

CITY COUNCIL MEETING

CITY OF DAVENPORT, IOWA

Wednesday, May 8, 2024; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Special Meeting minutes for April 16, 2024.

Approval of the City Council Meeting minutes for April 24, 2024.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for May 1, 2024.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

1. Military Appreciation Week | May 12 - 18, 2024
2. National Police Week | May 12 - 18, 2024 and Peace Officer Memorial Day | May 15, 2024
3. Public Works Week | May 19 - 25, 2024
4. River Cleanup Day | May 18, 2024
5. Kids to Parks Day | May 18, 2024

IX. Presentations

1. Police Officer Swearing-In Ceremony
 - Nicholas Wood
 - Shawn Hackett
 - Israel Mora Jr.

-Cody Jones
-Gerod Getty
-Brandon Montero
-Emily Anderson
-Traishondus Bunch

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

XII. Approval of All Items on the Consent Agenda

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

1. Third Consideration: Ordinance amending Section 13.16.060 entitled "Local limits for specific pollutants" of the Municipal Code of Davenport, Iowa to revise local discharge limits for specific pollutants. [All Wards]
2. First Consideration: Ordinance for Case ORD24-02 being the request of the City of Davenport to amend Chapter 17.08 entitled "Uses" of the Municipal Code of Davenport, Iowa by updating the billboard definition and principal use standards. [All Wards]
3. Resolution approving Case F23-12 being the request of Orville J. Birkestrand for a final plat of Daniel Churchill's 2nd Addition, a 2-lot subdivision on 0.40 acres located at 1203 Jersey Ridge Road. [Ward 5]
4. Resolution of support for the submission of an application to the State of Iowa High Quality Jobs Program through a partial property tax exemption for the construction of a high-tech data center project (Vemerald LLC, Petitioner). [Ward 8]
5. Resolution approving street, lane, and public ground closures on the listed dates and times to hold outdoor events.

CPKC; Final Spike Steam Tour; Riverfront; 8:00 a.m. Thursday, May 9, 2024 - 11:30 p.m. Friday, May 10, 2024; **Closure:** Dillon Fountain east parking lot. [Ward 3]

Mississippi River Distilling Company Downtown Lounge; Final Friday Garage Band and Alternating Currents; 318 East 2nd Street; various dates and times (see attached schedule); **Closure:** east-west alley between East 2nd Street and East 3rd Street from Iowa Street to the MidAmerican parking lot. [Ward 3]

St. Paul Lutheran Church; A St. Paul Farewell Celebration; 2136 North Brady Street; 1:00 p.m. - 8:00 p.m. Sunday, June 2, 2024; **Closure:** West Lombard Street from Main Street to Brady Street. [Ward 5]

6. Resolution awarding a contract for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project to McCarthy Improvement Company of Davenport, Iowa in the amount of \$929,459.70, CIP #35061. [Wards 2, 4, & 7]
7. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Emerald Drive Reconstruction project, CIP #35062. [Ward 1]
8. Resolution approving the plans, specifications, form of contract, and estimate of cost for the East Locust Street (Grand Avenue to Eastern Avenue) Resurfacing project, CIP #35062. [Ward 5]
9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant & Compost Facility Flood Mitigation, Stormwater, and Effluent Pumping System project (EDA #06-79-06258), CIP #39012. [Ward 1]
10. Resolution authorizing the submission of an application to the United States Department of Transportation's Safe Streets and Roads for All Grant Program for assistance to improve transportation safety throughout the City. [Wards 2, 3, 4, 5, & 8]
11. Resolution accepting the Iowa Department of Transportation Agreement for Traffic Safety Improvement Program (TSIP) Project for the 53rd Street at Utica Ridge Road Intersection Improvements project, CIP #38021. [Ward 6]
12. Resolution to fix meeting date for hearing on the issuance of not to exceed \$31,000,000 General Obligation Corporate Bonds, Series 2025. [All Wards]
13. Motion approving noise variance requests on the listed dates and times for outdoor events.

Mississippi River Distilling Company Downtown Lounge; Final Friday Garage Band and Alternating Currents; 318 East 2nd Street; various dates and times (see attached schedule); Outdoor music/band, over 50 dBA. [Ward 3]

14. Motion approving beer and liquor license applications.

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

Ward 2

Rudy's Tacos (K & J 2024, Inc) – 3502 West Kimberly Road – New Owner/License – License Type: Class C Liquor (On-Premises)

Ward 3

Great River Brewery (AFS GRB BrewCo Davenport, LLC) – 332 East 2nd Street – New License with Outdoor Area – License Type: Class C Liquor (On-Premises)

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

Ward 2

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

Ward 3

The Diner (The Diner, LLC) - 421 West River Drive #6 - Outdoor Area - License Type:
Class C Liquor (On-Premises)

Geezer's Draffhouse (Geezers, Inc) - 1654 West 3rd Street - Outdoor Area - License
Type: Class C Liquor (On-Premises)

Ward 6

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

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

Staybridge Suites (Surya Management, LLC) - 4729 Progress Drive - Outdoor Area -
License Type: Class C Liquor (On-Premises)

Ward 7

American Legion Post 26 (Davenport Post #26, The American Legion, Inc) - 702 West
35th Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

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

15. Motion awarding a five-year contract for Transit Advertising Sales to Houck Transit Advertising of Shoreview, Minnesota. [All Wards]
16. Motion awarding a contract for repairs to fire truck T-3 to Legacy Fire Apparatus of Shorewood, Illinois in an amount not to exceed \$75,000. [All Wards]

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

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

not take action on any complaint or suggestions tonight, and can not respond to any allegations at this time.

Please state your name and ward for the record. There is a three (3) minute time limit. Please end your comments promptly.

XV. Reports of City Officials

XVI. Adjourn

City of Davenport

Department: Administration

Contact Info: Brian Krup | 563-326-6163

Subject:

Approval of the City Council Special Meeting minutes for April 16, 2024.

Action / Date

5/8/2024

Attachments:

1. 041624 City Council Special Meeting Minutes

City of Davenport, Iowa
City Council Special Meeting Minutes
Tuesday, April 16, 2024

The City Council of Davenport, Iowa met in special session on Tuesday, April 16, 2024 at 4:51 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Matson presiding and all Aldermen present (Alderman R. Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Reinartz, Alderman Gripp, Alderwoman Newton, Alderwoman Lynch, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder).

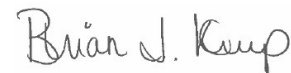
I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Gripp

III. Roll Call

IV. Agenda Item

On motion by Alderman Jobgen, second by Alderwoman Meginnis and all Aldermen present voting aye, Council recessed to Executive Session at **4:53 p.m.** to evaluate the performance of an individual in closed session as requested by that individual pursuant to Iowa Code Section 21.5(1)(i) and to discuss strategy with counsel in matters involving litigation pursuant to Iowa Code Section 21.5(1)(c). Council reconvened in Executive Session at **5:02 p.m.** with Mayor Matson and all Aldermen present (Alderwoman Burkholder, Alderman R. Dunn, Alderman T. Dunn, Alderman Gripp, Alderman Jobgen, Alderman Kelly, Alderwoman Lynch, Alderwoman Meginnis, Alderwoman Newton, and Alderman Reinartz). Others present included Attorneys Richard Davidson and Brett Marshall from Lane & Waterman LLP and Interim City Administrator Mallory Merritt. On motion by Alderwoman Meginnis, second by Alderman Jobgen Council went back into open session at **8:44 p.m.** On motion by Alderman R. Dunn, second by Alderwoman Meginnis Council adjourned at **8:44 p.m.**



Brian J. Krup
Deputy City Clerk

City of Davenport

Department: Administration

Contact Info: Brian Krup | 563-326-6163

Subject:

Approval of the City Council Meeting minutes for April 24, 2024.

Action / Date
5/8/2024

Attachments:

1. 042424 City Council Meeting Minutes

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, April 24, 2024

The City Council of Davenport, Iowa met in regular session on Wednesday, April 24, 2024 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Matson presiding and all Aldermen present (Alderman R. Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Reinartz, Alderman Gripp, Alderwoman Newton, Alderwoman Lynch, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderwoman Lynch

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Special Meeting minutes for March 27, 2024.

Approval of the City Council Meeting minutes for April 10, 2024. **(as corrected)**

On motion by Alderwoman Newton, second by Alderwoman Meginnis the April 10, 2024 City Council Meeting minutes were corrected for Discussion Agenda item #4 to read as follows:

4. The below Resolution was moved by Alderman Gripp and seconded by Alderwoman Meginnis. A motion to delete the item from the agenda was moved by Alderman Kelly and seconded by Alderwoman Burkholder. Upon the roll being called, all Aldermen present voted aye except Alderman Gripp and Alderwoman Meginnis and the following Resolution was deleted from the agenda:

Resolution ratifying Executive Order 2024-01 appointing Brian Heyer as Interim Corporation Counsel and approving the Personnel Memorandum of Understanding between the City of Davenport and Brian Heyer, memorializing Mr. Heyer's appointment as Interim Corporation Counsel. [All Wards]

DELETED

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for April 17, 2024.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, April 17, 2024
-- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderwoman Newton. Upon the roll being called, all Aldermen were present (R. Dunn, Kelly, Meginnis, Reinartz, Gripp, Newton, Lynch, T. Dunn, Jobgen, and Burkholder).

The following Public Hearings were held: **Community Development:** 1. on the proposed conditional conveyance of City-owned property located in the 700 block of East 6th Street for the Riverview Heights housing project to Riverview Heights, LLC (Petitioner). **Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the West Locust Street (North Clark Street to North Lincoln Avenue) Rehabilitation project, CIP #35061. **Finance:** 1. on amending the FY 2024 Operating and Capital Improvement Budgets; and 2. on the FY 2025 Operating Budget, FY 2025 Capital Improvement Budget, and the FY 2025 - FY 2030 Capital Improvement Plan.

Action Items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development:** Alderman Gripp reviewed all items listed. On motion by Alderman Reinartz, second by Alderman Jobgen all items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderman T. Dunn, second by Alderman R. Dunn the annual liquor license renewal for 11th Street Precinct under item #3 moved to the Discussion Agenda with a recommendation by the Fire Department to deny the west outdoor services area and all other items moved to the Consent Agenda. **Public Works:** Alderman R. Dunn reviewed all items listed. On motion by Alderman R. Dunn, second by Alderwoman Meginnis item #2, Third Consideration: Ordinance amending Section 13.34.130 entitled "Storm Sewers" of the Municipal Code of Davenport, Iowa by updating language for storm sewer inspections, was amended to add "and inspection files shall be provided to the City Engineer or their representative for review and acceptance" after "Televising will be completed as detailed by the City standards." On motion by Alderman R. Dunn, second by Alderwoman Meginnis item #3, Third Consideration: Ordinance amending Section 16.28.050 entitled "Sewers" of the Municipal Code of Davenport, Iowa by updating language for sanitary sewer inspections and sewer extensions, was amended to add "and inspection files shall be provided to the City Engineer or their representative for review and acceptance" after "Televising will be completed as detailed by the City standards." On motion by Alderman Kelly, second by Alderman Jobgen all items moved to the Consent Agenda. **Finance:** Alderwoman Newton reviewed all items listed. On motion by Alderwoman Lynch, second by Alderman R. Dunn all items moved to the Consent Agenda.

