equipment at that location would be incompatible with or would likely damage or endanger other uses of the right-of-way, would involve a higher level of maintenance activities than the present use, would involve more street excavation or greater traffic disruption than the present use, or would be otherwise inappropriate.

9. Amendment to Permit.

If a permittee with a current permit issued pursuant to this division proposes to expand, reduce, relocate or modify any portion of its equipment or system within public right-of-way, the permittee shall file an application for an amendment to the current permit with the city engineer, shall pay the administrative application fee, and shall further comply with all other applicable requirements of this chapter. An application for an amendment to a current permit shall include relevant new information of the type required in connection with the initial application for a permit. If approved, the amended permit shall be issued by the city engineer in the same manner as the original permit. However, if the amendment involves only one or more new hook-on connections to the permitted utility system and if the new connections will be made entirely through the permittee's existing underground utility conduit or ducts so as not to require any excavation in the public right-of-way or by means of overhead wires or cables between existing utility poles, the permittee shall not be required to pay an additional administrative fee as part of the application for amendment.

10. Duties of Permittee.

The permittee shall be responsible for repairing or reimbursing other permitted or franchised utilities or other persons or entities lawfully using the right-of-way for any damage to their property caused by negligence of the permittee or its agents, employees or contractors in connection with the installation, construction, reconstruction, repair, operation, disconnection or removal of the permittee's equipment or system. (Ord. 2017-111 § 1 (part)).

12.20.170 Specific Standards for Wireless Structures

A. The following standards shall apply to any wireless structures including small cell facilities, distributed antenna systems (DAS) and other telecommunication distribution facilities within the public right-of-way.

1. All equipment related to a wireless structures must be mounted/co-located on existing poles or other existing structures unless it can be shown that an alternate location will be less obtrusive and/or more beneficial to the public.

2. An applicant seeking installation of a wireless structures must demonstrate that it has made efforts to blend or camouflage the system with existing facilities and surroundings or has otherwise screened or concealed the system from view. Approved blending methods include, but are not limited to, location of equipment other than antennas within a tree canopy or other inconspicuous location, use of green, brown or other colored equipment (if commercially available to the applicant) designed to mimic the colors and/or materials of the tree canopy, co-location structure or other nearby structures, as well as use of

textures and shapes as appropriate, all with the intent of minimizing the visual impact of the system. Unnatural colors and exposed cables are prohibited.

3. All pole-mounted wireless facilities must be installed at a minimum height of nine feet above the ground. Equipment may be housed in a cabinet at ground level only with the approval of the city engineer as to location and with appropriate screening.

4. Wireless facilities may not extend more than seven feet above the height of the existing pole or other structure on which it is installed.

5. Where wireless structures are placed in residential districts, every effort must be made to avoid placement at right of way locations directly in front of a residence. If placement directly in front of a residence is absolutely necessary for technological reasons, the City has the right to require screening or impose other design mitigation requirements.

6. The City may request that a particular node or nodes be placed in an alternative location to that proposed by the applicant. Where a request for an alternative location is unable to be accommodated by an applicant, the applicant must supply an explanation in writing as to why the suggested alternative location will materially compromise the functioning of the system or is otherwise impractical.

12.20.180 Reports and records.

A. Open Books and Records: Upon request, the city shall have the right to inspect and analyze at any time during normal business hours at the nearest office of an owner or operator of facilities, or, if such office is not in the city, then at such other location in the city as the city may reasonably designate, all books, receipts, maps, records, codes, programs, and disks or other storage media and other like material reasonably appropriate in order to monitor compliance with the terms of this chapter or applicable law. This includes not only the books and records directly relevant to enforcement of this chapter or the owner's or operator's franchise agreement that are held by the operator, but any books and records held by an affiliate, or any contractor, subcontractor or any person holding any form of management contract for the facilities in the public rights-of-way to the extent such books or records relate to the facilities. An owner or operator is responsible for collecting the information and producing it at a location as specified above. The city shall provide the owner or operator with advance notice stating the types of records sought to be reviewed and the reason for such review.

B. Contacts and Maps: Unless this requirement is waived in whole or in part in writing by the city each owner or operator of facilities in the public rights-of-way shall maintain and produce or allow access upon request the following items:

1. An organizational chart with contact information for the portion of the organization most relevant to its operations within the right-of-way.
2. Detailed, updated maps depicting the location of all facilities located in public rights-of-way in the city.

C. Construction Updates: Unless this requirement is waived in whole or in part by the city, the owner or operator of facilities in the public rights-of-way shall deliver or make available upon request the following updates to the city:

1. Monthly construction reports to the city for any major construction undertaken in the public rights-of-way until such construction is complete. The owner or operator must submit updated as built system design maps to the city, or make them available for inspection, with notice of their availability, within thirty (30) days of the completion of system construction in any geographic area. These maps shall

he developed on the basis of post-construction inspection by the owner or operator and construction personnel. Any departures from design must be indicated on the as built maps.

2. Reserved.

D. Records Required: An owner or operator of facilities in the public rights-of-way shall at all times maintain:

1. A full and complete set of plans, records, and "as built" maps showing the exact location of all equipment installed or in use in the city, exclusive of customer service drops.

2. A file showing its plan and timetable for future major construction of the facilities.

E. Remote Site Visit: If any requested records, maps or plans, or other requested documents are too voluminous, or for security reasons cannot be copied and moved, then an owner or operator of facilities in the public rights-of-way may request that the inspection take place at some other location; provided, that the owner or operator must pay reasonable travel expenses incurred by the city in inspecting those documents or having those documents inspected by its designee, as charges incidental to the enforcing of the owner's or operator's franchise or other authorization for use of the public rights-of-way. (Ord. 2017-111 § 1 (part)).

12.20.190 Bond or letter of credit.

No person shall install, erect, hang, lay, bury, draw, emplace, construct, reconstruct or operate any facility upon, across, beneath, or over any public right-of-way in the city or other city property until the owner or operator shall have filed with the city administrator a bond and/or letter of credit, in a form acceptable to the city, running in favor of the city, to guarantee the obligations of the owner or operator under this chapter and applicable law. The amount of the bond or letter of credit shall be no less than the reasonable cost of removal of the facilities and restoration of any affected public rights-of-way or other property pursuant to this chapter. (Ord. 2017-111 § 1 (part)).

12.20.200 Insurance.

An owner or operator shall maintain insurance covering its facilities and operations in the public rights-of-way, as specified in a specific provision of this chapter or in its franchise agreement. Upon request, proof of such insurance shall be submitted to the city engineer prior to beginning any said work. (Ord. 2017-111 § 1 (part)).

12.20.210 Enforcement.

A. Penalties: For violation of provisions of this chapter the city may seek fines in the amounts of \$100. for a first offense within a year, \$200. for a second offense within a year, and \$300. for a third or subsequent offense within a year. The penalties shall be assessable against an owner or operator and shall be chargeable to its performance bond and/or letter of credit, at the city's discretion.

B. Injunctive Relief: In addition to any other remedies hereunder, the city may seek an injunction to mitigate or terminate a violation, or employ any other remedy available at law or equity, including, but not limited to, imposition of penalties pursuant to subsection A of this section.

C. Timely Performance or Compliance: Any failure of the city to insist on timely performance or compliance by any person shall not constitute a waiver of the city's right to later insist on timely performance or compliance by that person or any other person.

D. Termination on Account of Certain Assignments or Appointments:

1. To the extent not prohibited by the United States bankruptcy code, a franchise under this chapter shall terminate automatically by force of law one hundred twenty (120) calendar days after an assignment for the benefit of creditors or the appointment of a receiver or trustee (including a debtor in possession in a reorganization) to take over the business of the owner or operator, whether in bankruptcy or under a state law proceeding; provided, however, that such franchise shall not so terminate if, within that one hundred twenty (120) day period:

- a. Such assignment, receivership or trusteeship has been vacated; or
- b. Such assignee, receiver, or trustee has cured any defaults and has fully complied with the terms and conditions of this chapter and any applicable agreement and has executed an agreement, approved by any court having jurisdiction, under which it assumes and agrees to be bound by the terms and conditions of this chapter and any applicable agreement.
- c. In the event of foreclosure or other judicial sale of any of the facilities, equipment, or property of an owner or operator of facilities in the public rights-of-way, its franchise under this chapter shall automatically terminate thirty (30) calendar days after such foreclosure or sale, unless:
 - (1) The city has approved a transfer to the successful bidder; and
 - (2) The successful bidder has covenanted and agreed with the city to assume and be bound by the terms and conditions binding its predecessor.
- d. Any mortgage, pledge or lease of facilities in the public rights-of-way shall be subject and subordinate to the rights of the city under this chapter any applicable agreement, and other applicable law.

2. If a franchise under this chapter is terminated for any reason, the city may, at its discretion, require the grantee or permittee to remove its facilities from the public rights-of-way and to restore the public rights-of-way to their prior condition at the owner's or operator's expense, or that of their sureties. If an owner or operator whose franchise has been terminated fails, after reasonable notice from the city, to remove its facilities from the public rights-of-way, such facilities shall be deemed abandoned and ownership forfeited to the city.

E. Remedies Cumulative: All remedies specified in this chapter are cumulative unless otherwise expressly stated. The exercise of one remedy shall not foreclose use of another, nor shall the exercise of a remedy or the payment of liquidated damages or penalties relieve an operator of its obligations to comply with this chapter. In exercising any remedy specified in this chapter, including Articles A and B, the city shall comply with any substantive and procedural requirements for exercising such remedies in an owner's or operator's franchise agreement or other authorization.

F. Reduce or Waive Penalties: The city engineer or attorney may reduce or waive any of the above listed penalties for good cause shown. (Ord. 2017-111 § 1 (part)).

12.20.220 Indemnification.

Any indemnity provided shall include, but not be limited to, the city's reasonable attorney fees incurred in defending against any such claim, suit, or proceeding. Recovery by the city of any amounts under insurance, the performance bond or letter of credit, or otherwise shall not limit in any way a person's duty to indemnify the city, nor shall such recovery relieve a person of its obligations pursuant to a franchise or in any respect prevent the city from exercising any other right or remedy it may have. (Ord. 2017-111 § 1 (part)).

12.20.230 Severability.

If any term, condition, or provision of this chapter shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective. In the

event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the city and shall thereafter be binding on owners and operators. (Ord. 2017-111 § 1 (part)).

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_____

Attest:

Frank Klipsch
Mayor

Brian Krup
Deputy City Clerk

Published in the Quad City Times on _____

City of Davenport

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

Action / Date
3/20/2019

Subject:

First Consideration: Ordinance to change the name of a section of E 60th St to Duggleby Ave located in Eastern Avenue Farms 5th Addition (City of Davenport, petitioner). [Ward 8]

Recommendation:

Adopt the Ordinance.

Background:

On September 5, 2018 the City Council approved the plat for the Eastern Avenue Farms 5th Addition. Public Works staff requests to rename a section of E 60th St that stretches from the extended lot line between Lot 9 and Lot 10 to Parkview Dr as Duggleby Ave. This request is being made in order to adhere to typical City street naming standards as the section in question has a north/south bearing and E 60th St should be exclusively an east/west street. The developer of the site is in agreement with this change.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Ordinance
▣ Backup Material	Eastern Avenue Farms 5th Addition
▣ Backup Material	Map of Proposed Street Rename

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	3/27/2019 - 9:55 AM
Public Works Committee	Lechvar, Gina	Approved	3/28/2019 - 1:48 PM
City Clerk	Admin, Default	Approved	3/28/2019 - 3:48 PM

ORDINANCE NO. _____

ORDINANCE to change the name of a section of East 60th Street to Duggleby Avenue located in Eastern Avenue Farms 5th Addition (City of Davenport, petitioner).

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

WHEREAS Renaming the portion of East 60th Street stretching from lot 9 and Lot 10 to Parkview Dr to Duggleby Avenue;

WHEREAS This change adheres to typical City street naming standards as the section has a north/south bearing and East 60th St is exclusively an east/west street.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Attest: _____
Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

Published in the QC Times _____

CITY OF DAVENPORT
BY *Frank Lepore*
DATE 9-12-2018
PLANNING AND ZONING
BY *Frank Lepore*
DATE 9-24-2018
IOWA - AMERICAN WATER CO.
BY *Frank Lepore*
DATE 8-31-18
MID AMERICAN ENERGY CO.
BY *Frank Lepore*
DATE 8/31/18
MEDIACOM
BY *Frank Lepore*
DATE 9-21-18
CENTURYLINK
BY *Frank Lepore*
DATE 9/18/18

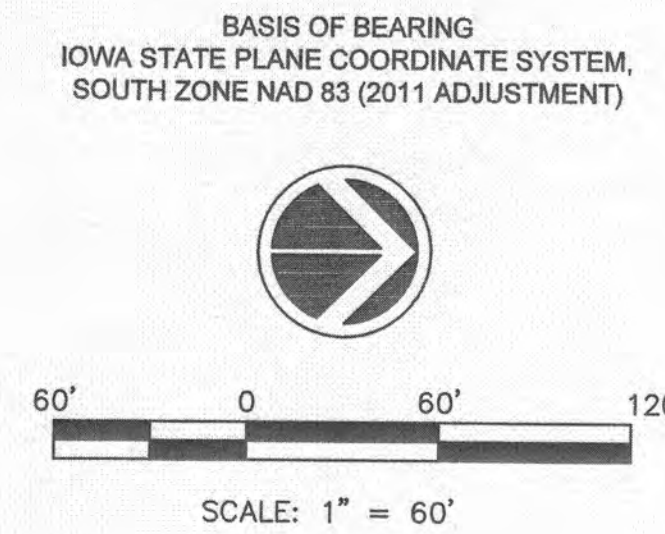
CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD DISTANCE
C1	30.88'	175.00'	N 82°32'34" E	30.84'
C2	68.09'	175.00'	N 68°22'27" E	67.89'
C3	67.16'	175.00'	N 44°13'50" E	66.77'
C4	67.01'	175.00'	N 22°18'49" E	66.60'
C5	41.93'	175.00'	N 04°28'47" E	41.83'
C6	196.35'	125.00'	N 42°33'54" E	176.78'
C7	23.56'	15.00'	N 47°26'06" W	21.21'
C8	23.56'	15.00'	S 42°33'54" W	21.21'
C9	23.56'	15.00'	N 42°33'54" E	21.21'
C10	23.56'	15.00'	S 47°26'06" E	21.21'
C11	13.62'	15.00'	S 23°34'30" W	13.16'
C12	75.43'	50.00'	N 06°21'55" E	68.48'
C13	89.10'	50.00'	N 76°26'54" W	63.73'
C14	24.80'	50.00'	S 49°45'05" W	24.54'
C15	13.62'	15.00'	N 61°33'18" E	13.16'
C16	23.56'	15.00'	N 47°26'06" W	21.21'
C17	23.56'	15.00'	S 42°33'54" W	21.21'
C18	13.62'	15.00'	S 68°25'30" E	13.16'
C19	24.85'	50.00'	N 54°38'51" W	24.59'
C20	69.06'	50.00'	S 71°32'03" W	63.72'
C21	75.41'	50.00'	S 11°15'12" E	68.46'
C22	13.62'	15.00'	N 28°26'42" W	13.16'
C23	23.56'	15.00'	N 42°33'54" E	21.21'
C24	23.56'	15.00'	S 47°26'06" E	21.21'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 87°33'54" E	54.54'
L2	S 02°26'06" E	5.00'