Council adjourned at **7:28 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2024-175

1. Riverfront Improvement Commission

-Gwendolyn Lee (re-appointment | At-Large Newton)

2. Design Review Board

-Jessica Molacek (new appointment)

B. Proclamations

ISSUED 2024-176

1. National Small Business Week | April 28, 2024 - May 4, 2024

2. Compost Awareness Week | May 5 - 11, 2024

3. Arbor Day | April 26, 2024

IX. Presentations

HELD

1. 2024 Fire Explorers Recognition

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. *The below Motion was moved by Alderwoman Meginnis and seconded by Alderwoman Jobgen. A motion to table the item for two cycles was moved by Alderman Jobgen and seconded by Alderwoman Burkholder. Upon the roll being called, the following Aldermen voted aye: Kelly, Gripp, Burkholder, Reinartz, T. Dunn, Jobgen, and Newton; the following Aldermen voted nay: Alderman R. Dunn and Alderwoman Meginnis; and Alderwoman Lynch abstained, and the Motion was tabled for two cycles and will reappear on the May 15, 2024 Committee of the Whole agenda.*

Motion approving a beer and liquor license application.

TABLED

A. Annual license renewal (with outdoor area renewal as noted):

Ward 5

11th Street Precinct (Carpe Diem I, LLC) - 2108 East 11th Street - Outdoor Area - License Type: Class C Liquor (On-Premises) ****The Fire Department recommends denial of the west outdoor service area***

XII. Approval of All Items on the Consent Agenda

Alderman R. Dunn requested item #11 be removed from the Consent Agenda for discussion. Alderman R. Dunn made a motion to amend that the payment for the QC Chamber be withheld until Council has had a work session to understand how things have changed and how City funds will benefit the community. The motion was seconded by Alderman Jobgen. After further discussion, the motion and second were withdrawn and the item was placed back on the Consent Agenda.

A motion to approve the Consent Agenda was moved by Alderman Gripp and seconded by Alderwoman Meginnis. Upon the roll being called, all Aldermen present voted aye and the Consent Agenda was approved as follows.

1. Third Consideration: Ordinance amending Chapter 12.16 entitled "Curbs" of the Municipal Code of Davenport, Iowa by eliminating sections and updating language. [All Wards]

ADOPTED 2024-177

ORDINANCE NO. 2024-177

AN ORDINANCE AMENDING CHAPTER 12.16 ENTITLED "CURBS" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ELIMINATING SECTIONS AND UPDATING LANGUAGE.

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

Section 1. That Section 12.16.020 entitled "Duty of owner to maintain" of the Municipal Code of Davenport, Iowa is hereby repealed and a new 12.16.020 entitled "Construction standards" is enacted in its place to read as follows:

12.16.020 Construction standards.

Curbs constructed within the limits of the City shall conform to the current accepted construction standards or as directed by the city engineer.

Section 2. That Section 12.16.030 entitled "Power of department of construction and engineering" of the Municipal Code of Davenport, Iowa is hereby repealed and labeled RESERVED.

12.16.030 **(RESERVED)**

Section 3. That section 12.16.040 entitled "Assessment and levy of costs" of the Municipal Code of Davenport, Iowa is hereby repealed and labeled RESERVED.

12.16.040 **(RESERVED)**

Section 4. That Section 12.16.050 entitled "Permit required – Permit charge" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

12.16.050. Permit required — Permit charge.

No person, firm or corporation shall construct any curbs on public right-of-way or public easements without first having obtained a permit from the Public Works Department. The application for permit shall be in writing and shall state the owner of the property, the street upon which, and the lot, lots or parcels of ground in front of or adjacent to which the curb is to be built, the length and height and the time when the curb will be completed. The charge for each permit issued shall be as set by City Council policy.

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

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

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

Adopted 4/24/2024: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Third Consideration: Ordinance amending Section 13.34.130 entitled "Storm Sewers" of the Municipal Code of Davenport, Iowa by updating language for storm sewer inspections. [All Wards]

ADOPTED 2024-178

ORDINANCE NO. **2024-178**

AN ORDINANCE AMENDING SECTION 13.34.130 ENTITLED "STORM SEWERS" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY UPDATING LANGUAGE FOR STORM SEWER INSPECTIONS.

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

Section 1. That Section 13.34.130 entitled "Storm Sewers" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.130 Storm sewers.

D. Prior to acceptance of storm sewers installed by a private contractor, all storm sewers and structures must be cleaned and televised to ensure that they meet acceptable City standards. Televising will be completed as detailed by the City standards, and inspection files shall be provided to the City Engineer or their representative for review and acceptance. Fees for this service shall be set from time to time by City Council resolution and will be billed to the developer or property owner and must be paid before the system will be accepted and released for further development.

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

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

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

Adopted 4/24/2024: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Third Consideration: Ordinance amending Section 16.28.050 entitled "Sewers" of the Municipal Code of Davenport, Iowa by updating language for sanitary sewer inspections and sewer extensions. [All Wards] **ADOPTED 2024-179**

ORDINANCE NO. **2024-179**

AN ORDINANCE AMENDING SECTION 16.28.050 ENTITLED "SEWERS" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY UPDATING LANGUAGE FOR SANITARY SEWER INSPECTIONS AND SEWER EXTENSIONS.

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

Section 1. That Section 16.28.050 entitled "Sewers" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

16.28.050 **Sewers.**

Where a public sanitary sewer is reasonably accessible, the subdivider shall connect or provide for the connection with such sanitary sewer and shall provide within the subdivision the sanitary sewer system required to make the sewer accessible to each lot in his subdivision. If additional developable land is present adjacent to the subdivision, sanitary sewer shall be extended through the property in a manner reasonably accessible to serve the undeveloped land as directed by the City Engineer or designee.

Adequate provision shall be made for the disposal of stormwater, subject to the approval of the City Engineer and the City Council. Prior to acceptance of a sanitary sewer installed by a private contractor, all sanitary sewer and structures must be cleaned and televised to ensure that they meet acceptable City standards. Televising will be completed as detailed by the City standards, and inspection files shall be provided to the City engineer or their representative for review and acceptance. Fees for this service shall be set from time to time by City Council resolution and will be billed to the developer or property owner and must be paid before the system will be accepted and released for further development.

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

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

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

Adopted 4/24/2024: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

4. Second Consideration: Ordinance amending Section 13.16.060 entitled "Local limits for specific pollutants" of the Municipal Code of Davenport, Iowa to revise local discharge limits for specific pollutants. [All Wards] **MOVED TO THIRD CONSIDERATION**

5. Resolution approving the proposed conditional conveyance of City-owned property located in the 700 block of East 6th Street for the Riverview Heights housing project to Riverview Heights, LLC (Petitioner). [Ward 3] **ADOPTED 2024-180**

6. Resolution approving Case F24-04 being the request of McCoy Homes for a final plat of Seng Meadows 2nd Addition, a 33-lot subdivision on 10.97 acres located west of Northwest Boulevard and south of Willow Circle. [Ward 7] **ADOPTED 2024-181**

7. Resolution approving street, lane, and public ground closures on the listed dates and times to hold outdoor events. **ADOPTED 2024-182**

Brian Doerrfeld; Ganzo's Cinco de Mayo 5K; Saturday, May 4, 2024; 5:30 a.m. –11:30 a.m. (unless otherwise noted); **Closures:** northbound North Marquette Street from West Kimberly Road to West 41st Street (reopened by 12:45 p.m.); West 41st Street from Marquette Street to Division Street; easternmost northbound lane of Division Street from West 41st Street to West 53rd Street; southernmost eastbound lane of West 53rd Street from Division Street to Northwest Boulevard; southbound Northwest Boulevard from West 53rd Street to Taylor Street; Taylor Street from Northwest Boulevard to West 52nd Street; West 52nd Street/Garner Drive from Taylor Street to West 51st Street; West 51st Street from West 52nd Street/Garner Drive to Fillmore Lane; Fillmore Lane from West 51st Street to West 46th Street; West 46th Street from Fillmore Lane to Marquette Street; Marquette Street from West 46th Street to finish line at Ganzo's Restaurant. Volunteers will be present throughout the neighborhoods to assist residents who need to enter and exit. [Ward 7]

Knights of Columbus; Blue Mass; St. Paul the Apostle Catholic Church | 916 East Rusholme Street; 4:00 p.m. - 8:00 p.m. Tuesday, May 14, 2024; **Closure:** East Rusholme Street from Carey Avenue to Arlington Avenue. [Ward 5]

Hope at the BRICK House; Block Party; 1431 Ripley Street; 4:30 p.m. - 8:30 p.m. every Friday June 7, 2024 - August 23, 2024 (full schedule attached); **Closure:** Ripley Street from West 14th Street to West 15th Street. [Ward 5]

8. Resolution accepting work completed under the FY 2022 Contract Sewer Repair Program by Petersen Plumbing of Davenport, Iowa in the amount of \$906,290.79, CIP #30054 and #33001. [All Wards] **ADOPTED 2024-183**

9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West Locust Street (North Clark Street to North Lincoln Avenue) Rehabilitation project, CIP #35061. [Ward 4] **ADOPTED 2024-184**

10. Resolution amending the FY 2024 Operating and Capital Improvement Budgets. [All Wards] **ADOPTED 2024-185**

11. Resolution adopting the FY 2025 Operating Budget, FY 2025 Capital Improvement Budget, and the FY 2025 - FY 2030 Capital Improvement Plan. [All Wards] **ADOPTED 2024-186**

12. Motion approving noise variance requests on the listed dates and times for outdoor events. **PASSED 2024-187**

Davenport Electric Company; Employee Party; Mississippi Valley Fairgrounds | 2815 West Locust Street; 30 minutes between 8:00 p.m. and 9:00 p.m. Saturday, May 4, 2024; Fireworks, over 50 dBA. [Ward 4]

J&M Displays; Quad City River Bandits Fireworks; Modern Woodmen Park | 209 South Gaines Street; approximately 15 - 20 minutes between 9:00 p.m. - 10:00 p.m. on various dates (see attached schedule - times will vary depending on when the game ends); Fireworks, over 50 dBA. [Ward 3]

Riverfront Improvement Commission; Big 9 Summer Concert Series; various locations, dates, and times (see attached schedule); Outdoor music/band, over 50 dBA. [Wards 1, 3, & 5]

German American Heritage Center and Museum; Best of the Wurst; 712 West 2nd Street; 12:00 p.m. - 4:00 p.m. Sunday, June 30, 2024; Outdoor music/band, over 50 dBA. [Ward 3]

13. Motion approving beer and liquor license applications.

PASSED 2024-188

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

Ward 3

Mississippi River Distilling Company (Mississippi River Distilling Company, LLC) – 318 East 2nd Street - Temporary Outdoor Area (5/31, 6/28, 7/6, 8/15-8/18, 8/30) License Type: Class C Liquor (On-Premises)

Ward 6

The Gypsy Highway Bar and Grill (The Gypsy Highway Corp) - 5320 Corporate Park Drive - Temporary Event License (5/15, 6/8, 6/19, 7/17, 8/21) - License Type: Class C Liquor (On-Premises)

Ward 7

Ganzos (Ganzos, LTD) - 3923 North Marquette Street - Temporary Extended Outdoor Area (5/3-5/6) - License Type: Class C Liquor (On-Premises)