FINAL PLAT
OF
EASTERN AVENUE FARMS FIFTH ADDITION
A RE-PLAT OF LOT 47 OF EASTERN AVENUE FARMS FOURTH ADDITION,
IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA
18.39 ACRES±

AREA TABLE			AREA TABLE			AREA TABLE			AREA TABLE			AREA TABLE		
LOT	AREA S.F.±	AREA AC.±	LOT	AREA S.F.±	AREA AC.±	LOT	AREA S.F.±	AREA AC.±	LOT	AREA S.F.±	AREA AC.±	LOT	AREA S.F.±	AREA AC.±
LOT 1	10,406 SF±	0.24 AC±	LOT 11	17,520 SF±	0.40 AC±	LOT 21	15,011 SF±	0.34 AC±	LOT 31	11,423 SF±	0.26 AC±	LOT 41	13,536 SF±	0.31 AC±
LOT 2	10,400 SF±	0.24 AC±	LOT 12	12,732 SF±	0.29 AC±	LOT 22	26,115 SF±	0.60 AC±	LOT 32	11,438 SF±	0.26 AC±	LOT 42	11,440 SF±	0.26 AC±
LOT 3	10,400 SF±	0.24 AC±	LOT 13	14,858 SF±	0.34 AC±	LOT 23	25,332 SF±	0.58 AC±	LOT 33	13,249 SF±	0.30 AC±	LOT 43	11,440 SF±	0.26 AC±
LOT 4	10,400 SF±	0.24 AC±	LOT 14	13,323 SF±	0.31 AC±	LOT 24	25,346 SF±	0.58 AC±	LOT 34	13,251 SF±	0.30 AC±	LOT 44	11,440 SF±	0.26 AC±
LOT 5	10,400 SF±	0.24 AC±	LOT 15	11,581 SF±	0.27 AC±	LOT 25	25,458 SF±	0.58 AC±	LOT 35	11,440 SF±	0.26 AC±	LOT 45	11,440 SF±	0.26 AC±
LOT 6	12,898 SF±	0.30 AC±	LOT 16	11,855 SF±	0.27 AC±	LOT 26	13,819 SF±	0.32 AC±	LOT 36	11,440 SF±	0.26 AC±	LOT 46	11,440 SF±	0.26 AC±
LOT 7	19,990 SF±	0.46 AC±	LOT 17	11,728 SF±	0.27 AC±	LOT 27	11,469 SF±	0.26 AC±	LOT 37	11,440 SF±	0.26 AC±	LOT 47	13,251 SF±	0.30 AC±
LOT 8	14,814 SF±	0.34 AC±	LOT 18	11,801 SF±	0.27 AC±	LOT 28	11,430 SF±	0.26 AC±	LOT 38	11,440 SF±	0.26 AC±	RIGHT OF WAY	145,838 SF±	3.35 AC±
LOT 9	18,073 SF±	0.41 AC±	LOT 19	11,874 SF±	0.27 AC±	LOT 29	11,449 SF±	0.26 AC±	LOT 39	11,440 SF±	0.26 AC±	TOTAL AREA	800,871 SF±	18.39 AC±
LOT 10	27,209 SF±	0.62 AC±	LOT 20	12,015 SF±	0.28 AC±	LOT 30	11,443 SF±	0.26 AC±	LOT 40	13,537 SF±	0.31 AC±			

OWNER / SUBDIVIDER
O'BROS LLC
3885 ELMORE AVENUE
DAVENPORT, IOWA 52807
PHONE: (563) 823-1520



- LEGEND
- REBAR, FOUND
 - CHISELED "X" IN CONCRETE, FOUND
 - CHISELED "X" IN CONCRETE, SET
 - REBAR WITH CAP #, FOUND
 - 5/8" REBAR WITH CAP #13581 SET
 - MEASURED DIMENSION
 - RECORDED DIMENSION
 - LINE CONTINUATION
 - SUBDIVISION BOUNDARY
 - EXISTING LOT LINE
 - PROPOSED LOT LINE
 - UNDERLYING DEED LINE
 - EXISTING EASEMENT LINE
 - PROPOSED EASEMENT LINE
 - EXISTING R.O.W. LINE
 - PROPOSED R.O.W. LINE
 - BUILDING SETBACK LINE
 - UTILITY EASEMENT
 - DRAINAGE EASEMENT
- ABBREVIATIONS
- AC ACRES
 - L LENGTH
 - R RADIUS
 SF SQUARE FEET | - BSL BUILDING SETBACK LINE
 - UE UTILITY EASEMENT
 - DE DRAINAGE EASEMENT

GENERAL NOTES

This Final Plat was prepared at the request of, and for the exclusive use of O'Bros, LLC.

It should be noted that in the performance of this re-survey, the courses and distances of the re-survey may vary from recorded calls, based on the existence of found monumentation, occupation, or other controlling calls or conditions that have occurred in the re-survey of this property.

This property is subject to any and all easements and roadways of record.

No investigation concerning environmental and subsurface conditions, or for the existence of underground containers, structures or facilities which may affect the use or development of this property was made as a part of this survey.

No investigation was made as apart of this survey to determine or show data concerning existence, size, depth, condition, capacity, or location of any utilities or municipal facilities, except as noted. Call Iowa One-Call at 1-800-292-8989 for information regarding these utilities or facilities.

No part of this subdivision is subject to a Special Flood Hazard Area as designated by FEMA on Community Firm Map No. 19163C0380F with an Effective Date February 18, 2011.

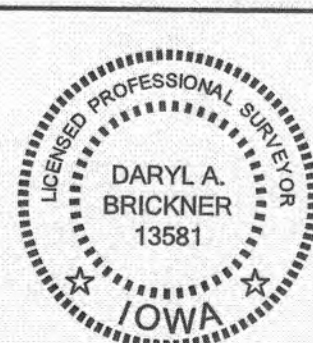
Distances are listed in feet and decimal part of a foot.

All monuments have been found or will be set as shown on this plat by December 1st 2018.

Blanket underground easements granted for all primary and secondary electric cables, pad mounted transformers, electric transformers, primary cable, gas service, water service, sewer laterals, telephone service and cable T.V. to individual structures and street lights.

Easements designated as "Utility Easements" include all utilities that are provided by either the city of Davenport or those companies authorized to provide public utilities within the city of Davenport.

Sidewalks shall be installed along street frontages when so ordered by the City.



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

Daryl A. Brickner
Daryl A. Brickner, PLS No. 13581
My license renewal date is December 31, 2019
No. of sheets covered by this seal: 1

elzabe
Date

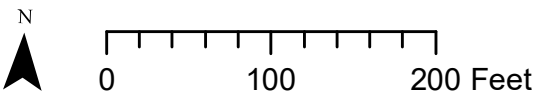
EASTERN AVENUE FARMS 5th ADDITION
DAVENPORT, IOWA

FINAL PLAT

IMEG Project No:
18001330.00
File Name:
18001330_00-PROPERTY.dwg
© COPYRIGHT: 2018
ALL RIGHTS RESERVED
Field Book No:
Drawn By: DAB
Checked By: BDO
Date: 6/7/2018
Sheet 1 of 1

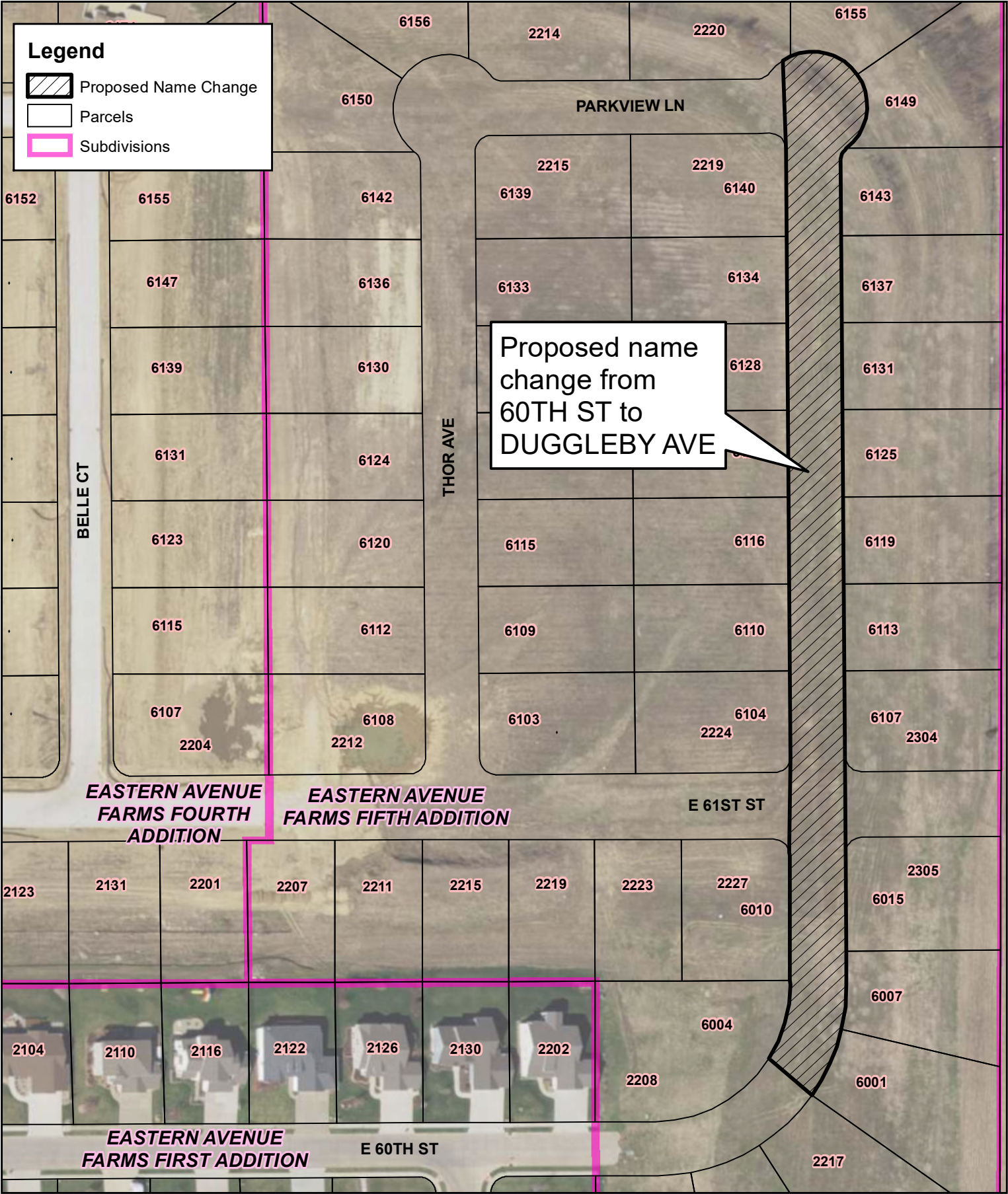
Proposed Street Name Change

60TH ST to DUGGLEBY AVE



Legend

- Proposed Name Change
- Parcels
- Subdivisions



City of Davenport

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

Action / Date
4/3/2019

Subject:
Resolution approving the contract for the Contract Milling Program to Tri City Blacktop Inc. of Bettendorf, IA in the amount of \$111,242.04, CIP #35042. [Wards 1-7]

Recommendation:
Adopt the Resolution.

Background:
On February 27, 2019 an Invitation to Bid was issued and sent to 43 contractors. On March 22, 2019 the Purchasing Division opened and read two (2) bids. See Bid Tab Attached.

Tri City Blacktop Inc. of Bettendorf IA was the lowest responsive and responsible bidder. In the past they have performed satisfactory work for City projects.

This contract will allow a portion of the milling work done by City crews to be done by a contractor, reducing base preparation time for a street by as much as 60%. This will reduce the overall cost for these streets and allow more streets to be resurfaced in the course of a construction season.

Funding for this project is from the FY 2020 CIP budget, account #35042.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW Pg 2
▣ Cover Memo	Bid Tab - Contract Milling Program

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	3/27/2019 - 1:37 PM
Public Works Committee	Lechvar, Gina	Approved	3/27/2019 - 1:37 PM
City Clerk	Admin, Default	Approved	3/27/2019 - 1:53 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Contract Milling Program to Tri City Blacktop Inc. of Bettendorf, IA in the amount of \$111,242.04, CIP #35042.

WHEREAS, the City needs to contract for the Milling of various road locations in Davenport; and

WHEREAS, Tri City Blacktop Inc. of Bettendorf was the lowest responsive and responsible bidder;

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

1. Approving the contract for the FY2020 Contract Milling Program to Tri City Blacktop Inc. of Bettendorf; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: FY2020 CONTRACT MILLING PROGRAM

BID NUMBER: 19-69

OPENING DATE: MARCH 22, 2019

GL ACCOUNT NUMBER: CIP 35042

RECOMMENDATION: AWARD THE CONTRACT TO TRI CITY BLACKTOP
INC OF BETTENDORF IA

<u>VENDOR NAME</u>	<u>PRICE</u>
Tri City Blacktop Inc. of Bettendorf IA	\$111,242.04
McCarthy Improvement Company of Davenport	\$192,184.30

Approved By *Christa Keller* 3/25/19
Purchasing

Approved By *Nicole Gleason* 3/25/19
PW Director

Approved By *Brechi Coz*
Budget/CIP

Approved By *[Signature]* 3-26-2019
Chief Financial Officer

City of Davenport

Agenda Group:
Department: Public Works - Engineering
Contact Info: Zach Peterson 563-328-6709
Wards:

Action / Date
3/20/2019

Subject:
Resolution adopting the Davenport GO Multi-Modal Transportation Plan as an element of the City of Davenport Comprehensive Plan, CIP #10151. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
Davenport GO is the culmination of a nearly two-year planning effort carried out with substantial public input. It contains sustainable strategies to help make Davenport a more mobile, healthy and safer community from a pedestrian and cycling standpoint.

Davenport GO was commissioned by the City Council in 2017 in order to revisit the bicycle and pedestrian related recommendations originally brought forth in the Davenport In-Motion transportation plan (originally completed in 2011). By doing so, the City desires to update and expand upon the pedestrian, bicycle, and shared-use trail network recommendations proposed in Davenport In-Motion as means of achieving the development of a balanced, linked, and sustainable multi-modal transportation system throughout the City.

It should be noted, as with any planning endeavor, that implementation rarely is accomplished in a lineal fashion. The plan is intended to serve as a guide for making incremental decisions as they present themselves. The final design of improvements, and the timing of their construction, are subject to funding opportunities and prioritization decisions of current and future City leaders.

Adoption of this Resolution will allow the recommendations contained within Davenport GO to become an element of the City's Comprehensive Plan for the purposes of helping guide development decisions, CIP allocation, staff, and council actions. Plan adoption does not mean the City Council endorses every goal and strategy listed in Davenport GO but rather, each plan recommendation will be considered individually as part of a larger whole. Capital projects influenced by the plan will be considered individually through the normal course of City Council review and approval of the CIP.

Due to its size, the full document is not attached. It can be viewed here:

<https://rdgusa.com/sites/davenportbikes/2018/05/31/289/>

ATTACHMENTS:

Type	Description
 Resolution Letter	PW_RES_DAVENPORT GO_Pg2

REVIEWERS:

Department	Reviewer	Action	Date
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Public Works - Engineering	Lechvar, Gina	Approved	3/27/2019 - 1:31 PM
Public Works Committee	Lechvar, Gina	Approved	3/27/2019 - 1:32 PM
City Clerk	Admin, Default	Approved	3/27/2019 - 1:52 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION Adopting the Davenport GO Multi-Modal Transportation Plan as an element of the City of Davenport Comprehensive Plan. [All Wards]

WHEREAS, the City desires to update and expand upon the pedestrian, bicycle, and shared-use trail network recommendations contained in the Comprehensive Plan.

WHEREAS, the City desires to achieve the development of a balanced, linked, and sustainable multi-modal transportation system for pedestrians and cyclists.

WHEREAS, recommendations contained within the plan have been developed via a substantial public input process and are the reflected goals based upon this public engagement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Davenport GO Multi-Modal plan is hereby approved and accepted without any special conditions; and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Engineering
Contact Info: Zach Peterson 563-328-6709
Wards:

Action / Date
4/3/2019

Subject:
Resolution approving the plans, specifications, forms of contract, and estimated cost for the 100 Block of East 3rd St Streetscape Improvements Project, CIP #35022. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
This project encompasses the southern block face of E 3rd St between Brady Street and the River Center Parking Garage access drive. The Downtown Davenport Streetscape Improvement Plan Design Guidelines will be applied which includes a “bump out” at the River Center Ramp access drive, brick banding, decorative lights, and new trees. Sidewalk work will also ensure ADA accessibility to building entrances along this frontage.

Per the May 2017 Streetscape Improvement Plan, cost will be shared between the City, property owners, and the Downtown Davenport Partnership.

The current project estimate is \$197,000.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	PW Pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/27/2019 - 11:46 AM
Public Works Committee	Lechvar, Gina	Approved	3/27/2019 - 11:46 AM
City Clerk	Admin, Default	Approved	3/27/2019 - 12:21 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the plans, specifications, forms of contract and estimate of cost for the 100 Block of East 3rd St. Streetscape Improvements Project, CIP #35022.

WHEREAS, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the 100 Block E. 3rd Street Streetscape Improvements project; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that said plans, specifications, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for the 100 Block E. 3rd Street Streetscape Improvements project.

Passed and approved this 10th day of April, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Engineering
Contact Info: Zach Peterson 563-328-6709
Wards:

Action / Date
4/3/2019

Subject:
Resolution approving the plans, specifications, forms of contract, and estimated cost of covering the Kaiserslautern Square Upgrades Project, CIP #68004. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The City of Davenport is set commence construction of comprehensive site upgrades to Kaiserslautern Square in Downtown Davenport.

Once completed, project upgrades will include the following:

1. Replacement of fountain hardware to include dynamic functionality, complemented by LED lighting upgrades to provide additional night-time/year-round interest.
2. Removal and replacement of fountain and plaza pavers, wall veneers, and capstones with updated materials.
3. Development of a more hospitable plaza environment by introducing additional plant material, and shade trees with the subdivision of the plaza into outdoor rooms including a performance stage area.
4. Site regrading to ensure all plaza areas meet ADA accessibility guidelines.
5. Additional commemoration of the City of Davenport's Sister City, Kaiserslautern, Germany via the introduction of flags, signage, and future sculpture area.
6. Integration of green stormwater best management practices to ensure that Kaiserslautern Square is compliant with applicable City stormwater regulations.

The above outlined improvements are being scheduled for a spring 2019 bid for summer 2019 construction. Substantial completion is estimated to occur in time for an anticipated fall opening.

The total project cost with contingency is estimated at \$758,000 (\$179,500 of which has been secured via grant funding and other community partnerships).

ATTACHMENTS:

Type	Description
□ Resolution Letter	PW Pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/27/2019 - 1:24 PM
Public Works Committee	Lechvar, Gina	Approved	3/27/2019 - 1:24 PM
City Clerk	Admin, Default	Approved	3/27/2019 - 1:46 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the plans, specifications, forms of contract, and estimate of cost covering the Kaiserslautern Square Upgrades Project, CIP #68004.

WHEREAS, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the Kaiserslautern Square Upgrades Project; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that said plans, specifications, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for the Kaiserslautern Square Upgrades Project.

Passed and approved this 10th day of April, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Engineering
Contact Info: Brian Schadt 563-326-7923
Wards:

Action / Date
4/3/2019

Subject:
Resolution approving the plans, specifications, forms of contract, and estimated cost for the State Patching Program, CIP #35035. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
This program is an Iowa DOT reimbursable program that is administered by the City to repair pavement on state routes.

Funding for the 2019 State Patching Program is established within CIP #35035. The current estimate is \$130,000.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW Pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/27/2019 - 1:30 PM
Public Works Committee	Lechvar, Gina	Approved	3/27/2019 - 1:30 PM
City Clerk	Admin, Default	Approved	3/27/2019 - 1:47 PM

Resolution No. _____

Resolution offered by Alderman Dunn

Resolution approving the plans, specifications, forms of contract, and estimate of cost for the State Patching Program, CIP #35035.

WHEREAS, on the 27th day of March, 2019, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the 2019 State Patching Program, CIP #35035.

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that said plans, specifications, forms of contract and estimate of cost are hereby approved as the plans, specifications, forms of contract and estimate of cost for said 2019 State Patching Program.

Passed and approved this 10th day of April, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

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

Action / Date
4/3/2019

Subject:
Resolution approving the contract for the Federal St Permeable Alley to Emery Construction Group Inc of Moline, IL in the amount of \$204,970, CIP #33032. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
On February 19, 2019, an Invitation to Bid was issued and sent to contractors. On March 12, 2019, the Purchasing Division opened and read four bids. See attached bid tab.

Emery Construction Group Inc. of Moline, IL is the lowest responsive and responsible bidder. They are being recommended for the award.

This storm water project will remove the existing alley paving between E River Dr and Isabel Bloom Way from Federal St. to Tremont Ave. and construct a new permeable brick alley paving. The permeable alley will allow for the capture and conveyance of storm water.

Funding for this project is from CIP account #71036675 530350 33032 and #71036699 530350 33032 Federal & River Dr Permeable Alley. These funds are from the sale of general obligation bonds.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Cover Memo	Bid Tab - Federal St Permeable Alley

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	3/27/2019 - 9:41 AM
Public Works Committee	Lechvar, Gina	Approved	3/27/2019 - 1:20 PM
City Clerk	Admin, Default	Approved	3/27/2019 - 1:45 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Federal St Permeable Alley to Emery Construction Group Inc. of Moline, IL, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to construct the Federal St Permeable Alley; and

WHEREAS, Emery Construction Group Inc. of Moline IL., was the lowest responsive and responsible bidder;

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

1. Approving the contract for the Federal St Permeable Alley to Emery Construction Group Inc. of Moline, IL.; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: FEDERAL STREET PERMEABLE ALLEY

BID NUMBER: 19-65

OPENING DATE: MARCH 12, 2019

GL ACCOUNT NUMBER: 71036675 530350 33032

RECOMMENDATION: AWARD THE CONTRACT TO EMERY
CONSTRUCTION GROUP INC OF MOLINE IL

<u>VENDOR NAME</u>	<u>PRICE</u>
Emery Construction Group Inc of Moline IL	\$204,970
Langman Construction Inc. of Rock Island IL	\$233,870.50
Hawkeye Paving Corporation of Bettendorf IA	\$254,220.00
Centennial Contractors of the Quad Cities of Moline IL	\$255,710.00

Approved By *Kristi Keller* 3/21/19
Purchasing Date

Approved By *Nicole Meason* 3/20/19
PW Director Date

Approved By *Brauli Coy* 3-21-19
Budget/CIP Date

Approved By *BW* 3-21-2019
Chief Financial Officer Date

City of Davenport

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

Action / Date
4/3/2019

Subject:
Resolution approving the contract for Manhole Rehabilitation Project to Save Our Sewers Inc. of Cedar Rapids, IA in the amount of \$2,390,226.60 CIP #30045. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on January 24, 2019 and sent to contractors. On March 5, 2019, the Purchasing Division opened and read four (4) bids. Save Our Sewers Inc., of Cedar Rapids, IA was the lowest responsive and responsible bidder. See attached bid tab.

A number of manholes of the sanitary collection system have been identified as structurally deficient which allows for inflow and infiltration. The manholes selected were based on previous studies and inspections.

Funding for this project is from the sale of General Obligation Sanitary Sewer Bonds. This is a two year project, CIP #30045.

ATTACHMENTS:

Type	Description
▣ Cover Memo	PW RES FY19/FY20 Manhole Rehabilitation Project
▣ Cover Memo	Bid Tab for Greensheet - FY19-FY20 Manhole Rehab Project

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	3/28/2019 - 11:46 AM
Public Works Committee	Lechvar, Gina	Approved	3/28/2019 - 11:49 AM
City Clerk	Admin, Default	Approved	3/28/2019 - 1:24 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the FY19 and FY20 Manhole Rehabilitation Program to Save Our Sewers Inc. of Cedar Rapids, IA, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the FY19 and FY20 Manhole Rehabilitation Program; and

WHEREAS, Save Our Sewers Inc. of Cedar Rapids IA was the lowest responsive and responsible bidder;

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

1. Approving the contract for the FY19 and FY20 Manhole Rehabilitation Program to Save Our Sewers Inc. of Cedar Rapids IA; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: FY19/FY20 MANHOLE REHABILITATION PROJECT

BID NUMBER: 19-59

OPENING DATE: MARCH 5, 2019

GL ACCOUNT NUMBER: CIP 30045

RECOMMENDATION: AWARD THE CONTRACT TO SAVE OUR SEWERS INC
OF CEDAR RAPIDS IA

<u>VENDOR NAME</u>	<u>PRICE</u>
Save Our Sewers Inc. of Cedar Rapids IA	\$2,390,226.60
KIM Construction Inc. of Steger, IL	\$2,412,210.00
Hawkeye Paving Corporation of Bettendorf IL	\$2,812,430.00
National Power Rodding Corporation of Chicago IL	\$4,064,550.00

Approved By Krista Keller 3/27/19
Purchasing Date

Approved By Nicole Gleason 3/27/19
PW Director Date

Approved By Brenda Cox
Budget/CIP Date

Approved By BW 3-27-2019
Chief Financial Officer Date

City of Davenport

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

Action / Date
4/3/2019

Subject:
Resolution approving the contract for the 46th St Reconstruction between Fillmore Ln and Marquette St to N J Miller Inc. of Bettendorf, IA in the amount of \$237,210.50, CIP #35036.
[Ward 7]

Recommendation:
Adopt the Resolution.

Background:

On February 28, 2019, an Invitation to Bid was issued and sent to contractors. On March 25, 2019, the Purchasing Division opened and read six (6) responsive and responsible bids. See attached tabulation.

N J Miller Inc. of Bettendorf IA was the lowest bid submitted. They are being recommended for this project. They have performed work successfully for the City in the past.

This work includes survey, drainable base, subdrains and traffic control. It involves removing the existing PCC pavement and replacing with new.

Funding for this project is from the CIP account #70058699 530350 35036 Concrete Neighborhood Street Replacement.

ATTACHMENTS:

Type	Description
▣ Cover Memo	PW RES 46th St Reconstruction between Fillmore LN and Marquette St
▣ Cover Memo	Bid Tab - 46th St Reconstruction

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	3/28/2019 - 11:20 AM
Public Works Committee	Lechvar, Gina	Approved	3/28/2019 - 11:21 AM
City Clerk	Admin, Default	Approved	3/28/2019 - 1:23 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the 46th Street Reconstruction between Marquette and Fillmore Lane to N J Miller Inc. of Bettendorf, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the 46th Street Reconstruction between Marquette and Fillmore Lane in Davenport; and

WHEREAS, N J Miller Inc. of Bettendorf was the lowest responsive and responsible bidder;

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

1. Approving the contract for the 46th Street Reconstruction between Marquette and Fillmore Lane to N J Miller Inc. of Bettendorf; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: 46th ST RECONSTRUCTION BETWEEN MARQUETTE AND
FILLMORE LANE

BID NUMBER: 19-71

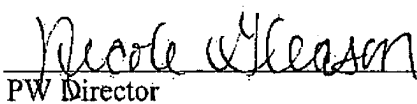
OPENING DATE: MARCH 25, 2019

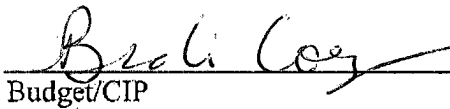
GL ACCOUNT NUMBER: 70058699 530350 35036

RECOMMENDATION: AWARD THE CONTRACT TO N J MILLER INC OF
BETTENDORF IA

<u>VENDOR NAME</u>	<u>PRICE</u>
N J Miller Inc. of Bettendorf IA	\$237,210.50
Hawkeye Paving Corporation of Bettendorf IA	\$249,164.50
CDMI Concrete Contractors Inc. of East Moline IL	\$297,387.00
Centennial Contractors of the Quad Cities of Moline IL	\$305,455.50
Langman Construction Inc. of Rock Island IL	\$316,342.36
Emery Construction Group Inc. of Moline IL	\$336,483.30

Approved By  3/27/19
Purchasing Date

Approved By  3/27/19
PW Director Date

Approved By  _____
Budget/CIP Date

Approved By  3-27-2019
Chief Financial Officer Date

City of Davenport

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

Action / Date
4/3/2019

Subject:
Resolution approving the contract for the Elmwood Ave Reconstruction between Lincoln and Linwood Project to Hawkeye Paving Corporation of Bettendorf, IA in the amount of \$340,551, CIP #35036. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on February 28, 2019 and sent to contractors. On March 25, 2019, the Purchasing Division opened and read five (5) responsive and responsible bids. See bid tab attached.

The lowest responsive and responsible bid was Hawkeye Paving Corporation of Bettendorf. They have successfully completed projects for the City in the past.

This project includes survey, drainable base, subdrains, sidewalks, and traffic control. They will remove existing composite HMA/PCC pavement and replace with new.