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

Ward 3

Embers Of Phoenix (Jai Mata Lakshmi, Inc) - 111 West 2nd Street - License Type: Class C Liquor (On-Premises)

Half Nelson (Bucktown Restaurant Company, LLC) - 321 East 2nd Street #100 - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 4

Cedar Street Inn (Fleetfood, Inc) - 810 Cedar Street - License Type: Class C Liquor (On-Premises)

Ward 6

Aldi Inc #80 (Aldi, Inc - Corporation) - 5262 Elmore Avenue - License Type: Class B Beer (Carry-Out)

Pints (Pub @ Utica, LLC) - 5268 Utica Ridge Road - Outdoor Area - License Type: Class C Liquor (On-Premises)

Rave Davenport 53 & Imax (Cinemark US, Inc) - 3601 East 53rd Street – License Type: Special Class C Beer/Wine (On-Premises)

14. Motion awarding a professional services contract for the City Administrator and Corporation Counsel recruitments to Colin Baenziger & Associates of Daytona Beach Shores, Florida in an amount not-to-exceed \$70,000, and authorizing the Mayor to execute any related agreements. [All Wards] **PASSED 2024-189**

XIII. Other Ordinances, Resolutions and Motions

1. *A motion for suspension of the rules to add and vote on the listed item was moved by Alderman R. Dunn and seconded by Alderwoman Meginnis. Upon the roll being called, all Aldermen present voted aye except Alderman Kelly and the rules were suspended.*
2. *The below Resolution was moved by Alderman Gripp and seconded by Alderwoman Meginnis. Upon the roll being called, all Aldermen present voted aye except Alderman Kelly and Alderwoman Burkholder and the Resolution was adopted.*

Resolution approving the Interim City Administrator's Employment Agreement. [All Wards]

ADOPTED 2024-190

XIV. Public with Business

XV. Reports of City Officials

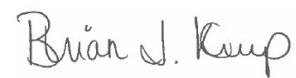
The following is a summary of revenue received for the month of March 2024:

Property Taxes	\$4,422,474
Other City Taxes	\$2,072,064
Licenses & Permits	\$400,608
Intergovernmental	\$2,877,575
Charges for Services	\$4,336,278
Use of Monies & Property	\$74,357
Fines & Forfeits	\$152,810
Bonds/Loan Proceeds	\$85,764
Miscellaneous	\$413,563

XVI. Executive Session

A motion to go into Executive session to review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition

*for that governmental body's possession or continued receipt of federal funds pursuant to Iowa Code Section 21.5(1)(a) was moved by Alderman Gripp and seconded by Alderwoman Meginnis. Upon the roll being called, all Aldermen present voted aye and Council recessed to Executive Session at **7:08 p.m.** Council reconvened in Executive Session at **7:25 p.m.** with Mayor Matson and all Aldermen present except Alderman Kelly (Alderwoman Burkholder, Alderman R. Dunn, Alderman T. Dunn, Alderman Gripp, Alderman Jobgen, Alderwoman Lynch, Alderwoman Meginnis, Alderwoman Newton, and Alderman Reinartz). Others present included Interim City Administrator Mallory Merritt, Community and Economic Development Director Bruce Burger, and Lead Economic Development Coordinator Susanne Knutsen. On motion by Alderman Reinartz, second by Alderwoman Meginnis Council went back into open session at **7:49 p.m.** On motion by Alderman Reinartz, second by Alderwoman Meginnis Council adjourned at **7:49 p.m.***



Brian J. Krup
Deputy City Clerk

City of Davenport

Department: Administration

Contact Info: Brian Krup | 563-326-6163

Subject:

Approval of the Report on Committee of the Whole for May 1, 2024.

Action / Date

5/8/2024

Attachments:

1. 050124 Committee of the Whole Report

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, May 1, 2024 -- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderman T. Dunn. Upon the roll being called, all Aldermen were present (*In person*: Alderman R. Dunn, Alderman Kelly*, Alderwoman Meginnis, Alderman Reinartz, Alderman Gripp, Alderwoman Lynch, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder; *Via telephone*: Alderwoman Newton). *Arrived at 5:32 p.m. after roll call

The following Public Hearings were held: **Community Development**: 1. for Case ORD24-02 being the request of the City of Davenport to amend Chapter 17.08 entitled "Uses" of the Municipal Code of Davenport, Iowa by updating the billboard definition and principal use standards. **Public Works**: 1. on the plans, specifications, form of contract, and estimate of cost for the Emerald Drive Reconstruction project, CIP #35062; 2. on the plans, specifications, form of contract, and estimate of cost for the East Locust Street (Grand Avenue to Eastern Avenue) Resurfacing project, CIP #35062; and 3. on the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant & Compost Facility Flood Mitigation, Stormwater, and Effluent Pumping System project (EDA #06-79-06258), CIP #39012.

The following Proclamations were issued: Mental Health Awareness Month | May 2024 and Bicycle Safety Awareness Month | May 2024, **2024-191**.

Action Items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development**: Alderman Gripp reviewed all items listed. On motion by Alderman Reinartz, second by Alderman Meginnis all items moved to the Consent Agenda. **Public Safety**: Alderman Jobgen reviewed all items listed. On motion by Alderman T. Dunn, second by Alderwoman Burkholder the annual liquor license renewal for Rina Mart, LLC (Rina Mart, LLC) – 3815 West Kimberly Road – License Type: Class E Liquor (Carry-Out) was deleted from the agenda. On motion by Alderman T. Dunn, second by Alderwoman Meginnis all items moved to the Consent Agenda. **Public Works**: Alderman R. Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderwoman Meginnis all items moved to the Consent Agenda. **Finance**: Alderwoman Lynch reviewed all items listed. On motion by Alderman T. Dunn, second by Alderman Jobgen all items moved to the Consent Agenda.

Council adjourned at **6:29 p.m.**

City of Davenport

Department: Office of the Mayor
Contact Info: Brian Krup | 563-326-6163

Action / Date
5/8/2024

Subject:
Military Appreciation Week | May 12 - 18, 2024

City of Davenport

Department: Office of the Mayor
Contact Info: Brian Krup | 563-326-6163

Action / Date
5/8/2024

Subject:

National Police Week | May 12 - 18, 2024 and Peace Officer Memorial Day | May 15, 2024

City of Davenport

Department: Office of the Mayor
Contact Info: Brian Krup | 563-326-6163

Action / Date
5/8/2024

Subject:
Public Works Week | May 19 - 25, 2024

City of Davenport

Department: Office of the Mayor
Contact Info: Brian Krup | 563-326-6163

Action / Date
5/8/2024

Subject:
River Cleanup Day | May 18, 2024

City of Davenport

Department: Office of the Mayor
Contact Info: Brian Krup | 563-326-6163

Action / Date
5/8/2024

Subject:
Kids to Parks Day | May 18, 2024

City of Davenport

Department: Public Works

Contact Info: Nicole Gleason | 563-326-7734

Action / Date

5/8/2024

Subject:

Third Consideration: Ordinance amending Section 13.16.060 entitled "Local limits for specific pollutants" of the Municipal Code of Davenport, Iowa to revise local discharge limits for specific pollutants. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

This Ordinance will amend Section 13.16.060(B) of the Municipal Code of Davenport, Iowa to revise the local limits for specific pollutants. Revised local discharge limits shall regulate the amounts of certain pollutants that may be discharged to the sanitary sewer system from industrial and hauled waste sources. This will alter Tables 1, 3, and 4 in the Section as is required by the City's NPDES Permit. Local limits head works allowable loading and allocation of pollutant loading to industries has been calculated according to DNR/EPA specifications and has been approved by DNR representatives.

Attachments:

1. Ordinance
2. Current Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 13.16.060 ENTITLED "LOCAL LIMITS FOR SPECIFIC POLLUTANTS" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA TO REVISE LOCAL DISCHARGE LIMITS FOR SPECIFIC POLLUTANTS.

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

Section 1. That Tables 1, 3, and 4 of Section 13.16.060(B) of the Municipal Code of Davenport, Iowa be and the same are hereby amended to read as follows:

13.16.060 Local limits for specific pollutants.

Table 1	
Davenport Water Pollution Control Plant	
2606 South Concord Street	
Head Works Allowable Loading	
Pollutant	30 Day Average (lbs)
Al	5405.653
As	3.229
Ba	NA
Cd	4.892
Total Cr	86.373
Cu	61.823
Fe	682.836
Pb	17.432
Hg	1.004
Mo	44.749
Ni	34.532
Se	3.828
Ag	14.771
Zn	125.628
Total Phenols	3018.538
Total Cyanide	8.408

Table 3			
Davenport Water Pollution Control Plant			
2606 South Concord Street			
Tier 1 Significant Industrial User Local Limits			
	PB Leiner USA	Nestle Purina	Kraft Heinz
Pollutant	30 Day Average	30 Day Average	30 Day Average
Al	NA	NA	NA
As	0.17 Pounds	0.04 Pounds	0.10 Pounds
Ba	NA	NA	NA
Cd	0.080 Pounds	0.02 Pounds	0.05 Pounds
Total Cr	0.080 Pounds	0.07 Pounds	0.05 Pounds
Cu	0.17 Pounds	0.33 Pounds	0.10 Pounds
Fe	NA	NA	NA
Pb	0.17 Pounds	0.04 Pounds	0.10 Pounds
Hg	NA	NA	NA
Mo	NA	NA	NA
Ni	0.090 Pounds	0.04 Pounds	0.05 Pounds
Se	0.17 Pounds	0.04 Pounds	0.10 Pounds
Ag	0.08 Pounds	0.02 Pounds	0.05 Pounds
Zn	1.07 Pounds	1.63 Pounds	0.34 Pounds
Total Phenols	0.51 Pounds	0.06 Pounds	0.20 Pounds
Total Cyanide	0.10 Pounds	0.03 Pounds	0.06 Pounds

Table 4	
Davenport Water Pollution Control Plant	
2606 South Concord Street	
Tier 2 Significant Industrial User Local Limits	
Pollutant	30 Day Average
Al	NA
As	0.141 mg/L
Ba	NA
Cd	0.242 mg/L
Total Cr	4.441 mg/L
Cu	2.989 mg/L
Fe	NA

Pb	0.629 mg/L
Hg	NA
Mo	NA
Ni	1.770 mg/L
Se	0.121 mg/L
Ag	0.776 mg/L
Zn	5.636 mg/L
Total Phenols	115.828 mg/L
Total Cyanide	0.448 mg/L

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in The Quad-City Times on _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

II.

WASTEWATER TREATMENT AND PRETREATMENT REGULATIONS.**13.16.050. User requirements. [Ord. 2018-354]**

a. The following requirements shall apply to all users of the POTW:

- (1) All users shall promptly notify the POTW in advance of any substantial change in the volume or character of pollutants in their discharge.
- (2) New or increased contributions of pollutants or changes in the nature of pollutant discharged to the POTW shall require prior approval by the Water Pollution Control Plant Manager.
- (3) Industrial users shall notify the POTW, the EPA Regional Waste Management Division Director, and state hazardous waste authorities in writing of any discharge into the POTW of a substance, which if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. The notification shall comply with the requirements set forth in 40 CFR 403.12(p)
- (4) Introduction or contribution of any pollutants without the notice and approval required by this section is prohibited. Upon the receipt of notice required by this section the Water Pollution Control Plant Manager shall within 180 days or less approve the discharge if he finds the proposed discharge meets applicable pretreatment standards and requirements and would not cause the POTW to violate its NPDES permit. The Water Pollution Control Plant Manager shall deny permission for the discharge if he finds applicable pretreatment standards and requirements are not met or the discharge would cause the POTW to violate its NPDES permit. In lieu of denial of permission the Water Pollution Control Plant Manager may allow such contribution or discharge upon conditions, which would not violate applicable pretreatment standards or requirements and would not cause the POTW to violate its NPDES permit.