Funding for this project is from the CIP #70058699 530350 35036 Concrete Neighborhood Street Replacement. These funds are from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
▣ Cover Memo	PW RES Elmwood Ave Reconstruction between Lincoln and Linwood
▣ Cover Memo	Bid Tab - Elmwood Ave Reconstruction

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	3/28/2019 - 11:13 AM
Public Works Committee	Lechvar, Gina	Approved	3/28/2019 - 11:13 AM
City Clerk	Admin, Default	Approved	3/28/2019 - 1:17 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Elmwood Avenue Reconstruction between Lincoln and Linwood to Hawkeye Paving Corporation, of Bettendorf, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Elmwood Avenue Reconstruction between Lincoln and Linwood in Davenport; and

WHEREAS, Hawkeye Paving Corporation of Bettendorf was the lowest responsive and responsible bidder;

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

1. Approving the contract for the Elmwood Avenue Reconstruction between Lincoln and Linwood to Hawkeye Paving Corporation of Bettendorf; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: ELMWOOD AVE RECONSTRUCTION BETWEEN LINCOLN
AVE AND LINWOOD

BID NUMBER: 19-70

OPENING DATE: MARCH 25, 2019

GL ACCOUNT NUMBER: 70058699 530350 35036

RECOMMENDATION: AWARD THE CONTRACT TO HAWKEYE PAVING
CORPORATION OF BETTENDORF IA

<u>VENDOR NAME</u>	<u>PRICE</u>
Hawkeye Paving Corporation of Bettendorf IA	\$340,551.00
N J Miller Inc. of Bettendorf IA	\$346,945.00
Langman Construction Inc of Rock Island IL	\$362,519.35
Tri-City Blacktop Inc. of Bettendorf IA	\$376,994.80
McCarthy Improvement Company of Davenport	\$459,991.25

Approved By Kristi Green 3/27/19
Purchasing Date

Approved By Nicole Wleason 3/27/19
PW Director Date

Approved By Beth Coz _____
Budget/CIP Date

Approved By BH 3-27-2019
Chief Financial Officer Date

City of Davenport

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

Action / Date
4/3/2019

Subject:
Resolution approving the contract for the Elmore Avenue Patching project to CDMI Concrete Contractors Inc. of East Moline, IL in the amount of \$206,686, CIP #35035. [Ward 6]

Recommendation:
Adopt the Resolution.

Background:
On March 15, 2019, an Invitation to Bid was issued and sent to contractors. On March 29, 2019, the Purchasing Division opened and four responsive and responsible bids. See Bid Tab attached.

CDMI Concrete Contractors were the lowest responsive and responsible bidder.

This is a patching project to repair Elmore Avenue between E 29th St and Dexter Ct.

Funding for this project is from the CIP 70057675 530350 35035 High Volume Street Repair Program, funds in this account come from Road Use Tax, Local Option Sales Tax, and the sale of bonds.

ATTACHMENTS:

Type	Description
▣ Cover Memo	PW_RES_Elmore Avenue Patching
▣ Cover Memo	Bid Tab - Elmore Avenue Patching

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	4/1/2019 - 2:25 PM
Public Works Committee	Lechvar, Gina	Approved	4/1/2019 - 2:25 PM
City Clerk	Admin, Default	Approved	4/1/2019 - 2:38 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Elmore Avenue Patching project to CDMI Concrete Contractors Inc. of East Moline, IL, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Elmore Avenue Patching project; and

WHEREAS, CDMI Concrete Contractors Inc. of East Moline IL, was the lowest responsive and responsible bidder;

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

1. Approving the contract for the Elmore Avenue Patching project to CDMI Concrete Contractors Inc. of East Moline, IL; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: ELMORE AVENUE PATCHING

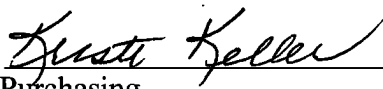
BID NUMBER: 19-80

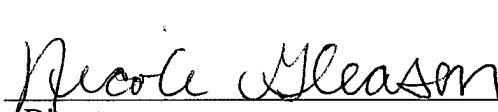
OPENING DATE: MARCH 29, 2019

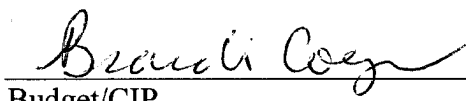
GL ACCOUNT NUMBER: 70057675 530350 35035

RECOMMENDATION: AWARD THE CONTRACT TO CDMI CONCRETE
CONTRACTORS INC OF EAST MOLINE IL

<u>VENDOR NAME</u>	<u>Bid Amount</u>
CDMI Concrete Contractors Inc of East Moline IL	\$206,686
Hawkeye Paving Corporation Inc of Bettendorf IA	\$236,683
Langman Construction Inc of Rock Island IL	\$237,675
Centennial Contractors of the Quad Cities of Moline IL	\$238,270

Approved By  4/1/19
Purchasing

Approved By  4/1/19
Director

Approved By  4-1-19
Budget/CIP

Approved By  4-1-2019
Finance Director

City of Davenport

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

Action / Date
4/3/2019

Subject:
Resolution awarding the contract for the General Street Resurfacing contract to Hawkeye Paving Corporation of Bettendorf, IA in the amount of \$955,627,CIP #35035. [Ward 1, 5, and 6]

Recommendation:
Adopt the Resolution.

Background:
On March 15, 2019 an Invitation to Bid was issued and sent to contractors. On March 29, 2019, the Purchasing Division opened and read four responsive and responsible bids. Hawkeye Paving Corporation of Bettendorf was the lowest bid. See Bid Tab attached.

This is a single bid for a single contractor to resurface three street locations as part of the City's pavement management program. The three street locations are: 1.) Rockingham Road from the east edge of the northeast curb return at S. Fairmount Street to the west curb return of S. Concord Street, 2.) Jersey Ridge Road from the north curb return of E. Lombard Street to the south curb return of E. Central Park Avenue, and 3.) E. Locust Street from the east curb return of Iowa Street to the east curb return of Grand Avenue.

Funding for this project is from the CIP account #70057675 530350 35035 for High Volume Street Repair Program. These fund are from the sale of bonds, road use tax, and Local Option Sales Tax.

ATTACHMENTS:

Type	Description
▣ Cover Memo	PW_RES_General Street Resurfacing 2019 Program
▣ Cover Memo	Bid Tab - General Street Resurfacing

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	4/1/2019 - 2:25 PM
Public Works Committee	Lechvar, Gina	Approved	4/1/2019 - 2:25 PM
City Clerk	Admin, Default	Approved	4/1/2019 - 2:39 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the General Street Resurfacing 2019 to Hawkeye Paving Corporation of Bettendorf IA, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the General Street Resurfacing 2019 Program;
and

WHEREAS, Hawkeye Paving Corporation of Bettendorf, IA was the lowest responsive
and responsible bidder;

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

1. Approving the contract for the General Street Resurfacing 2019 Program to Hawkeye Paving Corporation of Bettendorf IA; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: 2019 GENERAL RESURFACING PROGRAM

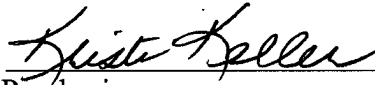
BID NUMBER: 19-81

OPENING DATE: MARCH 29, 2019

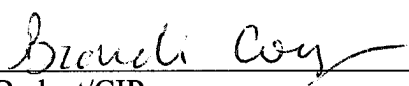
GL ACCOUNT NUMBER: 70057675 530350 35035

RECOMMENDATION: AWARD THE CONTRACT TO HAWKEYE PAVING
CORPORATION OF BETTENDORF IA

<u>VENDOR NAME</u>	<u>Bid Amount</u>
Hawkeye Paving Corporation of Bettendorf IA	\$955,627.00
Langman Construction Inc. of Rock Island IL	\$1,006,347.76
Brandt Construction Co. of Milan IL	\$1,532,290.30
McCarthy Improvement Company of Davenport	\$1,792,878.00

Approved By  4/1/19
Purchasing

Approved By  4/1/19
Director

Approved By  4-1-19
Budget/CIP

Approved By  4-1-2019
Finance Director

City of Davenport

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

Action / Date
4/3/2019

Subject:
Motion to approve the contract for glazing and door replacement/repair services to Mid-American Glazing Systems of Davenport, IA. [All Wards]

Recommendation:
Pass the Motion.

Background:
A request for proposals was issued on February 26, 2019 and was sent to 173 contractors. On March 18, 2019 the Purchasing Division received and opened one bid. See attached tabulation.

The evaluation criteria for this RFP were the following: 1) Proposed pricing 30%, 2) Ability, experience, qualifications, expertise of personnel assigned to the City's account 30%, 3) Location and capability to respond in timely manner, 4) Scope of services 10%, 5) Quality and thoroughness of proposal 5%, 6) Safety record 5%, 7) References 5%.

This contract is for glazing and door replacement/repair services for Facilities Maintenance, but contract pricing will be available City-wide.

Mid-American Glazing Systems was the lowest responsive and responsible bidder and is recommended for the contract.

Funding for this project is various building maintenance accounts across the City.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Bid Tab Purchase for Glazing Services Contract

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	3/28/2019 - 11:15 AM
Public Works Committee	Lechvar, Gina	Approved	3/28/2019 - 11:15 AM
City Clerk	Admin, Default	Approved	3/28/2019 - 1:21 PM

CITY OF DAVENPORT, IOWA
TABULATION OF PROPOSALS

DESCRIPTION: GLAZING SERVICES CONTRACT

RFP NUMBER: 19-68

OPENING DATE: FEBRUARY 26, 2019

GL ACCOUNT NUMBER: DEPARTMENT BUILDING MAINTENANCE

RECOMMENDATION: AWARD THE CONTRACT TO MID-AMERICAN
GLAZING SERVICES

<u>VENDOR NAME</u>	<u>LOCATION OF BUSINESS</u>
Mid-American Glazing Systems	Davenport IA

Approved By Caitlyn Warner 3/27/19
Purchasing

Approved By Nicole Gleason 3/27/19
Director Public Works

Approved By [Signature] 3/27/19
Budget/CP

Approved By [Signature] 3-27-2019
Finance Director

City of Davenport

Agenda Group:
Department: Public Works - Engineering
Contact Info: Brian Schadt 563-326-7923
Wards:

Action / Date
4/3/2019

Subject:
Resolution authorizing the conveyance of a parcel of land containing a pond, located west of the residential dwelling with a common address of 6700 Jersey Ridge Road, City of Davenport, Petitioner. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
The City and adjoining property owner have come to an agreement in which the City is conveying parcel #Y0621-05B in exchange for easements and other construction related activities.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	page 2
▣ Exhibit	Executed Agreement
▣ Exhibit	Executed License
▣ Exhibit	Quit Claim Deed

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	3/29/2019 - 11:25 AM

Resolution offered by Alderman Mike Matson

RESOLVED by the City Council of the City of Davenport.

Resolution Authorizing the conveyance of a parcel of land containing a pond, located west of the residential dwelling with a common address of 6700 Jersey Ridge Road. City of Davenport, PETITIONER.

WHEREAS, the City of Davenport currently owns parcel Y0621-05B, lying west of the residential dwelling located at 6700 Jersey Ridge Road, legally described as:

Part of the Southeast Quarter of the Northwest Quarter of Section 6, Township 78 North – Range 4 East of the 5th P.M., being more particularly described as follows:

The west 302 feet of Lot 7 of Jersey Farms, an addition to the City of Davenport, Scott County, Iowa. Also known as Scott County Parcel No. Y0621-05B. Said tract contains 64,904 square feet, more or less.

WHEREAS, the City of Davenport wishes to convey the same to Joshua M. and Kelly E. Heacock, husband and wife joint tenants with full rights of survivorship, subject to easements and restrictions of record and existing utilities;

WHEREAS, a public hearing on the matter was held on Wednesday, March 20, 2019, as required by law;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that the above-described real estate be conveyed to Joshua M. and Kelly E. Heacock subject to easements and restrictions of record and existing utilities; and in addition, subject to the terms of a Modification, Settlement and General Release, and that utility easements be retained for current or future utility uses, and

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

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

Scott County Parcel #Y0621-05B and #Y0621-05E

Return to: Mike Atchley, 1200 E. 46th Street, Davenport, IA 52807

Prepared by: Brian Hoyer, 226 W. 4th Street, Davenport, IA 52801; (563) 326-7735

Modification, Settlement and General Release

KNOW ALL MEN BY THESE PRESENTS:

This agreement contains provisions that impose duties and obligations upon the owners of the following described real property, to-wit:

Lot 7 of Jersey Farms, an addition to the City of Davenport, Scott County, Iowa, except those portions conveyed to the City of Davenport by deeds recorded as Document #2011-25075, #2011-28919, and #2014-10062. Also known as Scott County Parcel No. Y0621-05E.

The west 302 feet of Lot 7 of Jersey Farms Addition to the City of Davenport, Scott County, Iowa. Also known as Scott County Parcel No. Y0621-05B.

This Agreement, made and entered into on this 5 day of MARCH, 2019, by and between Joshua M. Heacock, Kelly E. Heacock and the City of Davenport, modifies, settles and releases all prior agreements, obligations and duties between the parties related to the Jersey Ridge Road and Veterans Memorial Drive improvement projects as hereinafter provided.

Whereas, there is on file in the Office of the Scott County Recorder document number 2011-25075 which contains provisions obligating the city to construct a berm, landscape and restore real estate to substantially the same condition it was prior to construction of the Veterans Memorial Parkway improvement project (Eastern Av. to Jersey Ridge Rd.) that have affected parcel Y0621-05E, and

Whereas, Joshua M. Heacock and Kelly E. Heacock agreed to the planting of trees along the top of the retaining wall in place of constructing a berm at the top of the retaining wall, and

Whereas, there is on file in the Office of the Scott County Recorder document number 2011-25076 which provides the city a permanent access easement related to Scott County Parcel Y0621-05B, and

Whereas, the purchase agreement and temporary construction easement and acceptance document (Document #2017-1270) executed between Joshua M. Heacock and the City of Davenport dated December 21, 2016 contains certain terms and obligations imposed upon the City of Davenport related to construction work related to the Veterans Memorial Parkway improvement project (Jersey Ridge Rd. to Elmore Av.), and

Whereas, Joshua M. Heacock emailed the City of Davenport on November 19, 2018 in which he claimed damages from the City of Davenport related to the Veterans Memorial Parkway projects and the Construction Conditions associated with the Veterans Memorial Parkway project (Jersey Ridge Rd. to Elmore Av.), and

Whereas Joshua M. Heacock, Kelly E. Heacock and the City of Davenport desire to resolve and settle all of the disputes between them related to the above-mentioned documents and email related to the Veterans Memorial Parkway improvement projects in mutually agreeable terms,

Now therefore, the parties agree to modify the above-referenced documents, resolve and settle all remaining and outstanding obligations and disputes related to the above-referenced documents as follows:

Joshua M. Heacock and Kelly E. Heacock, both being of lawful age, and in exchange for the conveyance of fee title of Scott County Parcel Y0621-05B and the release of Scott County Recorder document number 2011-25076 to Joshua M. Heacock and Kelly E. Heacock by the City of Davenport, agree to release the City of Davenport from its obligations to satisfy any and all outstanding conditions and obligations as set forth in the above-referenced documents and email, and do forever release and forever discharge for themselves and their heirs, executors, administrators and assigns, the City of Davenport and its officers, employees and agents, of and from any and all claims, demands, rights, and causes of action, of whatever kind and nature, arising from or by reason of any and all known and unknown, foreseen and unforeseen bodily and personal injuries, loss and damages, arising and resulting from any and all construction work and related documents and email associated with the Veterans Memorial Parkway improvement projects.