Any part of this section notwithstanding, upon receipt of the notice required by this section the Water Pollution Control Plant Manager may require, in addition to the requirements of this section, that an industrial user obtain a permit under this chapter.

13.16.055. Discharge prohibitions. [Ord. 2018-354]

The following prohibitions shall apply to all users of the POTW unless the user is subject to a more restrictive NCPS, IDNR, or wastewater discharge permit limit. The following substances are prohibited from discharge to the POTW:

- A. General Prohibitions: No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State or local pretreatment standards or requirements.
- B. Specific prohibitions: No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

1. Pollutants that create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140° F. (60° C.) using test methods referenced in 40 CFR 261.21. At no time shall two successive readings on a meter capable of reading L.E.L. (lower explosive limit) at the nearest accessible point to the POTW, at the point of discharge into the POTW, or at any point in the POTW be more than 5% nor any single reading greater than 10%;
2. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.5 or greater than 12;
3. Solid or viscous pollutants which will cause obstruction to the flow in the POTW resulting in interference. Such pollutants include, but are not limited to: grease, garbage with particles greater than one-half inch any dimension, animal tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, tar, asphalt residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing waste, or tumbling and de burring stones, and wastewater containing fat, wax, O&G, or other substances which may solidify or become viscous at temperatures between 32° F. and 150° F. (0° C. and 650° C.);
4. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate or pollutant concentration which will cause interference or pass through at the POTW or which constitutes a slug load as defined in this chapter;
5. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case wastewater or vapor having a temperature higher than 150° F. (65° C.) at the point of introduction into the POTW; and in no case waste water or vapor which alone or in concert with other discharges produces a temperature at the POTW treatment plant greater than 104° F. (40° C.);
6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems or a public nuisance;
8. Any trucked or hauled pollutants, except at discharge points designated by the POTW;
9. Radioactive wastes unless they comply with IAC 641-40.72, 641-40.88 and 641-40 Appendix B, Table III,
10. Pollutants causing excessive discoloration (such as, but not limited to, dye waste and vegetable tanning solutions);

13.16.060. Local limits for specific pollutants. [Amended 11-9-2022 by Ord. No. 2022-528 ; Ord. 2018-354]

A. General provisions.

1. Dilution. Users shall not increase the use of process water or, in any way; attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in the NCPS, or with any other pollutant specific limitation developed by the City.
 2. Sample location. Measurement of pollutant concentrations to determine compliance shall be made at the point immediately following the pretreatment facility and before mixture with other waters, unless another point is designated by the Water Pollution Control Plant Manager. If necessary, the concentrations so measured shall be recomputed to exclude the effect of any dilution that is improper using the combined waste stream formula.
- B. Headworks limits - average mass. The average composite loading of all users contributing the following specific pollutants to the POTW shall not exceed the allowable total pounds. The allocation of pollutants between industrial and non- industrial sources may be adjusted by the Water Pollution Control Plant Manager provided that allowable total loading for any pollutant at the headworks of the POTW treatment plant is not exceeded.

Table 1 Davenport Water Pollution Control Plant 2606 South Concord Street Head Works Allowable Loading	
Pollutant	30 Day Average (lbs)
Al	5408.728
As	15.763
Ba	NA
Cd	3.037
Total Cr	11.252
Cu	46.237
Fe	682.836
Pb	36.657
Hg	1.004
Mo	44.749
Ni	183.286
Se	3.828
Ag	2.662
Zn	147.974
Total Phenols	3018.538

Table 1	
Davenport Water Pollution Control Plant	
2606 South Concord Street	
Head Works Allowable Loading	
Pollutant	30 Day Average (lbs)
Total Cyanide	16.446

Table 2	
Davenport Water Pollution Control Lagoon	
West Locust Street	
Head Works Allowable Loading	
Pollutant	30 Day Average (lbs)
Al	NA
As	NA
Ba	NA
Cd	0.002
Total Cr	0.062
Cu	0.084
Fe	NA
Pb	0.011
Hg	NA
Mo	NA
Ni	0.072
Se	NA
Ag	0.002
Zn	8.338
Total Phenols	NA
Total Cyanide	0.002

Table 3 Davenport Water Pollution Control Plant 2606 South Concord Street Tier 1 Significant Industrial User Local Limits			
	PB Leiner USA	Nestle Purina	Kraft Heinz
Pollutant	30 Day Average	30 Day Average	30 Day Average
Al	NA	NA	NA
As	0.14 Pounds	0.037 Pounds	0.08 Pounds
Ba	NA	NA	NA
Cd	0.070 Pounds	0.018 Pounds	0.04 Pounds
Total Cr	0.110 Pounds	0.03 Pounds	0.03 Pounds
Cu	0.320 Pounds	0.09 Pounds	0.19 Pounds
Fe	NA	NA	NA
Pb	0.070 Pounds	0.02 Pounds	0.04 Pounds
Hg	NA	NA	NA
Mo	NA	NA	NA
Ni	0.080 Pounds	0.02 Pounds	0.04 Pounds
Se	0.08 Pounds	0.02 Pounds	0.05 Pounds
Ag	0.07 Pounds	0.018 Pounds	0.04 Pounds
Zn	1.20 Pounds	0.32 Pounds	0.70 Pounds
Total Phenols	0.27 Pounds	0.071 Pounds	0.15 Pounds
Total Cyanide	0.081 Pounds	0.022 Pounds	0.05 Pounds

Table 4 Davenport Water Pollution Control Plant 2606 South Concord Street Tier 2 Significant Industrial User Local Limits	
Pollutant	30 Day Average
Al	NA
As	0.581 mg/L
Ba	NA
Cd	0.098 mg/L
Total Cr	0.199 mg/L

Table 4 Davenport Water Pollution Control Plant 2606 South Concord Street Tier 2 Significant Industrial User Local Limits	
Pollutant	30 Day Average
Cu	1.475 mg/L
Fe	NA
Pb	1.180 mg/L
Hg	NA
Mo	NA
Ni	6.937 mg/L
Se	0.127 mg/L
Ag	0.074 mg/L
Zn	4.801 mg/L
Total Phenols	115.833 mg/L
Total Cyanide	0.621 mg/L

Table 5 Davenport Water Pollution Control Lagoon West Locust Street Significant Industrial User Local Limits	
Pollutant	30 Day Average
Al	NA
As	NA
Ba	NA
Cd	0.024 mg/L
Total Cr	0.924 mg/L
Cu	1.282 mg/L
Fe	NA
Pb	0.173 mg/L
Hg	NA
Mo	NA
Ni	1.099 mg/L

Table 5	
Davenport Water Pollution Control Lagoon	
West Locust Street	
Significant Industrial User Local Limits	
Pollutant	30 Day Average
Se	NA
Ag	0.029 mg/L
Zn	5.00 mg/L
Total Phenols	NA mg/L
Total Cyanide	0.027 mg/L

C. Discharge concentration limits and review criteria.

1. The admission into the POTW of any materials, water or waste having a pollutant concentration or poundage greater than the limits in Tables 1 through 5 above, or containing pollutants not listed herein, shall be subject to the review and approval of the Water Pollution Control Plant Manager. After review of the proposed discharges, the Water Pollution Control Plant Manager may:
 - a. Reject the waste for reasons consistent with Section 13.16.020.
 - b. Require pre-treatment to an acceptable pollutant concentration for discharge to the POTW.
 - c. Require control of the quantities and rates of discharge of the water or waste.
 - d. Require payment to cover the added cost of handling and treatment of water and waste or any combination thereof.
 - e. Reduce the maximum or average mass loading of present and prospective individual users on any reasonable prorated basis to meet headworks loading limits at the POTW treatment plant.
 - f. Require the user to obtain a wastewater discharge permit and be subject to any of the rules and regulations contained therein.
 - g. Require the user to meet local limits or NCPS in cases where local limits are more restrictive than NCPS provided that headworks loading limits are met.
 - h. Initiate enforcement action in response to any non-compliance with this ordinance using the enforcement procedures outlined in this ordinance.
 - i. Take any combination of steps a through h as appropriate.
2. Users discharging wastewater to the POTW having pollutant concentrations or flows greater than the limits in Table 8 shall be considered non-domestic for purposes of sewer

charges and may be regulated or permitted by the Water Pollution Control Plant Manager as appropriate:

Table 8 Domestic Pollutant Levels	
Pollutant	Domestic Limit
BOD	250 mg/L
TSS	300 mg/L

- D. No provision of this section shall be construed to provide lesser discharge standards than are presently or may hereafter be imposed and required by USEPA or IDNR, nor to allow the average allowable total loading for any pollutant at the headworks of the POTW treatment plant to be exceeded.

13.16.065. National categorical pretreatment standards. [Ord. 2018-354]

- A. Users subject to National Categorical Pretreatment Standards (NCPS) as contained in 40 CFR Chapter I, Subchapter N, Parts 405-471 or future promulgated regulations shall comply with the standards and applicable reporting requirements under 40 CFR 403.12.
- B. New sources of categorical discharge shall meet NCPS in the shortest feasible time but in no case longer than 90 days from the commencement of discharge. Failure to comply shall be a violation of this ordinance and subject the user to enforcement action.
- C. The POTW shall notify all known affected categorical users of the applicable reporting requirements under 40 CFR 403.12. Failure of the POTW to notify the User shall not relieve the user of the duty, if any, to comply with NCPS.
- D. Where a categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Water Pollution Control Plant Manager may impose equivalent concentrations or mass limits in accordance with 40 CFR 403.6 (c).
- E. When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the Water Pollution Control Plant Manager may convert the limits to equivalent limitations expressed either as mass of pollutant discharge per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Industrial Users in accordance with 40 CFR 403.6 (c) (3) and (4).
- F. When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the Water Pollution Control Plant Manager shall impose an alternate limit in accordance with 40 CFR 403.6 (e).
- G. A Categorical User may obtain a net/gross adjustment to a categorical Pretreatment Standard in accordance with 40 CFR 403.15

13.16.070. State requirements. [Ord. 2018-354]

State requirements and limitations on discharges shall apply in any case where they are more

stringent than USEPA or City requirements and limitations unless allowed by the state.

13.16.075. City's right of revision. [Ord. 2018-354]

The City reserves the right to establish more stringent limitations or requirements on discharges to the POTW than those contained in this chapter if deemed necessary to comply with the purpose and policy objectives presented in section 13.16.020.

13.16.080. Pretreatment. [Ord. 2018-354]

- A. A user discharging, or with potential to discharge, any waste into the POTW as set forth in section 13.16.055, 13.16.060, 13.16.065, 13.16.070 or 13.16.075 shall be required by the Water Pollution Control Plant Manager to construct, install and operate, at the user's sole expense, such pretreatment facilities as may be required in order to:
1. Reduce the objectionable characteristics or constituents to within the maximum limits provided for in sections 13.16.055, 13.16.060, 13.16.065, and 13.16.070;
 2. Control the quantities and rates of discharge of such wastewater;
 3. Reduce the pollutants to such concentration and flows as may be contained in the user's wastewater discharge permit;
 - (a) New industrial users discharging into the POTW will be required to design and operate their pretreatment facilities to meet the domestic pollutant limits in Table 8.
 - (b) Existing industrial users planning significant modifications to their facility or discharge to the POTW will be required to install and operate pretreatment facilities to meet the domestic pollutant limits in Table 8.
 4. Prevent the discharge of liquid waste containing O&G, sand in excessive amounts, any flammable waste, or other harmful pollutants. All traps or similar devices shall be of a type and capacity needed to perform effectively and shall be readily and easily accessible for cleaning and inspection. All traps or devices shall be provided and maintained in efficient operating condition at all times. Materials removed from traps shall be considered unacceptable for disposal at the POTW treatment plant unless specifically approved by the Water Pollution Control Plant Manager.
- B. All plans, specifications, technical operating data and other information pertinent to the proposed operation and maintenance of pretreatment facilities shall be reviewed and approved by the Water Pollution Control Plant Manager prior to construction. Design and installation of such facilities shall be subject to the requirements of all applicable codes, chapters and laws, including local zoning regulations. The review and approval of such plans and operating procedures shall, in no way, relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Water Pollution Control Plant Manager under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operations shall be reported to and be acceptable to the Water Pollution Control Plant Manager prior to the user's initiations of the changes.

- C. Users shall continuously maintain all pretreatment facilities required by this chapter in satisfactory and effective operating condition at the sole expense of such user.
- D. No provision contained in this chapter shall be construed to prevent or prohibit a separate or special agreement between the City and any user whereby wastewater containing waste of unusual strength, character or composition may be accepted by the City for treatment, subject to additional payment by such user; provided however, that such agreement shall have the prior approval of the Water Pollution Control Plant Manager, shall not conflict with IDNR and USEPA requirements, and shall be consistent with sections 13.16.060(b), 13.16.065, 13.16.070 and 13.16.080(f) of this chapter.
- E. The Water Pollution Control Plant Manager may reject any waste, which, in the opinion of the Water Pollution Control Plant Manager, may cause interference or pass through.
- F. Users shall obtain the specific approval of the Water Pollution Control Plant Manager prior to discharging any waste resulting from a pretreatment facility to the POTW. The Water Pollution Control Plant Manager may develop a documentation system to track the transportation and final disposition of any pretreatment waste. Pretreatment waste regulated by this paragraph shall include waste generated as a result of pretreatment processes used to comply with NPDES permits, air pollution permits, wastewater discharge permits, soil/groundwater reclamation processes, and pollutants resulting from a spill of any liquid or solid material or the clean up of any such spill. Pretreatment waste is prohibited from disposal to the water of the state except as specifically permitted by IDNR.

13.16.085. Dilution prohibited. [Ord. 2018-354]

Users shall not increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in the NCPS, or with any other pollutant specific limitation developed by the City.

13.16.090. Slug/spill control. [Ord. 2018-354]

- A. Users, who upon internal review by the user personnel or upon review by the Water Pollution Control Plant Manager, are determined to have the ability to cause interference or pass through at the POTW or to discharge a slug shall provide protection from accidental discharge to the POTW of prohibited materials or other substances regulated by this chapter. Facilities to prevent accidental discharge of prohibited materials shall be at the user's cost and expense.
- B. Slug/Spill Control Plan (SCP). Users meeting the criteria in subsection A thereof shall develop a SCP and implement the plan after approval by the Water Pollution Control Plant Manager. The plan shall contain the following:
 - 1. A description of discharge practices, including non-routine batch discharges;
 - 2. A description of stored chemicals;
 - 3. Procedures for immediately notifying the POTW of slug discharges, including any that would violate the discharge prohibitions in section 13.16.055 of this chapter. Notification procedures shall comply with paragraphs (c) and (d) of this subsection;

4. A description of procedures and structures necessary to prevent adverse POTW impact from accidental spills including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.
 5. A schedule for the completion or implementation of necessary procedures and structures. Complete implementation and installation of any procedures or structures shall be according to the shortest possible schedule but in no case longer than one year. Review and approval of such plans and operating procedures shall not relieve the User from the responsibility to modify and operate its facility as necessary to meet the requirements of this chapter.
- C. Users shall immediately telephone and notify the POTW in the case of
1. Any discharge, including, but not limited to, accidental discharges, discharges of a non-routine episodic nature, a non-customary batch discharge, or a slug discharge that may cause potential problems for the POTW.
 2. Any discharge, which violates section 13.16.055 of this chapter.
 3. Any discharge into the POTW of a substance which is a listed or characteristic waste under 40 CFR 261. This type of discharge will also be require additional immediate reporting to the USEPA Regional Director and IDNR.
- D. Immediate notification requirements shall include the name of caller, location and time of discharge, pollutant concentration, volume and the corrective actions taken.
- E. Users shall submit a written report to the Water Pollution Control Plant Manager within five days following such an accidental or deliberate discharge describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Users shall submit follow up reports as may be required by the Water Pollution Control Plant Manager. Such report, or reports, shall not relieve the User of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such report relieve the user of any fines, civil penalties, or other liability which may be imposed by this chapter or otherwise. Failure to report accidental or deliberate discharges may, in addition to any other remedies available to the City, result in the revocation of the discharger's wastewater discharge permit.
- F. Users shall control production or all discharges to the extent necessary to maintain compliance with all applicable regulations upon reduction, loss, or failure of its pretreatment facility until the facility is restored or an alternative method of pretreatment is provided. This requirement applies in the situation where, among other things, the primary source of power to the user's pretreatment facility is reduced, lost or fails.
- G. Users required to have a SCP must permanently post a notice in English and the language of common use on the user's bulletin board or other prominent place advising employees whom to call should a prohibited discharge occur. Users shall insure that all employees who are in a position to cause, discover, or observe such an accidental discharge are advised of the

emergency notification procedures.

13.16.095. Treatment upsets. [Ord. 2018-354]

- A. For the purposes of this section, Upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- B. An Upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph (c) are met.
- C. An User who wishes to establish the affirmative defense of Upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - 1. An Upset occurred and the User can identify the cause(s) of the Upset;
 - 2. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures;
 - 3. The User has submitted the following information to the POTW within 24 hours of becoming aware of the Upset (if this information is provided orally, a written submission must be provided within five days):
 - (a) A description of the Indirect Discharge and cause of noncompliance;
 - (b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue;
 - (c) Steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance.
- D. In any enforcement proceeding the Industrial User seeking to establish the occurrence of an Upset shall have the burden of proof.
- E. Users will have the opportunity for a judicial determination on any claim of upset only if an enforcement action brought for noncompliance with categorical pretreatment.
- F. The User shall control production or all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

13.16.100. Treatment bypass. [Ord. 2018-354]

- A. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, or severe property damage or no feasible alternatives exist such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment

downtime.

- B. The user may allow a bypass to occur which does not cause a violation of pretreatment standards, but only if it is for essential maintenance to assure efficient operation.
- C. Notification of Bypass:
 - 1. Anticipated Bypass. If the user knows in advance of the need for a bypass, it shall submit prior written notice, at least 10 days before the date of the bypass, to the Water Pollution Control Plant Manager.
 - 2. Unanticipated Bypass. The user shall immediately notify the Water Pollution Control Plant Manager and submit a written notice to the POTW within five days. This report shall specify:
 - (a) A description of the bypass, its cause, and the duration;
 - (b) Whether the bypass has been corrected;
 - (c) The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.
- D. Proper notification shall not relieve the user of liability for treatment costs and fees or other remedies as provided for in Section 13.16.080.

13.16.105. Comprehensive sewer service charges - Enumerated. [Ord. 2018-354]

Every person whose premises are served by connection to the sanitary sewer system of the City either directly or indirectly, shall pay to the City a comprehensive sewer service charge for the use of and for services supplied by the wastewater facilities of the City, which charges shall consist of:

- (1) A basic user charge;
- (2) A surcharge for the O & M of the wastewater treatment plant for wastes contributed of strengths greater than domestic wastewater. All users contributing wastewater in excess of the concentrations hereafter listed shall be assessed a surcharge, which shall be in addition to the rates and charges ordinarily billed to such users for sewer use:

Table 10 Surcharged Pollutants	
Pollutant	
BOD	
TSS	

- (3) A customer charge.

13.16.106. Rates. [Amended 5-24-2023 by Ord. No. 2023-229 ; Ord. 2018-354]

The rates for the comprehensive sewer service charges shall be reviewed annually and established from time to time by City Council ordinance and shall be as follows:

- A. For Basic User Charge. The basic user charge shall be based on the quantity of flow estimated or actual flow of wastewater recorded by meters. The unit charge for wastewater measured in 100 cubic feet shall be computed as follows:
 - 1. Unit Cost. The unit cost per 100 cubic feet shall be determined by dividing the anticipated budget for operation and maintenance of the wastewater treatment plant and the sanitary sewer system including debt service and anticipated, current year capital improvements by the estimated quantity of flow billed to all users of the sanitary sewer system.
- B. For Surcharge. The surcharge for the O & M cost of the wastewater treatment plant shall be collected from those users who contribute wastes which strengths are greater than domestic wastewater. These users shall be sampled, and the sample analyzed at least once per month.
 - 1. Monthly Excess BOD. The monthly excess BOD, expressed in milligrams per liter, shall be calculated by subtracting the BOD of domestic wastewater (250 milligrams per liter) from the monthly average BOD of a user. If the value is less than zero, zero shall be used to compute the average of excess BOD.
 - 2. BOD Surcharge Amount. The surcharge for BOD shall be calculated by multiplying the excess BOD value by the unit BOD cost per pound.
 - 3. Monthly Excess SS. The monthly excess SS, expressed in milligrams per liter, shall be calculated by subtracting the SS of domestic wastewater (300 milligrams per liter) from the monthly average SS of a user. If the value is less than zero, zero shall be used to compute the average of excess SS.
 - 4. SS Surcharge Amount. The surcharge for SS shall be calculated by multiplying the excess SS value by the unit SS cost per pound. The total surcharge shall then be a summation of the surcharge for BOD and the surcharge for SS.
- C. For the Customer Charge.
 - 1. The cost of determining the amount due from each user and the collecting of same shall be borne by the user. Each user shall be billed on a regular basis, i.e., monthly or quarterly, for the amount of the comprehensive sewer service charges.
 - 2. Each regular bill shall be increased by a charge to defray the cost of computing and mailing the bill. The cost per bill will be determined by dividing the anticipated budget, including the portion of the debt service and the anticipated current year capital improvements, by the total number of bills mailed to the users.
- D. For single-family detached residential customers who are billed quarterly, the basic user charge shall be computed using the rate as determined in subsection A of this section, multiplied by the actual amount of water supplied by the water company (Iowa-American Water Company) as shown by the water meter readings of that company or 35 ccf, whichever

is less. All other customers shall pay a basic user charge based upon the amount of water supplied by the water company as shown by the water meter readings of that company.