It is understood and agreed that this is a release and settlement of a disputed claim and that the payment of consideration in settlement of this claim is not to be construed as an admission of liability on the part of the City of Davenport, its officers, employees or agents, and that liability is expressly denied. It is further understood that this agreement is subject to Davenport City Council approval of the conveyance of parcel Y0621-05B. This Modification, Settlement and General Release does not void any contractor warranty related to the projects. The city acknowledges and accepts

responsibility for snow removal, grass cutting and sidewalk maintenance of the public sidewalk and right of way area abutting parcels Y0621-05B and Y0621-05E along Veterans Memorial Parkway and Jersey Ridge Road. The City's obligation and responsibility for snow removal, grass cutting and sidewalk maintenance of the public sidewalk and right of way area abutting parcels Y0621-05B and Y0612-05E terminates and said responsibility becomes that of the owner of those respective parcels at such time as Joshua M. Heacock and Kelly E. Heacock transfer ownership of each parcel or both. If Joshua M. Heacock and/or Kelly E. Heacock transfer ownership of said parcels into a trust of which they are named as the primary beneficiaries, the city's obligation to remove snow, cut grass and maintain the sidewalk shall continue until such time as their longest surviving primary lifetime beneficial interest expires. The City agrees to issue an obstruction permit pursuant to 12.36.090 authorizing the construction/placement of a fence within the public right of way south of the pond and north of the guard rail. The approved fence should be similar in style to the existing fence on the south side of your property. If removal is required due to work in the right-of-way in the future, all costs to remove the fence shall be borne by the property owner. Another obstruction permit shall be required to reinstall the fence within the right-of-way after said work is completed. The property owner retains the right to restore the fence in the same or similar fashion at his expense. Lastly, the city agrees to grant Joshua M. Heacock and Kelly E. Heacock a license which will allow law enforcement to approach any issues as if it is their property.

This release contains the entire agreement between Joshua M. Heacock, Kelly E. Heacock and the City of Davenport and the terms of this release are contractual and not a mere recital.

Joshua M. Heacock and Kelly E. Heacock understand and acknowledge that by signing this release they are settling in full all injuries and damages which he has or may suffer from the Veterans Memorial Parkway improvement projects. By signing this release Joshua M. Heacock and Kelly E. Heacock acknowledge that they have entirely read the foregoing and know and understand the content thereof. They understand that if they sign this release they are bound by it and anyone who succeeds to their rights and responsibilities, such as their heirs, executors, administrators, and assigns are also bound.

THIS IS A RELEASE OF ALL CLAIMS. BY SIGNING THIS RELEASE WE ARE SETTLING AND ENDING EVERY RIGHT AND CLAIM WE HAVE AGAINST THE CITY OF DAVENPORT FOR ANY AND ALL DAMAGES AND CLAIMS RELATED TO THE VETERANS MEMORIAL PARKWAY IMPROVEMENT PROJECTS.

We are dating this agreement and signing our names and executing it as a voluntary and free act performed of our own free will and not under duress.

Signed and dated this 5 day of MARCH, 2019.

The City of Davenport

Joshua & Kelly Heacock

Nicole Gleason

Nicole Gleason
Director, Public Works

Joshua M. Heacock

Joshua M. Heacock

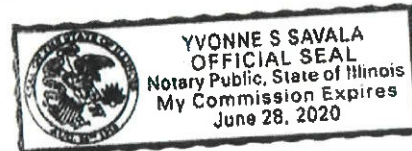
Kelly E. Heacock

Kelly E. Heacock

STATE OF ~~IOWA~~ ^{ILLINOIS})
~~Rock Island~~)
COUNTY OF ~~SCOTT~~)

On this 5th day of March, 2019, before me personally appeared Joshua M. Heacock and Kelly E. Heacock, to me known to be the persons who signed the foregoing release having acknowledged to me that they fully understood its content and meaning and that they executed the same as their voluntary act and deed for the sole consideration expressed therein.

Yvonne S. Savala
Notary Public in and for the State of ~~Iowa~~ ^{ILLINOIS}
Seal:



STATE OF IOWA)
) SS:
COUNTY OF SCOTT)

On this 6th day of March, 2019, before me personally appeared Nicole Gleason, to me known to be the persons who signed the foregoing release having acknowledged to me that they fully understood its content and meaning and that they executed the same as their voluntary act and deed for the sole consideration expressed therein.

Gina M. Lechvar
Notary Public in and for the State of Iowa
Seal:



JM 4/4

**LICENSE AGREEMENT
BY AND BETWEEN
THE CITY OF DAVENPORT and JOSHUA AND KELLY HEACOCK**

The City of Davenport, Iowa, in consideration of One Dollar (\$1.00) and other good and valuable consideration, does hereby grant to Joshua M. Heacock and Kelly E. Heacock, (husband and wife, hereinafter "Licensee") a non-exclusive license and authority to use and improve the following described real estate, to-wit:

An area lying within the public right of way on the north side of Veterans Memorial Parkway abutting Scott County Parcel No. Y0621-05B, more particularly described as an area south of parcel Y0621-05B and north of the public sidewalk on the north side of Veterans Memorial Parkway as roughly depicted by the red line and the parcel line in the attached aerial photograph.

Subject to the following terms and conditions.

1. This license agreement is granted to allow the installation of a private fence in the area described so as will protect the Heacocks' private pond located on Scott County Parcel No. Y0621-05B from public access and usage. Licensee bears all costs associated with the demolition, construction, installation and restoration of the area licensed and all ongoing costs associated with the maintenance of the fence.
2. This license agreement shall be effective upon its execution by both parties and shall continue in force and effect thereafter until the earliest of the following: either party terminates it for any reason or no reason.
3. Notices as provided for in this license agreement shall be given to the respective parties at the respective addresses designated herein unless either party notifies the other, in writing, of a different address. Such notice shall be considered given under the terms of this agreement upon deposit in the United States Postal Service mail system, addressed as above designated, postage prepaid, by certified mail.
4. Licensee agrees to save, defend and hold harmless the City of Davenport from any and all liability for damages, costs or expenses from, or as the result of, any action at law or suit in equity that may be brought against the City of Davenport, its officials, agents or employees, by any person or entity on account of the use of the public sidewalk and right of way abutting Scott County Parcel No. Y0612-05B that occur on or about the licensed property related to the Licensee's erection of a fence. The cancellation and termination of this agreement shall not affect the Licensees' obligation to save, defend and hold harmless the City of Davenport in respect to acts or things which shall have been done or which happened before the date fixed for such termination.

5. Licensee accepts the premises in its present condition and agrees that it will not dispose of waste oil, tires, batteries, paint or other chemicals, or hazardous waste as defined by statute or ordinance anywhere on the licensed premises. Licensee shall immediately notify the City of Davenport of any chemical discharge, leak or spill or hazardous waste exposure event that occurs on the premises.

6. The City of Davenport maintains its right to enter upon said premises for any purpose.

7. Licensee shall yield possession of the premises to the City of Davenport without further demand, notice or action, in as good condition as when it first entered upon the premises (normal wear and tear excluded), upon the effective date of this agreement's termination.

8. Licensee is not an agent of the City of Davenport.

9. Licensee may assign this license agreement subject to it providing prior written notification of its intention to assign to the City of Davenport and subject to the City's written approval of said assignment. Each and every term and provision herein contained shall extend to and be binding upon the respective successors, heirs, administrators, executors and assigns of the parties hereto.

10. The parties agree and understand that no permanent structural improvements will be erected or constructed within the area, excepting the aforementioned fence. Any property located upon the premises by Licensee shall be removed immediately upon the termination this license. Any items remaining after termination may be disposed by City in its sole discretion and at the expense of Licensee.

11. Neither Licensee nor anyone claiming by, through or under it shall have the right to file or place any mechanic's lien or other lien of any kind or character whatsoever, upon said premises or upon any building or improvement thereon, and notice is hereby given that no contractor, sub-contractor, or anyone else who may furnish any material, service or labor for any building, improvements, alteration, repairs or any part thereof, shall at any time be or become entitled to any lien thereon.

12. This agreement shall not be construed to create a tenancy of any kind in the above-described real property in favor of Licensee. This agreement simply grants a non-exclusive right to use the property.

13. Licensee agrees to maintain said fence and keep it in good repair and condition. City may take corrective action at Licensee's expense if in the City's sole discretion maintenance is necessary.

14. For the purposes of notice the parties designate the following persons:

Public Works Director

Joshua M. and Kelly E. Heacock

1200 E 46th Street
Davenport, IA 52803
563.326.7923

6700 Jersey Ridge Road
Davenport, IA 52807
319.321.6885

IN WITNESS WHEREOF, the parties have signed this agreement this 5 day
of MARCH, 2019.

City of Davenport

Licensee(s)

Nicole Gleason
Nicole Gleason
Director, Public Works Dept.

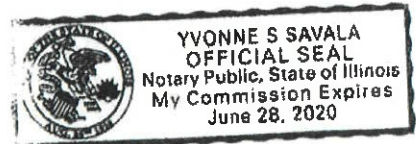
Joshua M. Heacock
Joshua M. Heacock

Kelly E. Heacock
Kelly E. Heacock

ILLINOIS
State of ~~Iowa~~
Rock Island ss.
County of ~~Scott~~

Sworn to and subscribed before me, the undersigned, a Notary Public in and for
the State of ~~Iowa~~, by Joshua Heacock to me personally known
this 5 day of March, 2019. Kelly Heacock

Yvonne S. Savala
Notary Public in and for State of ~~Iowa~~ ILLINOIS



State of Iowa)
County of Scott) ss.

Sworn to and subscribed before me, the undersigned, a Notary Public in and for
the State of Iowa, by Nicole Gleason to me personally known
this 6th day of March, 2019.

Gina M. Lechvar
Notary Public in and for State of Iowa





Scott County Parcel No.: Y0621-05B

Address tax statement to: Heacock, Joshua M., 6700 Jersey Ridge Rd., Davenport, IA 52807

Return to: Joshua and Kelly Heacock, 6700 Jersey Ridge Rd., Davenport, IA 52807

Prepared by: Brian Heyer, 226 W 4th Street, Davenport, IA 52801, (563)-326-7735

QUIT CLAIM DEED

For the consideration of One Dollar (\$1.00) and other valuable consideration, the City of Davenport, a municipal corporation, does hereby QUIT CLAIM to

Joshua M. Heacock and Kelly E. Heacock, husband and wife as joint tenants with full rights of survivorship

all its right, title, interest, and claim in and to the following described real estate in Scott County, Iowa:

Part of the Southeast Quarter of the Northwest Quarter of Section 6, Township 78 North – Range 4 East of the 5th P.M., being more particularly described as follows:

The west 302 feet of Lot 7 of Jersey Farms, an addition to the City of Davenport, Scott County, Iowa. Also known as Scott County Parcel No. Y0621-05B.

The above described tract of land contains 64,904 sq. ft., more or less.

Subject to easements and restrictions of record and existing city utilities.

This conveyance is exempt from real estate transfer tax under §428A.2(6) and §428A.2(21).

Signed this _____ day of March 27, 2019.

City of Davenport,

by _____ Attest: _____
Frank Klipsch, Mayor Brian Krup
Deputy City Clerk

State of Iowa)
) ss.
County of Scott)

On this _____ day of March, 2018, before me, _____, a Notary Public in and for the State of Iowa, personally appeared Frank Klipsch and Brian Krup, to me personally known, and, who, being duly sworn, did say that they are the Mayor and Deputy City Clerk, respectively, of the City of Davenport, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution adopted by the City Council, under Resolution No. _____ on the 27th day of March, 2019, and that Frank Klipsch and Brian Krup acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public in and for
said County and State

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Chief Mike Carlsten 563-326-7942
Wards:

Action / Date
4/3/2019

Subject:
Resolution approving the contract for the purchase of a new Self Contained Breathing Apparatus (SCBA) for the Fire Department from Sandry Fire Supply LLC of DeWitt, IA, CIP #63008. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
On October 3, 2018, a Request for Proposals was issued and sent to vendors. On October 30, 2018, the Purchasing Division opened four proposals. See attached tabulation.

An evaluation committee consisting of seven members of the Fire Department evaluated the proposals on the following criteria. 1) Performance and functionality - 40%, 2) Cost - 10%, 3) Warranties and Replacement - 20%, 4) Quality of Proposal - 10%, 5) Customer Service and References - 10%, 6) Local Preference - 10%.

After the first evaluations were complete, the four companies were invited to bring their products to an interview/demonstration meeting, with several Fire Department staff in attendance. Each vendor left the demonstrator equipment for the Fire Department to try and use in different practice situations. The proposals were then scored again.

Sandry Fire scored the highest during both stages of evaluations.

Funding for this project is largely from a FEMA Department of Homeland Security grant of \$612,369. The grant required that the department contribute a cost match of 10%, or \$61,236, at least. This totals \$673, 605. The total purchase for the SCBA will be \$747,794.42. The account being used is CIP 78711675 530350 63008, with the grant amount of \$612,369, and CIP 78711680 530350 63008 with a balance of \$170,000. The \$170,000 comes from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
▢ Cover Memo	FN_RES_SCBA
▢ Cover Memo	Tabulation for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	3/28/2019 - 3:23 PM
Finance Committee	Wright, Brandon	Approved	3/28/2019 - 3:23 PM
City Clerk	Admin, Default	Approved	3/28/2019 - 3:51 PM

Resolution No. _____

Resolution offered by Alderman Matson.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for purchase of new Self-Contained Breathing Apparatus (SCBA) from Sandry Fire Supply LLC., of DeWitt, IA, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to purchase new SCBA for the Fire Department; and

WHEREAS, Sandry Fire Supply LLC of DeWitt, IA scored the highest on the RFP and product evaluation;

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

1. Approving the purchase of new SCBA from Sandry Fire Supply LLC., of DeWitt; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
RFP TABULATION

DESCRIPTION: SELF-CONTAINED BREATHING APPARATUS

BID NUMBER: 19-32

OPENING DATE: OCTOBER 30, 2018

GL ACCOUNT NUMBER: 78711675 530350 63009 AND 78711680 530350 63008

RECOMMENDATION: AWARD THE PURCHASE TO SANDRY FIRE SUPPLY
LLC OF DEWITT IA

<u>VENDOR NAME</u>	<u>LOCATION</u>
Sandry Fire Supply LLC	DeWitt IA
Alex Air Apparatus Inc.	Alexandria MN
Conway Shield	New Berlin WI
E M Feld Equipment Co Inc	Carroll IA

Approved By Krista Keller
Purchasing

Approved By M Carlsten
Fire Chief

Approved By Brandi Coz
Budget/CIP

Approved By BW 3-26-2019
Chief Financial Officer

City of Davenport

Agenda Group:
Department: Administration
Contact Info: Brandon Wright 563-326-7750
Wards:

Action / Date
4/3/2019

Subject:
Resolution approving nine Open Prairie Tax Exemptions. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
Brian Ritter, Shirley Perry, Genesis Systems Group LTD, John Carrillo, Lillian Voss, David P. Bierl, Robert & Elaine Kuehl, Dean Krueger and William Greenfield have applied for an exemption from the local property taxes for certain properties. This exemption is applied for annually (see attached). As provided by Iowa Law (Slough Bill), land committed to certain open spaces uses may be exempted from local real estate taxes with approval of the Board of Supervisors. In Scott County, the practice is to refer such request to the City Council when the property is within the corporate limits of a municipality.

Attached is a description of each property and its reported value.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Supporting Documents

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Admin, Default	Approved	4/1/2019 - 2:19 PM

Resolution No. _____

Resolution offered by Alderman Matson.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving nine Open Prairie Tax exemptions.

WHEREAS, the Scott County Board of Supervisors has implemented the "Slough Bill" which provides for the exemption from local real estate taxes of real estate committed to certain uses, including wetlands, forest cover and open prairies; and

WHEREAS, the County has received applications for exemption for the following properties, with the owner and use also noted:

the three and eight-tenths acres of property legally described as Sec 5 T77N R3E, Scott County, owned by Brian Ritter, Forest Cover;

the five acres of property legally described as SW ¼ N ½ SE ¼ Sec 33, Lincoln Twp T79N R4E, Scott County, owned by Shirley Perry, Open Prairie;

the seven acres of property legally described as NW ¼ Sec 35 Sheridan Twp T79N R3E, Scott County, owned by Genesis Systems Group, Open Prairie;

the six and six-tenths acres of property legally described as T78N R3E Sec 31 Davenport Twp, Scott County, owned by John Carrillo, Open Prairie;

the fifty-seven and fifty-nine hundredths acres of property legally described Parcels #31807-01; #31717-06A; #31717-01; #31703-13; #31703-14; #30851-20; #31719-21; #31719-20; #31719-19; and #31703-15A, Scott County, owned by Lillian Voss/Burton Voss Trust, Forest Cover;

the seven and ninety-five hundredths acres of property legally described as Westfield Addition Outlot A, Parcel ID S3021-OLA, owned by David Bierl, Open Prairie/Forest Cover;

the two and seventy-five hundredths acres of property legally described as NE 1/4 Sec 4, T78N R4E, Pleasant Valley TWP, Scott County, owned by Robert or Elaine Kuehl, Open Prairie;

the forty-eight and thirty-one hundredths acres of property legally described as Parcel #31803-09 and 31805-02, Scott County, owned by Dean Krueger, Open Prairie/Forest Cover;

the three and two-tenths acres of property legally described as SE 1/4 of T78N R03 E Section 31, Scott County, owned by William Greenfield;

WHEREAS, the land lies within the corporate boundaries of the City of Davenport; and

WHEREAS, the matter came before the Davenport City Council for its review;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City supports the exemption of the above-described land from local real estate taxes.

Approved:

Attest:

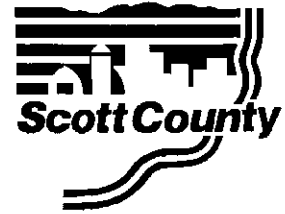
Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

OFFICE OF THE COUNTY ADMINISTRATOR

600 West Fourth Street
Davenport, Iowa 52801-1030

Ph: (563) 326-8702 Fax: (563) 328-3285
www.scottcountyiowa.com



March 20, 2019

Kathe Watson
Administrative Assistant
Finance Department
226 West 4th Street
Davenport, Iowa 52801

Dear Kathe:

The Board of Supervisors approved the implementation of the Slough Bill on March 29, 1990. The Slough Bill provisions allow exemptions for wetlands, recreational lakes, forest cover, forest reservations, rivers and streams, river and stream banks, wildlife habitat, native prairies and open prairies.

The resolution states that the Board will not consider exemptions for otherwise qualifying real property when it is located within the corporate limits of any municipality until the city council of that municipality first gives approval to the exemption request. Below is a list of exemptions the Davenport City Assessor received:

<u>Name</u>	<u>Acres</u>	<u>Tax Exemption</u>	<u>Amount</u>
Brian Ritter	3.8	Forest Cover	\$36,470
Shirley Perry	5.0	Open Prairie	\$5,020
Genesis Systems Group LTD	7.0	Open Prairie	\$116,500
John Carillo	6.6	Open Prairie	\$5,920
Lillian Voss	57.59	Forest Cover	\$55,680
David R. Bierl	2.3	Open Prairie	
David R. Bierl	5.65	Forest Cover	\$3,980
Robert & Elaine Kuehl	2.75	Open Prairie	\$2,760
Dean Krueger	22.51	Open Prairie	\$20,690
Dean Krueger	25.80	Forest Cover	\$11,250
William Greenfield	3.2	Forest Cover	\$1,600

The exemption requests are enclosed for your city council's review and consideration. Please notify me as soon as possible once the Davenport City Council has taken action on these exemption requests. Contact Nick VanCamp, Davenport City Assessor, should additional information be needed. Thank you for your attention to this matter.

Sincerely,


Renee Luze-Johnson
Administrative Assistant

cc: Nick VanCamp, City Assessor
Property Owners

DAVENPORT CITY ASSESSOR'S OFFICE

SCOTT COUNTY ADMINISTRATIVE CENTER

March 15, 2019

Scott County Board of Supervisors
Scott County Administrative Center
600 West 4th Street
Davenport, Iowa 52801

The Davenport City Assessor's Office has received nine applications for Open Prairie/Forest Cover Property Tax Exemption for 2019.

These applications were certified by the Chairman of the County Soil Conservation District that the properties are eligible for exemption. The properties that meet the qualifications are described as follows:

- 1) Brian Ritter – **3.8 acres** – Residential – 20519-03 - **\$36,470** – Forest Cover
- 2) Shirley Perry - **5 acres** - Agricultural – Y3337-04A - **\$5,020** – Open Prairie
- 3) Genesis Systems Group LTD – **7 acres** - Industrial – X3501-01 - **\$116,500** - Open Prairie
- 4) John Carrillo – **6.6 acres** – Agricultural – S3123-03A - **\$5,920** - Open Prairie
- 5) Lillian Voss – **57.59 acres** – **\$55,680** – Forest Cover

Agricultural – 31807-01, 31717-06A, 31717-01, 31703-14, 30851-20, 31719-21, 31719-20,
31719-19, 31703-15A
Residential – 31703-13
- 6) David P. Bierl – **7.95 total acres** – 2.3 acres Open Prairie & 5.65 acres Forest Cover – Residential
– S3021-OLA - **\$3,980**
- 7) Robert & Elaine Kuehl – **2.75 acres** - Agricultural – Y0423-15 - **\$2,760** – Open Prairie
- 8) Dean Krueger – **48.31 total acres** - Agricultural – 31803-09 & 31805-02 – **\$31,940**

22.51 acres - **\$20,690** – Open Prairie
25.80 acres - **\$11,250** – Forest Cover
- 9) William Greenfield – **3.2 acres** – Residential – 23155-30 - **\$1,600** – Forest Cover

It is recommended that the above referenced applications be approved by the Scott County Board of Supervisors for 2019 and the property owners be notified of the board's decision.

Sincerely,



Nick Van Camp
Davenport City Assessor

Encl: Open Prairie/Forest Cover Application List and Applications

Open Prairie & Forest Cover

Note: Forest Caver does not deduct an acre for abandoned buildings like forest reservation does.

Owner	Parcel #	Rt #	Class	Acres	Exempt Amt	Notes
1 Ritter, Brian	20519-03	207004	Res	3.8	\$ 36,470	Forest Cover
2 Perry, Shirley	Y3337-04A	Y03009	Ag	5	\$ 5,020	Open Prairie
3 Genesis Systems Group LTD	X3501-01	X01036	Ind	7	\$ 116,500	Open Prairie
4 Carillo, John	S3123-03A	S17014	Ag	6.6	\$ 5,920	Open Prairie
5 Voss, Lillian	31807-01	304009	Ag	10.74	\$ 10,790	Forest Cover
	31717-06A	304012	Ag	0.63	\$ 580	Forest Cover
	31717-01	304013	Ag	13.22	\$ 13,250	Forest Cover
	31703-13	304015	Res	1	\$ 1,400	Forest Cover
	31703-14	304017	Ag	6.53	\$ 6,410	Forest Cover
	30851-20	304019	Ag	5.62	\$ 5,830	Forest Cover
	31719-21	308038	Ag	0.32	\$ 380	Forest Cover
	31719-20	308039	Ag	2.7	\$ 3,080	Forest Cover
	31719-19	308040	Ag	0.36	\$ 370	Forest Cover
	31703-15A	304018	Ag	16.47	\$ 13,590	Forest Cover
				57.59	\$ 55,680	Total
6 Bierl, David P	S3021-OLA	S21030	Res	2.3	\$ 1,150	Open Prairie
				5.65	\$ 2,830	Forest Cover
				7.95	\$ 3,980	Total
7 Robert & Elaine Kuehl	Y0423-15	Y07017	Ag	2.75	\$ 2,760	Open Prairie
8 Dean Krueger	31803-09	303012	Ag	17.1	\$ 15,260	Open Prairie
				21.9	\$ 9,290	Forest Cover
	31805-02	303015	Ag	5.41	\$ 5,430	Open Prairie
				3.9	\$ 1,960	Forest Cover
				48.31	\$ 31,940	Total
9 William Greenfield	23155-30	202032	Res	3.2	\$ 1,600	Forest Cover
		Grand Total		142.2	\$ 259,870	



#36,470

20519-03
207004

R

Application for Property Tax Exemption

For Recreational Lakes, Forest Covers, Rivers and Streams, River and Stream Banks, and Open Prairies
Iowa Code Chapter 427.1 (22)

This application must be filed or mailed to your local conservation district by February 1 of each year. It must be postmarked no later February 1. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: www.nciowa.org.

Applicant Contact Information – Please Print

Name: BRIAN RITTER

Phone: (563) 529-0110

eMail: britter77@gmail.com

County of: SCOTT

Number of Acres: 3.80

I BRIAN RITTER

swear or affirm that I am the owner of the following

legally described property: PARCEL 20519-03

and that this property will not be used for economic gain during the assessment year. The property is at least two acres in area and is used to provide soil erosion control or wildlife habitat.

An exemption is allowed for rivers and streams or river and stream banks only if the land is located at least 33 feet from the ordinary high water mark of the rivers and streams or river and stream banks.

I hereby request that the above described property be exempted from property taxation as the following type of property:

FOREST COVER

I have attached or previously filed:

An aerial photo of the property:



If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners:



Applicant Signature: Brian Ritter

Date: 12/7/18

Address: 4622 ROCKINGHAM RD, DAVENPORT IA 52802

This application must be filed with your local soil conservation district by February 1 of each year.

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: CPD

Date: 2/16/19

Chairman, SCOTT County Soil Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____

Date: _____

Chairman, _____ County Board of Supervisors



415 020

Y3337-04A
Y03009

Ag

Application for Property Tax Exemption

For Recreational Lakes, Forest Covers, Rivers and Streams, River and Stream Banks, and Open Prairies
Iowa Code Chapter 427.1 (22)

This application must be filed or mailed to your local conservation district by February 1 of each year. It must be postmarked no later February 1. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: www.nciowa.org.

Applicant Contact Information – Please PrintName: SHIRLEY PERRYPhone: (563) 359-5256 eMail: _____County of: SCOTTNumber of Acres: 5.00

I, SHIRLEY PERRY swear or affirm that I am the owner of the following
legally described property: PARCEL Y3337-04A

and that this property will not be used for economic gain during the assessment year. The property is
at least two acres in area and is used to provide soil erosion control or wildlife habitat.

An exemption is allowed for rivers and streams or river and stream banks only if the land is located at
least 33 feet from the ordinary high water mark of the rivers and streams or river and stream banks.

I hereby request that the above described property be exempted from property taxation as the
following type of property:
OPEN PRAIRIE

I have attached or previously filed:

An aerial photo of the property: ☒

If the property is a gully area susceptible to erosion, an erosion control
map approved by the soil and conservation district commissioners:

☐

Applicant Signature: _____ Date: _____

Address: 20739 210TH ST BETTENDORF IA 52722**This application must be filed with your local soil conservation district by February 1 of each year.**

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: Shirley J. Perry / CD Date: 1-3-19 / 2/6/19
Chairman, SCOTT County Soil Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting
of native species, and that all primary and secondary noxious weeds present are being controlled to
prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors



9 116,500

X 3501-01
X 01036

Ind

Application for Property Tax Exemption

For Recreational Lakes, Forest Covers, Rivers and Streams, River and Stream Banks, and Open Prairies

Iowa Code Chapter 427.1 (22)

This application must be filed or mailed to your local conservation district by February 1 of each year. It must be postmarked no later February 1. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: www.nciowa.org.

Applicant Contact Information - Please PrintName: Genesis Systems Group, LLCPhone: (563) 445-5600 eMail: lburn@genesis-systems.comCounty of: ScottNumber of Acres: 7I Genesis Systems Group swear or affirm that I am the owner of the following legally described property: Parcel X3501-01NW 1/4 Sec 35, Sheridan Twp T79N, R3E

and that this property will not be used for economic gain during the assessment year. The property is at least two acres in area and is used to provide soil erosion control or wildlife habitat.

An exemption is allowed for rivers and streams or river and stream banks only if the land is located at least 33 feet from the ordinary high water mark of the rivers and streams or river and stream banks.

I hereby request that the above described property be exempted from property taxation as the following type of property:

I have attached or previously filed:

An aerial photo of the property: ☐If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: ☐Applicant Signature: Lia Burn Date: 9-13-18Address: 8900 N. Harrison Street, Davenport, IA 52806

This application must be filed with your local soil conservation district by February 1 of each year.

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: [Signature] Date: 2/6/19Chairman, Scott County Soil Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors



75920

S3123-03A
S17014

Ag

Application for Property Tax Exemption

For Recreational Lakes, Forest Covers, Rivers and Streams, River and Stream Banks, and Open Prairies
Iowa Code Chapter 427.1 (22)

This application must be filed or mailed to your local conservation district by February 1 of each year. It must be postmarked no later February 1. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: www.nciowa.org.