- E. **Special Rates. Grounds; Approval.** Where, in the judgment of the Council, special conditions surround the use of water to the extent that the application of the comprehensive sewer user charge or method of measurement would be inequitable or unfair to either the City or the user, a special rate or method of measurement shall be established by the City. Such rates or methods of measurement shall be subject to approval by resolution of the Council. In such cases, the City Council may require that water consumed on the premises concerned shall be separately metered at the expense of the user, who shall also pay the cost of the reading resulting there from. In all cases, the comprehensive sewer user charge resulting shall be on an equal basis as nearly as may be with charges which would apply to an equal quantity and character of waste of other users of the wastewater system.
- F. **Replacement Component. Calculation; Use.** The replacement component shall be 15% of the operation and maintenance (O & M) budget approved for the wastewater treatment plant in each fiscal year. The replacement component shall be calculated in each fiscal year and shall be added to the total O & M budget for the wastewater treatment plant for such year. Any portion of a replacement component which has not been used in a fiscal year shall not lapse but shall be retained, together with any interest accrued thereon; shall be carried forward and combined with any unused portion of any other replacement component for the current fiscal year, to be used to replace equipment at the wastewater treatment plant. A replacement component and any unused portion of a prior replacement component, plus any interest thereon, which has been carried forward as herein provided, shall be used only to replace equipment at the wastewater treatment plant. The O & M budget for the wastewater treatment plant plus the replacement component for the current fiscal year shall be used as the anticipated budget for calculating comprehensive sewer service charges for the use of the wastewater treatment plant.
- G. All sewer fees billed after the ordinance effective date will use the revised rate schedule.

13.16.107. Rates - Amount. [3-9-2022 by Ord. No. 2022-126 ; Ord. 2018-354 ; Ord. 2018-87 §§ 1-9; Ord. 2016-160 §§ 1-3; Ord. 2014-85 §§ 1 — 4; Ord. 2013-277 ; Ord. 2012-49 §§ 1 — 4; Ord. 2010-60 § 1-4; Ord. 2008-155 § 1; Ord. 2007-91 § 1; 2003-27 § 1 (part)]

The rates for comprehensive sewer service supplied by the wastewater facilities of the City shall be as follows:

- A.
 - 1. Effective July 1, 2022: 572.00 cents per one hundred cubic feet of water use as determined by water meter readings.
 - 2. Effective July 1, 2023: 601.00 cents per one hundred cubic feet of water use as determined by water meter readings.
 - 3. Effective July 1, 2024: 631.00 cents per one hundred cubic feet of water use as determined by water meter readings.
- B.
 - 1. Effective July 1, 2022:
 - a. 2184.00 cents per bill for monthly billed commercial customers,

- b. 1196.00 cents per bill for monthly billed residential customers,
 - c. 2937.00 cents per bill for quarterly commercial billed customers,
 - d. 2987.00 cents per bill for quarterly residential billed customers.
- 2. Effective July 1, 2023:
 - a. 2293.00 cents per bill for monthly billed commercial customers,
 - b. 1245.00 cents per bill for monthly billed residential customers,
 - c. 3084.00 cents per bill for quarterly billed commercial customers,
 - d. 3134.00 cents per bill for quarterly billed residential customers.
- 3. Effective July 1, 2024:
 - a. 2408.00 cents per bill for monthly billed commercial customers, .
 - b. 1296.00 cents per bill for monthly billed residential customers,
 - c. 3238.00 cents per bill for quarterly commercial billed customers,
 - d. 3288.00 cents per bill for quarterly residential billed customers
- C. 8.08 cents per pound of excess "BOD" over domestic strength wastewater.
- D. 17.61 cents per pound of excess suspended solids over domestic strength wastewater.
- E. 15,000 CCF Maximum Flow Per Day. The average flow shall be determined by dividing the total flow in the billing period by the number of days in the billing period. If the average flow exceeds 15,000 ccf per day, the quantity of 15,000 ccf multiplied by the number of days in the billing period shall be substituted in the calculation.
- F. 1. Effective July 1, 2018. \$0.50 of rates established in Section B for residential customers per quarter to fund the no-fault sewer backup reimbursement program. [**Ord. 2018-87 § 9**]

13.16.108. Unpaid fees. [Amended 5-11-2022 by Ord. No. 2022-245 ; Ord. 2018-354]

- A. Unpaid sewer fees will be handled by one or a combination of the following collection methods:
 - 1. The City Treasurer shall certify to the County Treasurer any comprehensive sewer user charge which is owed 60 days after the invoice is issued. All certified charges constitute a lien upon the premises served by the sanitary sewer system for which the charges were made and shall be collected in the same manner as taxes. Failure to send or receive a bill for comprehensive sewer user charges is not a defense to the collection of the charges.
 - 2. Add a collection fee to customer balances and turn accounts over to a collection agency.

3. Turn accounts over to the State of Iowa to participate in the Iowa Income Offset program which is covered under Chapter 8A.504 of the Iowa Code.
4. City staff may order suspension of utility services to those premises for which the comprehensive sewer and/or clean water user charge is delinquent including but not limited to notifying Iowa American Water (IAW) to suspend water service as allowed by State of Iowa Code §476.20(I)(b) and 199 IAC 21.4(7).
 - a. Disconnection of service shall be permitted according to the conditions:
 - i. The City must enter into an agreement with Iowa American Water.
 - ii. The City shall notify the person promptly of the reason for refusal to serve and the person's right to file a complaint with the Iowa Utilities Board.
 - iii. The customer must have a combined delinquent balance of sewer and clean water fees in excess of an amount to be established by the Finance Director after notice is provided to the Mayor and City Council.
 - iv. The City must send a letter to the customer notifying the customer of the delinquent balance, allow the customer 12 days to respond excluding Sundays and holidays.
 - v. Allow the customer to enter up to two written agreements for the duration of 12 months to pay off the delinquent balance.
 - vi. Reconnect fees must be consistent with the water utilities approved tariff.
5. Collection fees shall be established by and additional collection methods may be initiated by the Finance Director.

13.16.109. Fees. [Added 3-22-2023 by Ord. No. 2023-130 ; Ord. 2018-354]

Fees for Compost tipping, Water Pollution Control Plant hauled waste, Water Pollution Control Plant permits for hauled waste, and the sale of Compost goods shall be set by resolution of the City Council.

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
5/8/2024

Subject:

First Consideration: Ordinance for Case ORD24-02 being the request of the City of Davenport to amend Chapter 17.08 entitled "Uses" of the Municipal Code of Davenport, Iowa by updating the billboard definition and principal use standards. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

Billboard Moratorium

Recent billboard installations have spurred conversations and questions regarding how to best regulate electronic and static billboards. At its December 13, 2023 meeting, City Council approved a moratorium upon new billboards until June 13, 2024. The purpose of the six-month moratorium was to allow time to study best practices throughout the country and to review potential code amendments. There are currently 73 billboards scattered throughout Davenport's commercial corridors, industrial parks, and downtown.

Plan and Zoning Commission

At its April 16, 2024 meeting, the Plan and Zoning Commission unanimously recommended Case ORD24-02 be forwarded to the City Council with a recommendation for approval subject to the proposed amendments and findings.

Findings

1. The proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.
2. The proposed amendment promotes the public health, safety, and welfare of the City.
3. The proposed amendment is consistent with the intent and general regulations of the Zoning Ordinance.
4. The amendment reflects a change in policy and development trends.
5. The amendment will create additional non-conformities.

Proposed Ordinance Amendment

Based on input from City Council, the Plan and Zoning Commission, and the public, staff has identified a common concern regarding the regulation of electronic billboards. To address these concerns, staff is proposing an Ordinance amendment to better manage the placement and brightness of digital billboards. The attached ordinance amendment creates a set of general billboard regulations, applicable to billboards throughout the City. Separate standards are then

proposed for static and electronic billboards. The regulations for static billboards remain consistent with the current code requirements for distance separation, sign area, setbacks from residential districts, and number of faces allowed per structure. Given the growing concern over electronic billboards, a more restrictive set of requirements is proposed.

Existing nonconforming billboards and those made nonconforming by this ordinance amendment are subject to Section 17.15. The City is not ordering the removal of any billboards with the passage of this ordinance. However, electronic billboards shall comply with the proposed brightness regulations.

The following table outlines identified issues with existing billboards and proposed regulations designed to mitigate these concerns.

#	Identified Concern	Proposed Regulation
1	The C-2 Corridor Commercial District has no principal use setbacks.	Establish a standardized minimum setback of 25-feet from lot lines. A standard setback will preserve required landscaping and greenspace.
2	Commercial corridors in Davenport are over-signed.	Prohibit electronic billboards from the C-2 Corridor Commercial District.
3	Electronic billboards are visible from greater distances than traditional static billboards. Therefore, multiple electronic billboards may be visible from one location.	Increase separation distances between electronic billboards from 1,500 feet to 3,000 feet.
4	The scale and intensity of electronic billboards have greater impacts than static signs.	Limit the maximum advertising area of electronic billboards to 400 square feet, instead of 672 square feet.
5	Billboards detract from the character of residential neighborhoods.	Increase the distance electronic billboards can be constructed from residential districts from 150 feet to 600 feet.
6	Multiple electronic displays on a single structure create potential traffic safety issues.	Reduce the number of electronic billboards on a structure from 4 to 2. Allow only 1 electronic billboard to be visible from any one street direction.
7	The intensity and brightness of billboards creates a distraction for motorists and a nuisance to abutting properties.	Establish lighting requirements for static and electronic billboards to prevent glare and distraction to motorists and neighboring properties. Regulate the brightness of electronic billboards to require a dimming capability for changes in ambient light.

Public Input

A notice of Public Hearing was published in the *Quad-City Times* informing the community of the April 2, 2024 Plan and Zoning Commission Public Hearing. No members of the public were in attendance at the Public Hearing. City staff has been communicating with several billboard companies regarding the potential Ordinance amendments. A representative from Huntington

Billboard Company attended the April 16, 2024 Plan and Zoning Commission meeting and stated the proposed regulations appear to be minor.

Attachments:

1. Ordinance
2. Billboard Moratorium
3. Map of Existing Billboard Locations
4. Plan & Zoning Commission Staff Report 4-16-24
5. Zoning Ordinance-Billboard Regulations
6. Proposed Billboard Regulations-Plan & Zoning Commission Meeting 4-16-2024

ORDINANCE NO. _____

AN ORDINANCE FOR CASE ORD24-02 BEING THE REQUEST OF THE CITY OF DAVENPORT TO AMEND CHAPTER 17.08 ENTITLED "USES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY UPDATING THE BILLBOARD DEFINITION AND PRINCIPAL USE STANDARDS.

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

Section 1. That Subsection 17.08.030(E) entitled "Principal use standards" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

E. Billboard

1. General regulations for billboards:

- a. Billboard structures are prohibited if visible from an interstate highway.
- b. Billboard structures are prohibited on properties listed on the Davenport Register of Historic Places.
- c. Billboards are prohibited within required landscaping areas, as outlined in Section 17.11.
- d. The maximum height of a billboard is 45 feet.
- e. Billboards shall be setback a minimum of 25 feet from lot lines.
- f. Billboard distance separation shall be measured from the closest points of each billboard structure. This is measured in a straight line along either side of the right-of-way of the street.