Applicant Contact Information – Please PrintName: JOHN CARRILLOPhone: (563) 940-7042 eMail: _____County of: SCOTTNumber of Acres: 6.60I, JOHN CARRILLO swear or affirm that I am the owner of the followinglegally described property: PARCEL # S 3123-03A
SEC 31, T78N, R3E

and that this property will not be used for economic gain during the assessment year. The property is at least two acres in area and is used to provide soil erosion control or wildlife habitat.

An exemption is allowed for rivers and streams or river and stream banks only if the land is located at least 33 feet from the ordinary high water mark of the rivers and streams or river and stream banks.

I hereby request that the above described property be exempted from property taxation as the following type of property:

OPEN PRAIRIE

I have attached or previously filed:

An aerial photo of the property: ☒

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners:

Applicant Signature: [Signature] Date: 10/15/18Address: 12668 300TH ST, DONAHUE IA 52746

This application must be filed with your local soil conservation district by February 1 of each year.

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: [Signature] Date: 2/6/19Chairman, SCOTT County Soil Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors



Application for Property Tax Exemption

for Recreational Lakes, Forest Covers, Rivers and Streams, River and Stream Banks, and Open Prairies

Iowa Code Section 427.1 (22)

This application must be filed or mailed to your local conservation district by February 1 of each year.

It must be postmarked no later than February 1.

Iowa conservation district addresses can be found at the **Conservation Districts of Iowa Web site**.

Applicant Contact Information

PLEASE PRINT

Name: Michael Voss

Contact Michael Voss - 563-210-0331

Phone Number: 563-323-1173 eMail: _____

County Scott

57.586 Number of Acres

I Burton Voss Trust swear or affirm that I am the owner of the following legally described property:
Sec 8 Davenport Twp, T77N R3E, Scott County

and that this property will not be used for economic gain during the assessment year. This property is at least two acres in area and is used to provide soil erosion control or wildlife habitat.

I request that the described property be exempt from taxation as FOREST COVER
(list type of property)

I have attached or previously filed:

☒ an aerial photo of the property

☐ if property is a gully area susceptible to severe erosion -
an erosion control plan, approved by the soil conservation district commissioners

An exemption is allowed for river or stream or river and stream banks **only** if the land is located at least 33 feet from the ordinary high water mark of the river and stream or river and stream banks.

BURTON VOSS TRUST

Michael Voss
Applicant's Signature

12/10/18
Date

4336 S. Concord St, Davenport 52802
Address

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: [Signature]

Chairman, SCOTT County Soil Conservation District

This application must be filed with your local soil conservation district by February 1 of each year.

This open prairies property has been inspected and certified as having adequate ground cover consisting of native species and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Chairman, _____ County Board of Supervisors

ATTACHMENT TO BURTON VOSS TRUST APPLICATION FOR PROPERTY TAX EXEMPTION

<u>PARCEL #</u>	<u>ACRES</u>	<u>EXEMPTION</u>
Ag 31717-01 ✓	13.22	FOREST COVER - 13250
Ag 31703-14 ✓	6.53	FOREST COVER 6410
Ag 31719-21 ✓	0.32	FOREST COVER 380
Ag 31719-20 ✓	2.70	FOREST COVER 3080
Res 31703-13 ✓	1.00	FOREST COVER - 1400 N/C
Ag 31807-01 ✓	10.74	FOREST COVER 10790
Ag 31717-06A ✓	0.63	FOREST COVER 580
Ag 30851-20 ✓	5.62	FOREST COVER 5830
Ag 31719-19 ✓	0.356	FOREST COVER 370
*31703-15A	<u>16.47</u>	FOREST COVER 13,590
TOTAL EXEMPTION = 41.116 ACRES FOREST COVER (+ 31703-15A acres) = <u>57,586</u>		

*parcel 31703-15A was reviewed and qualifies for Forest Cover. The parcel is 22.16 acres. There are 2.7 acres that qualify for Forest Reserve. The remaining acres (19.46) less the acres that are water or wetlands qualify for Forest Cover.



\$3980⁰⁰

53621-OLA
521030

Res

Application for Property Tax Exemption

For Recreational Lakes, Forest Covers, Rivers and Streams, River and Stream Banks, and Open Prairies
Iowa Code Chapter 427.1 (22)

This application must be filed or mailed to your local conservation district by February 1 of each year. It must be postmarked no later February 1. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: www.nciowa.org.

Applicant Contact Information – Please Print

Name: DAVID BIERL

Phone: (563) 391-3081 eMail: 794-5581 work

2.3 OP 1150
5.6 FC 2830

County of: SCOTT

Number of Acres: 8.45 7.95

I, DAVID BIERL swear or affirm that I am the owner of the following

legally described property: 2.3 AC - OPEN PRAIRIE, 6.153 AC - FOREST COVER

PARCEL S3021-OLA

5.65

and that this property will not be used for economic gain during the assessment year. The property is at least two acres in area and is used to provide soil erosion control or wildlife habitat.

An exemption is allowed for rivers and streams or river and stream banks only if the land is located at least 33 feet from the ordinary high water mark of the rivers and streams or river and stream banks.

I hereby request that the above described property be exempted from property taxation as the following type of property:

OPEN PRAIRIE 2.3 ACRES/FOREST COVER 6.153 ACRES

I have attached or previously filed:

An aerial photo of the property:



If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners:



Applicant Signature: X David P. Bierl

Date: 1/23/19

Address: 5819 Shawnee Dr Davenport 52804

This application must be filed with your local soil conservation district by February 1 of each year.

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: [Signature]

Date: 2/6/19

Chairman, SCOTT County Soil Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____

Date: _____

Chairman, _____ County Board of Supervisors

Applied 2017
Not for 2018

\$2760

Y0423-15
Y07017

Ag 1/24 tried to call
City of Dav



Application for Property Tax Exemption

for Recreational Lakes, Forest Covers, Rivers and Streams, River and Stream Banks, and Open Prairies

Iowa Code Section 427.1 (22)

This application must be filed or mailed to your local conservation district by February 1 of each year.
It must be postmarked no later than February 1.

Iowa conservation district addresses can be found at the **Conservation Districts of Iowa Web site**.

Applicant Contact Information	
PLEASE PRINT	
Name:	Robert or Elaine Kuehl
Phone Number:	563-355-7897
eMail:	

2.75

County Scott

~~3.0~~ Number of Acres

Robert &/or Elaine Kuehl

I swear or affirm that I am the owner of the following legally described property:

NE 1/4 Sec 4, T78N R4E, Pleasant Valley Twp, Scott County

and that this property will not be used for economic gain during the assessment year. This property is at least two acres in area and is used to provide soil erosion control or wildlife habitat.

I request that the described property be exempt from taxation as OPEN PRAIRIE
(list type of property)

I have attached or previously filed:

- ☒ an aerial photo of the property
- ☐ if property is a gully area susceptible to severe erosion -
an erosion control plan, approved by the soil conservation district commissioners

An exemption is allowed for river or stream or river and stream banks **only if** the land is located at least 33 feet from the ordinary high water mark of the river and stream or river and stream banks.

Elaine M. Kuehl
Applicant's Signature

12/7/2018
Date

5820 Forest Grove Rd Davenport
52807 Address

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: [Signature]

Chairman, SCOTT County Soil Conservation District

This application must be filed with your local soil conservation district by February 1 of each year.

This open prairies property has been inspected and certified as having adequate ground cover consisting of native species and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Chairman, _____ County Board of Supervisors

RESULTS

5820 FOREST GROVE DR

DAVENPORT, IA 52807

Net Acres: 3.23

Exempt Acres: 2.75

Gross Acres: 5.98

Graphic Acres: 6.46

Land Value: \$5,940

Dwelling Value: \$135,070

Improved Value: \$1,000

Total Value: \$145,780

Tax District: DABA

Tax Description: DAVENPORT AG BETTENDORF



Parcel
40423-15



all Ex open 17.1 FC 21.9 (303012) 31803-09 Ag 39 acres
 New 2019 open 5.41 FC 3.9 (303015) 31805-02 Ag 12.09

Application for Property Tax Exemption

For Recreational Lakes, Forest Covers, Rivers and Streams, River and Stream Banks, and Open Prairies
 Iowa Code Chapter 427.1 (22)

This application must be filed or mailed to your local conservation district by February 1 of each year. It must be postmarked no later February 1. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: www.nciowa.org.

Applicant Contact Information – Please Print

Name: Dean Krueger

Phone: (563) 343-9123 eMail: d.krueger@mchsi.com

County of: Scott

Number of Acres: 48.31 Ac

I, Dean Krueger swear or affirm that I am the owner of the following legally described property: Parcel 31803-09 & 31805-02

open prairie 22.51
forest cover 25.80

and that this property will not be used for economic gain during the assessment year. The property is at least two acres in area and is used to provide soil erosion control or wildlife habitat.

An exemption is allowed for rivers and streams or river and stream banks only if the land is located at least 33 feet from the ordinary high water mark of the rivers and streams or river and stream banks.

I hereby request that the above described property be exempted from property taxation as the following type of property:

forest cover/open prairie

I have attached or previously filed:

An aerial photo of the property: ☐

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: ☐

Applicant Signature: Dean Krueger Date: 1/2/19

Address: 3750 Nobis Dr, Davenport 52802

This application must be filed with your local soil conservation district by February 1 of each year.

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: [Signature] Date: 2/6/19

Chairman, Scott County Soil Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

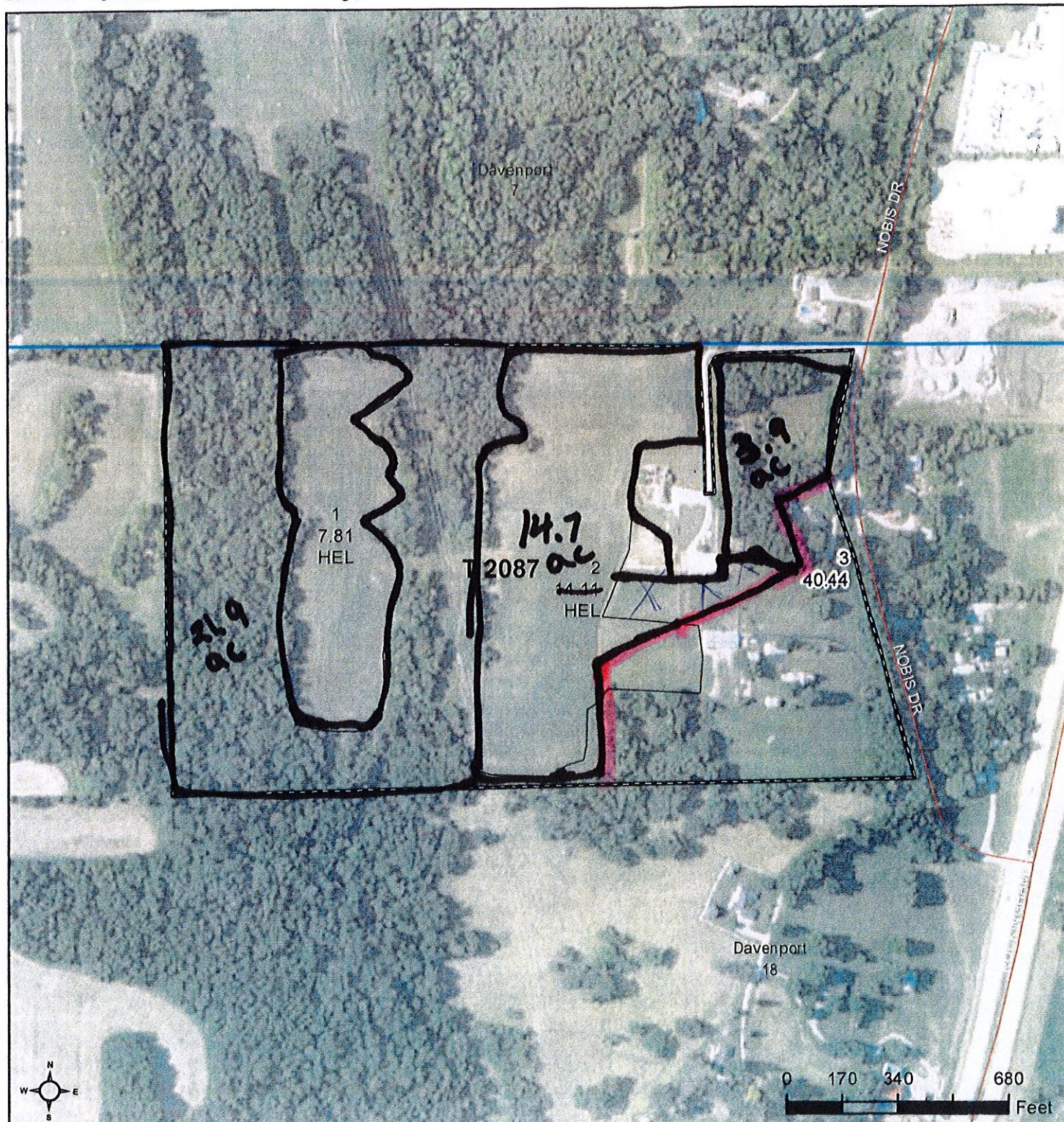
Chairman, _____ County Board of Supervisors

52 AC.



United States
Department of
Agriculture

Scott County, Iowa



Legend

- Non-Cropland
- Cropland
- CRP
- Tract Boundary
- Iowa PLSS
- Iowa Roads

Wetland Determination Identifiers

- Restricted Use
- ▼ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 21.92 acres

2018 Program Year

Map Created May 11, 2018

Farm 4355

Tract 2087

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

USDA is an equal opportunity provider, employer, and lender.

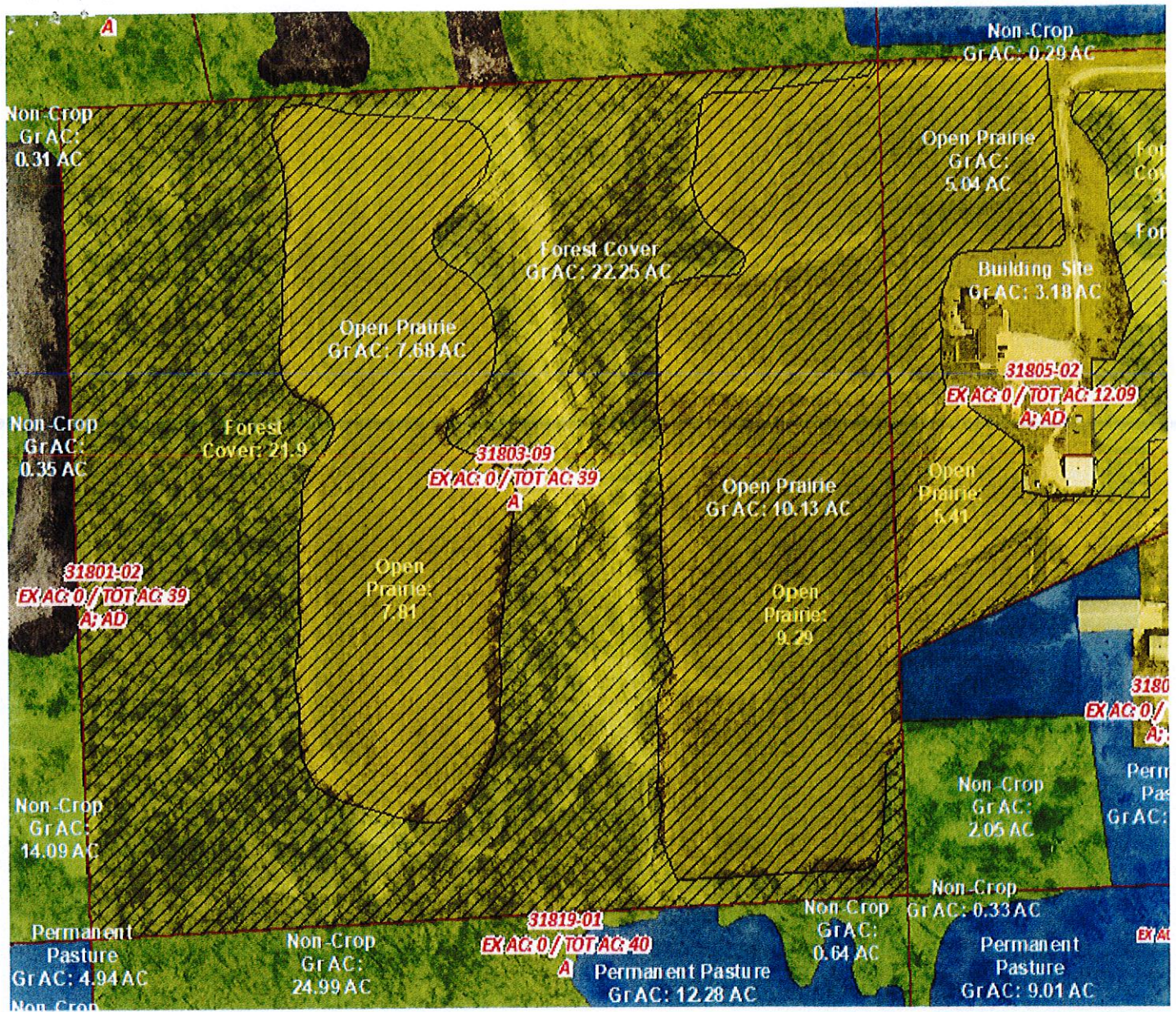
VanCamp, Nick

From: Weiser, Ray <Ray.Weiser@scottcountyiowa.com>
Sent: Friday, March 01, 2019 11:05 AM
To: VanCamp, Nick
Subject: Screen shot of 31803-09 and 31805-02

Hi Nick,

Here's how I split Open Prairie between 31803-09 and 31805-02. Graphic acreage is inexact but will be proportionally adjusted to fit the exempt acreages as given in the tax bill. Screen shot below shows all exemptions and land use categories for the properties. Let me know if you have any questions or changes. Thanks!

Parcel	Forest Cover	Open Prairie	Total
31803-09	21.9	17.1	39
31805-02	3.9	5.41	9.31
Totals	25.8	22.51	48.31



Ray Weiser, GIS Coordinator
 Scott County Courthouse
 400 W 4th St
 Davenport, IA 52801-1030
 Office: (563) 328-4137
 Cell: (563) 940-5012
ray.weiser@scottcountyiowa.com



new 2019

928
1.00

97600

23155-30
202032Res
Hold to 2019**Application for Property Tax Exemption**

For Recreational Lakes, Forest Covers, Rivers and Streams, River and Stream Banks, and Open Prairies

Iowa Code Chapter 427.1 (22)

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Ricker Hill LC

Applicant Contact Information – Please PrintName: WILLIAM GREENFIELDPhone: (563) 340-2007 eMail: greenfield47@gmail.comCounty of: SCOTTNumber of Acres: 5.5 / 3.2I WILLIAM GREENFIELD swear or affirm that I am the owner of the followinglegally described property: T78N R03 E Section 31SE 1/4 of 

and that this property will not be used for economic gain during the assessment year. The property is at least two acres in area and is used to provide soil erosion control or wildlife habitat.

An exemption is allowed for rivers and streams or river and stream banks only if the land is located at least 33 feet from the ordinary high water mark of the rivers and streams or river and stream banks.

I hereby request that the above described property be exempted from property taxation as the following type of property:

TREE COVER

I have attached or previously filed:

An aerial photo of the property: ☐

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners:

☐Applicant Signature: William Greenfield Date: 12-15-17Address: 2229 HICKORY GROVE RD. DAVENPORT, IOWA 52804

This application must be filed with your local soil conservation district by February 1 of each year.

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed:  Date: 2/6/19Chairman, SCOTT County Soil Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

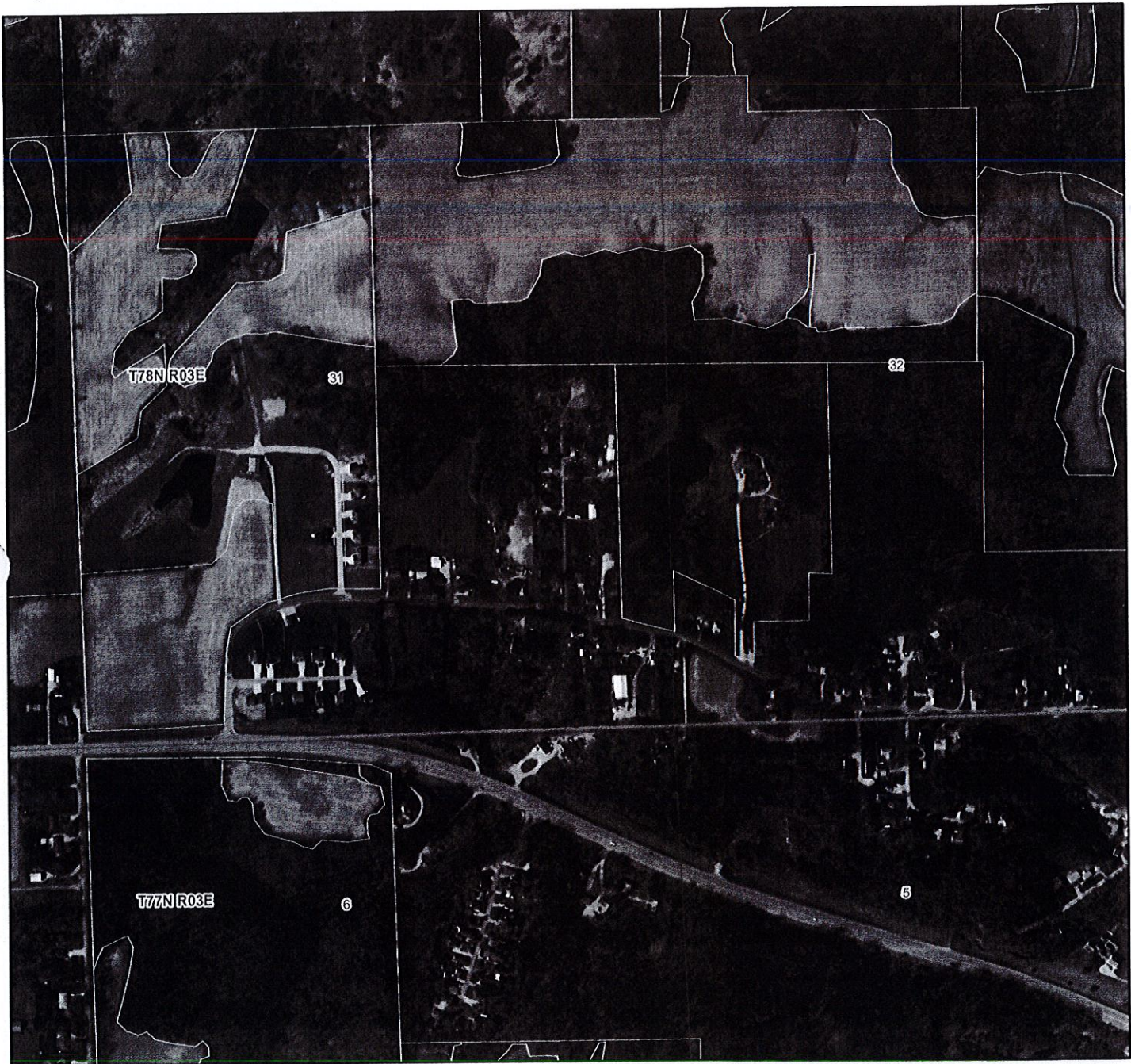
Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors

Date: 12/15/2017

Field Office: DAVENPORT SERVICE CENTER
Agency: USDA-NRCS
Assisted By: JACOBINE SWAILES

Legal Description: T78N R03E Section 31



Prepared with assistance from USDA-Natural Resources Conservation Service

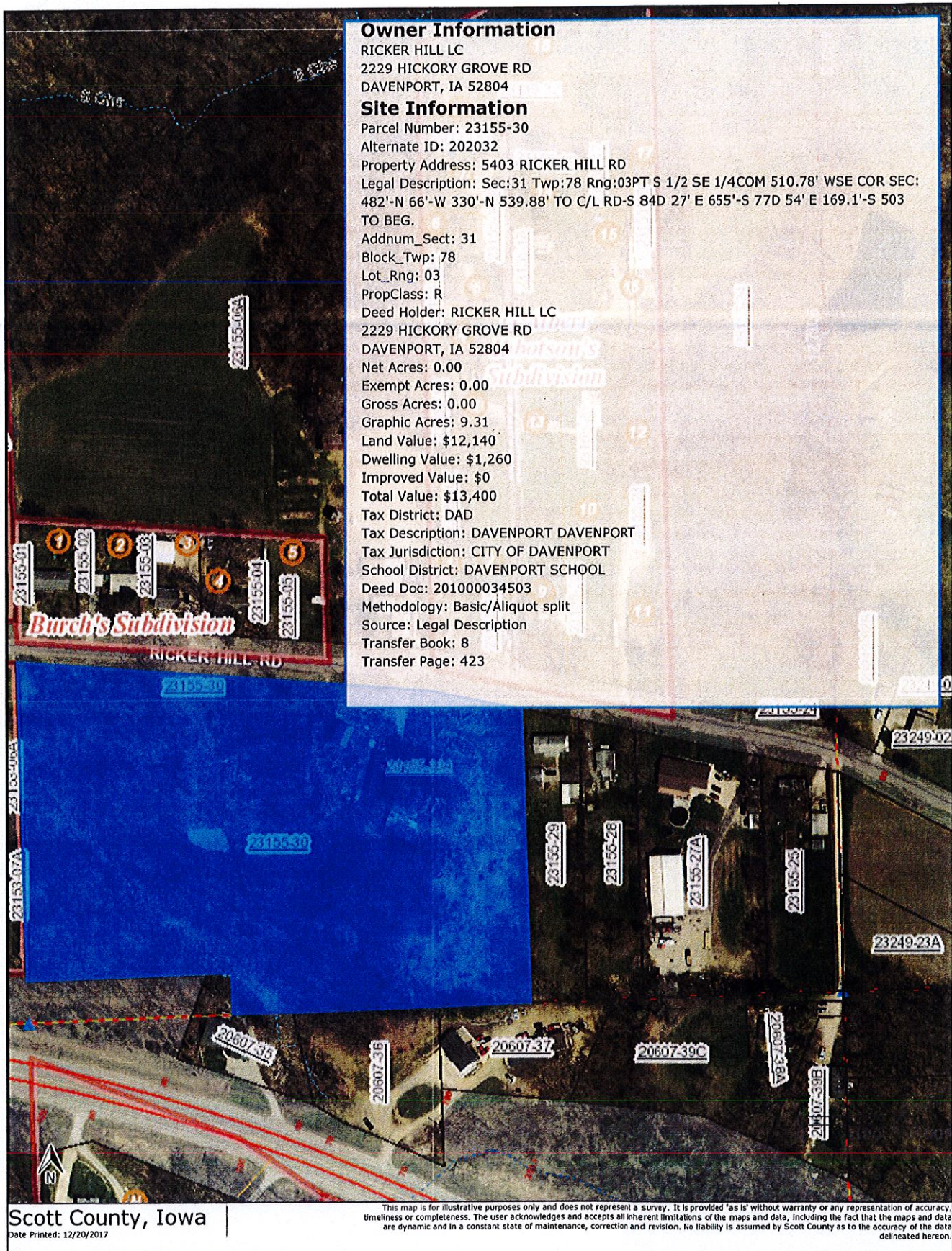
Legend

- ☐ Iowa - PLSS Townships
- ☐ Iowa - Section Lines
- clu_a_ia163



380 0 380 760 1,140 1,520 Feet







5.5ac

3.2ac FR

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Brandon Wright 563-326-7750
Wards:

Action / Date
4/3/2019

Subject:
Motion approving the purchase of two 9,300 GVW crew cab 4x4 pickup trucks from Reynolds Motor Company in East Moline, IL in the amount of \$60,318.48, CIP #24011. [All Wards]

Recommendation:
Pass the Motion.

Background:
An invitation to bid was issued on February 6, 2019 and was sent to 145 vendors. On February 27, 2019, the Purchasing Division received two responses, yet one response did not bid on all of the lines items. See attached bid tab.

Reynolds Motor Company was the lowest responsive and responsible bidder.

Both trucks are for the Fire Department, and two pickup trucks (model years 2003 and 2005) will be traded in.

Funding for this purchase is from account 54913032 530302, the fire maintenance local sales tax fund, and account 76507675 530350 24011, the public safety vehicle replacement fund.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Bid Tab Purchase of Two 9,300 GVW Crew Cab Pickup Trucks

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	3/28/2019 - 3:20 PM
Finance Committee	Wright, Brandon	Approved	3/28/2019 - 3:21 PM
City Clerk	Admin, Default	Approved	3/28/2019 - 3:49 PM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: TWO 9,300 GVW CREW CAB 4X4 PICKUP TRUCKS

BID NUMBER: 19-62

OPENING DATE: FEBRUARY 6, 2019

GL ACCOUNT NUMBER: 76507675 530350 24011
54913032 530302

RECOMMENDATION: AWARD THE CONTRACT TO REYNOLDS MOTOR
COMPANY OF EAST MOLINE, IL

<u>VENDOR NAME</u>	<u>PRICE</u>
Reynolds Motor Company of East Moline IL	\$60,318.48

Krieger Auto Group of Muscatine IA – incomplete bid, did not respond to all lines

Approved By Caitlyn Warner 3/25/19
Purchasing Date

Approved By Nicole Gleason March 25, 2019
PW Director Date

Approved By [Signature] 3/25/19
Budget/CIP Date

Approved By [Signature] 3-25-2019
Chief Financial Officer Date