2. The following additional standards apply to static billboards:

- a. All static billboards must be separated by a minimum distance of 1,500 feet.
- b. The maximum sign area of a static billboard is 672 square feet plus an extension area from the single continuous perimeter not to exceed 153 square feet.
- c. Billboards with a sign area of up to 300 square feet must be a minimum of 100 feet from any residential district. Billboards with a sign area of over 300 square feet must be a minimum of 150 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.
- d. Up to four static billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than two static billboard sign faces can be visible from any one street direction.
- e. Any billboard illumination shall be designed, located, shielded, and directed to prevent

the casting of glare or direct light upon roadways and surrounding properties, and prevent the distraction of motor vehicle operators or pedestrians in the public right-of-way.

3. The following additional standards apply to electronic billboards:
- a. Electronic billboards are prohibited in the C-2 Corridor Commercial District.
 - b. All electronic billboards must be separated by a minimum distance of 3,000 feet.
 - c. The maximum sign area of an electronic billboard is 400 square feet.
 - d. Electronic billboards shall be a minimum of 600 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.
 - e. Up to two electronic billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than one electronic billboard sign face can be visible from any one street direction.
 - f. Electronic billboards cannot change more than once every eight seconds. Static images with no animation are required and the transition from one image to the next must occur in one second or less.
 - g. An electronic display must contain a default mechanism to show a "full black" image or turn the sign off in case of malfunction, or must be manually turned off within 12 hours of a reported malfunction.
 - h. The maximum brightness is limited to 5,000 nits when measured from the billboard's face at its maximum brightness, during daylight hours, and 200 nits when measured from the billboard's face at its maximum brightness between dusk and dawn, i.e., the time of day between sunset and sunrise. The billboard must have an ambient light meter and automatic or manual dimmer control that produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise. All existing billboards shall meet the maximum brightness provision within twelve months of the adoption of the ordinance.

Section 2. That Section 17.08.050 entitled "Use definitions" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

Billboard. A permanent sign directing attention to a specific business, product, service, entertainment event, activity, or other commercial activity that is not sold, produced, manufactured, furnished, or conducted at the property upon which the sign is located. Static billboards display a fixed advertisement face, where the face is not changeable within seconds or minutes, but where a change of face have to be re-erected and affixed to the structure. Electronic billboards are digital displays that can be changed within seconds or minutes by a remote or automatic means.

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

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

are hereby repealed.

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Resolution No. 2023-513

Resolution offered by Alderman Gripp.

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

RESOLUTION placing a moratorium upon new billboard construction until June 13, 2024.

WHEREAS, the City of Davenport regulates the uses and special uses of its zoning districts; and

WHEREAS, recent billboard installation has spurred additional conversations and questions on how to best regulate electronic and static billboards; and

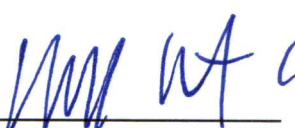
WHEREAS, the City of Davenport wishes to study the best practices around the country; and

WHEREAS, this six-month period would allow time for code amendments to be vetted and proposed for adoption.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa that a moratorium is hereby imposed upon new billboard construction until June 13, 2024.

Passed and approved this 13th day of December, 2023.

Approved:



Mike Matson
Mayor



Attest:



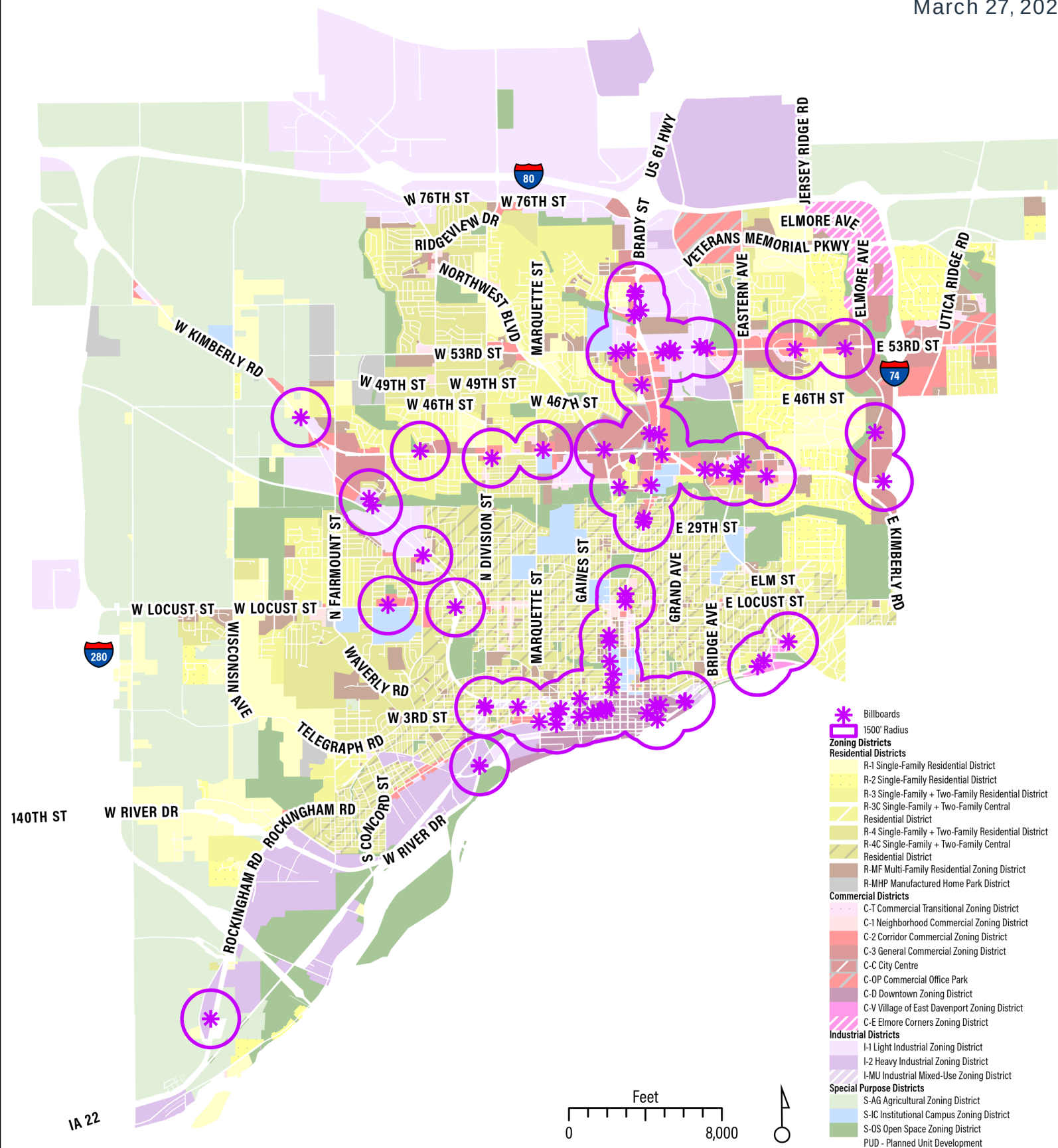
Brian Krup
Deputy City Clerk



Billboard Map

Locations and Buffer

March 27, 2024



City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
4/16/2024

Subject:

Case ORD24-02: Request of The City of Davenport to amend Section 17.08 of the Zoning Ordinance regarding billboard regulations. [All Wards]

Recommendation:

Staff recommend the Plan & Zoning Commission forward Case ORD24-02 to the City Council with a recommendation for approval, subject to the proposed amendments and findings.

Findings:

1. The proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.
2. The proposed amendment promotes the public health, safety, and welfare of the City.
3. The proposed amendment is consistent with the intent and general regulations of the Zoning Ordinance.
4. The amendment reflects a change in policy and development trends.
5. The amendment will create additional nonconformities.

Background:

Billboard Moratorium:

Recent billboard installations have spurred conversations and questions regarding how to best regulate electronic and static billboards. At its December 13, 2023 meeting, City Council approved a moratorium upon new billboards until June 13, 2024. The purpose of the six-month moratorium was to allow time to study best practices throughout the country and to review potential code amendments. There are currently 73 billboards scattered throughout Davenport's commercial corridors, industrial parks, and the downtown.

Proposed Ordinance Amendment:

Based on input from City Council, the Plan and Zoning Commission, and the public, staff have identified a common concern regarding the regulation of electronic billboards. To address these concerns, staff is proposing an ordinance amendment to better manage the placement and brightness of digital billboards. The attached ordinance amendment creates a set of general billboard regulations, applicable to billboards throughout the City. Separate standards are then proposed for static and electronic billboards. The regulations for static billboards remain consistent with the current code requirements for distance separation, sign area, setbacks from residential districts, and number of faces allowed per structure. Given the growing concern over electronic billboards, a more restrictive set of requirements is proposed.

Existing nonconforming billboards and those made nonconforming by this ordinance amendment are subject to Section 17.15. The City is not ordering the removal of any billboards

with the passage of this ordinance. However, electronic billboards shall comply with the proposed brightness regulations.

The following table outlines identified issues with existing billboards and proposed regulations designed to mitigate these concerns.

#	Identified Concern	Proposed Regulation
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Approval Standards for Text Amendments

1. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
2. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
3. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.
4. Whether the proposed amendment corrects an error or omission, adds clarification to

existing requirements, or reflects a change in policy or change in development trends or technology.

5. The extent to which the proposed amendment creates nonconformities.

Public Input:

A Notice of Public Hearing was published in the Quad City Times informing the community of the April 2, 2024 Plan and Zoning Commission Public Hearing. No members of the public were in attendance at the public hearing. City Staff have been communicating with several billboard companies regarding the potential ordinance amendments. Staff will apprise the Commission of any correspondence at the April 16, 2024 Plan and Zoning Commission Public Hearing.

Attachments:

1. Billboard Moratorium
2. Map of Existing Billboard Locations
3. Zoning Ordinance-Billboard Regulations
4. Proposed Billboard Regulations-Plan & Zoning Commission Meeting 4-16-2024

CHAPTER 17.08.	USES
Section 17.08.010	General Use Regulations
Section 17.08.020	Use Matrix
Section 17.08.030	Principal Use Standards
Section 17.08.040	Temporary Use Standards
Section 17.08.050	Use Definitions

Section 17.08.010 General Use Regulations

- A.** No structure or land may be used or occupied unless allowed as a permitted or special use within the zoning district.
- B.** All uses must comply with any applicable federal and state requirements, and any additional federal, state, or city ordinances.
- C.** Any use that is not included in the use matrix and cannot be interpreted as part of a use within the matrix is prohibited in all districts.
- D.** A site may contain more than one principal use, so long as each principal use is allowed in the district. Each principal use is approved separately. In certain cases, uses are defined to include ancillary uses that provide necessary support and/or are functionally integrated into the principal use.
- E.** All uses must comply with the use standards of Section 17.08.030, as applicable, as well as all other regulations of this Ordinance and the City.

Section 17.08.020 Use Matrix

- A.** Table 17.08-1: Use Matrix identifies the principal and temporary uses allowed within each zoning district. Cells are color-coded for ease of review only; the letter indicated in the cell controls over any errors in color-coding.
- B.** Uses allowed in the R-3 and R-3C Districts are those listed in Table 17.08-1 for the R-3 District. Uses allowed in the R-4 and R-4C Districts are those listed in Table 17.08-1 for the R-4 District.
- C.** P indicates that the use is permitted by-right in the district. S indicates that the use is a special use in the district and requires special use approval. If a cell is blank, the use is not allowed in the district.
- D.** In the case of temporary uses, a T indicates the temporary use is allowed in the district and may require approval of a temporary use permit per the standards of Section 17.08.040.
- E.** For accessory uses, see Chapter 17.09.
- F.** See Section 17.04.020 for additional use restrictions in the R-3, R-3C, R-4, and R-4C Districts.
- G.** See Section 17.05.020 for additional use restrictions in the C-V District.

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Adult Use																S	S					Sec. 17.08.030.A
Agriculture																			P			
Amusement Facility - Indoor									P	P	P		P	P	P	P		P				
Amusement Facility - Outdoor										S	S				S	P		S				
Animal Care Facility - Large Animal																			P			
Animal Care Facility - Small Animal							S	S	P	P	P		S	S	P	P		P	P			Sec. 17.08.030.B
Animal Breeder																			P			Sec. 17.08.030.B
Art Gallery							P	P	P	P	P		P	P	P			P				
Arts and Fitness Studio							P	P	P	P	P		P	P	P			P				
Bar									P	P	P		P	P	P			P				
Bar – Neighborhood								P														Sec. 17.08.030.C
Bed and Breakfast	S	S	S	S	S														P			Sec. 17.08.030.D
Billboard									P	P						P	P					Sec. 17.08.030.E
Body Modification Establishment								P	P	P	P		P		P			P				
Broadcasting Facility TV/Radio								P	P	P		P	P	P	P	P	P	P			P	
Campground																			S	P		Sec. 17.08.030.F
Car Wash									P	P					S			P				Sec. 17.08.030.G
Casino															P							
Cemetery																				P		
Children's Home					P				P	P					P			S			P	Sec. 17.08.030.H
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Community Center	P	P	P	P	P		P	P	P	P	P		P	P	P			P	P	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.I
Conservation Area																			P	P		
Country Club																				P		
Cultural Facility							P	P	P	P	P		P	P	P			P		P	P	
Day Care Center					P		P	P	P	P	P	P	P	P	P	S		P			P	Sec. 17.08.030.J
Day Care Home	P	P	P	P	P														P			Sec. 17.08.030.K
Drive-Through Facility									P	P	S		S		P	P	P					Sec. 17.08.030.K
Drug/Alcohol Treatment Facility, Residential									S	S					S			S			S	Sec. 17.08.030.L
Drug Treatment Clinic									S	S					S			S			S	Sec. 17.08.030.L
Domestic Violence Shelter					P			P	P	P					P			P			P	Sec. 17.08.030.H
Dwelling - Accessory Dwelling Unit	P	P	P	P																		Sec. 17.08.030.M
Dwelling - Manufactured Home						P													S			Sec. 17.08.030.N

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Dwelling - Multi-Family					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.O	
Dwelling - Townhouse					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.P	
Dwelling - Single-Family	P	P	P	P	P		P	P	P					P								Sec. 17.08.030.P	
Dwelling - Single-Family Semi-detached		P	P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (Conversion)					P		P	P	P					P								Sec. 17.08.030.P	
Educational Facility - Primary or Secondary	P	P	P	P	P																P		
Educational Facility - University or College										P	P	P	P		P						P		
Educational Facility - Vocational							S	S	S	P	P	P	P	S	P	P	P	P			P		
Equine Keeping/Equestrian Facility	P																		P			Sec. 17.08.030.Q	
Fairground																			S	S	P		
Financial Institution							P	P	P	P	P	P	P	P	P			P					
Financial Institution, Alternative									S	S					S			P				Sec. 17.08.030.R	
Food Bank																P	P	P					
Food Pantry									P	S					S			S					
Funeral Home							S	S	S	P					P			P					
Gas Station								S	P	P	S				P	P	P	P				Sec. 17.08.030.S	
Golf Course/Driving Range																				P			
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P	P		P	P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Greenhouse/Nursery - Retail										P					P			P	S				
Group Home	P	P	P	P	P																	Sec. 17.08.030.T	
Halfway House									S	S					S			S			S	Sec. 17.08.030.L	
Healthcare Institution																					P		
Heavy Rental and Service																P		P					
Heavy Retail										S					S	P		P					
Homeless Shelter									S	S					S			S			S	Sec. 17.08.030.L	
Hotel									P	P	P	P	P	S	P			P					
Industrial - General																	P						
Industrial - Light												P				P	P	P					
Industrial Design								P	P	P		P	P		P	P	P	P					
Live Performance Venue										P	P		P	P	P	P		P					

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.U	
Manufactured Home Park						P																	
Medical/Dental Office							P	P	P	P	P	P	P	P	P			P			P		
Micro-Brewery/Distillery/Winery									P	P	P		P	P	P	P		P					
Neighborhood Commercial Establishment		S	S	S	S																	Sec. 17.08.030.V	
Office							P	P	P	P	P	P	P	P	P	P	P	P			P		
Outdoor Dining							P	P	P	P	P	P	P	P	P	P	P	P			P	Sec. 17.08.030.W	
Parking Lot (Principal Use)								S	S	S	S	S	S	S	S	P	S	S			P	Chapter 17.10	
Parking Structure (Principal Use)								S	S	P	P	P	S	S	P			P			P	Chapter 17.10	
Personal Service Establishment							P	P	P	P	P	P	P	P	P	P		P			P		
Place of Worship	P	P	P	P	P		S	S	P	P	P		P	P	P	P			P		P		
Private Recreation Facility								P	P	P	P	P	P	P	P	P		P			P		
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Public Works Facility												P				P	P	P	P		P		
Reception Facility	S	S	S	S				S	S	P	P		S	S	P			P	S			Sec. 17.08.030.X	
Recreational Vehicle (RV) Park																			S	S		Sec. 17.08.030.F	
Research and Development												P				P	P	P			P		
Residential Care Facility					P		P	P	P	P	P	P	P		P	P		P			P	Sec. 17.08.030.Y	
Restaurant								P	P	P	P	P	P	P	P	P	P	P		P	P		
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P	P			P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Retail Alcohol Sales									P	P	S		S		P	P							
Retail Sales of Fireworks																P	P					Sec. 17.08.030.Z	
Salvage Yard																	S						
Self-Storage Facility: Enclosed									S	S					P	P	P	P				Sec. 17.08.030.AA	
Self-Storage Facility: Outdoor																P	P	S				Sec. 17.08.030.AA	
Social Service Center									P	P					P			P			P		
Solar Farm												P				P	P		S		P	Sec. 17.08.030.BB	
Specialty Food Service								P	P	P	P		P	P	P	P		P					
Storage Yard - Outdoor																P	P					Sec. 17.08.030.CC	
Truck Stop																P	P						
Vehicle Dealership - Enclosed										P		S	P		P	S		P					
Vehicle Dealership - With Outdoor Storage/Display										S					S	S		P					

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Vehicle Operation Facility																P	P				P	
Vehicle Rental - Enclosed										P		S	P		P	S		P				
Vehicle Rental - With Outdoor Storage/Display										S					S	S		P				
Vehicle Repair/Service - Major										S						P	P	S				Sec. 17.08.030.DD
Vehicle Repair/Service - Minor									P	P					P	P	P	S				Sec. 17.08.030.DD
Warehouse																P	P					
Wholesale Establishment																P	P	S				
Wind Energy System												S				S	S		S		S	Sec. 17.08.030.EE
Wine Bar								S	P	P	P		P	P	P			P				
Winery																			S			
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF
Wireless Telecommunications - Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF
Wireless Telecommunications - DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF
Wireless Telecommunications - DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Farmers' Market					T		T	T	T	T	T	T	T	T	T			T	T	T	T	Sec. 17.08.040.A
Real Estate Project Sales Office/Model Unit	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T	T	T			T	Sec. 17.08.040.B
Temporary Cell On Wheels (COW)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.C
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.D
Temporary Outdoor Entertainment	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T	T	T	Sec. 17.08.040.E
Temporary Outdoor Sales (No Fireworks Stand)	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T		T	Sec. 17.08.040.F
Temporary Outdoor Sales - Fireworks Stand Only																T	T					Sec. 17.08.040.G
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.H

Section 17.08.030 Principal Use Standards

Where applicable, principal uses are required to comply with all use standards of this section, whether a permitted or special use, in addition to all other regulations of this Ordinance.

E. Billboard

1. Billboard locational restrictions are as follows:
 - a. Billboard structures are prohibited if visible from an interstate highway.
 - b. Billboard structures are prohibited on properties listed on the Davenport Register of Historic Places.
 - c. Billboards with a sign area of up to 300 square feet must be a minimum of 100 feet from any residential district. Billboards with a sign area of over 300 square feet must be a minimum of 150 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.
2. The maximum sign area of a billboard is 672 square feet plus an extension area from the single continuous perimeter not to exceed 153 square feet.
3. The maximum height of a billboard is 45 feet.
4. Billboards must meet principal building setbacks.
5. All billboards must be separated by a minimum distance of 1,500 feet.
6. Up to four billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than two billboard sign faces can be visible from any one street direction.
7. Billboards are permitted to be electronic billboards but must comply with the following:
 - a. Electronic billboards cannot change more than once every eight seconds. Static images with no animation are required and the transition from one image to the next must occur in one second or less.
 - b. An electronic display must contain a default mechanism to show a "full black" image or turn the sign off in case of malfunction, or must be manually turned off within 12 hours of a reported malfunction.

Section 17.08.050 Use Definitions

All uses within Table 17.08-1 are defined in this section. Certain uses are defined to be inclusive of many uses. When a use meets a specific definition, it is regulated as such and is not regulated as part of a more inclusive use category.

Billboard. A permanent sign directing attention to a specific business, product, service, entertainment event, activity, or other commercial activity that is not sold, produced, manufactured, furnished, or conducted at the property upon which the sign is located.

**Proposed Billboard Regulations
Plan & Zoning Commission Meeting 4-16-2024**

Section 17.08.050 Definition of General Terms

Billboard. A permanent sign directing attention to a specific business, product, service, entertainment event, activity, or other commercial activity that is not sold, produced, manufactured, furnished, or conducted at the property upon which the sign is located. Static billboards display a fixed advertisement face, where the face is not changeable within seconds or minutes, but where a change of face have to be re-erected and affixed to the structure. Electronic billboards are digital displays that can be changed within seconds or minutes by a remote or automatic means.

Section 17.08.030 Principal Use Standards

E. Billboard

1. General regulations for billboards:
 - a. Billboard structures are prohibited if visible from an interstate highway.
 - b. Billboard structures are prohibited on properties listed on the Davenport Register of Historic Places.
 - c. Billboards are prohibited within required landscaping areas, as outlined in Section 17.11.
 - d. The maximum height of a billboard is 45 feet.
 - e. Billboards shall be setback a minimum of 25 feet from lot lines.
 - f. Billboard distance separation shall be measured from the closest points of each billboard structure. This is measured in a straight line along either side of the right-of-way of the street.
2. The following additional standards apply to static billboards:
 - a. All static billboards must be separated by a minimum distance of 1,500 feet.
 - b. The maximum sign area of a static billboard is 672 square feet plus an extension area from the single continuous perimeter not to exceed 153 square feet.
 - c. Billboards with a sign area of up to 300 square feet must be a minimum of 100 feet from any residential district. Billboards with a sign area of over 300 square feet must be a minimum of 150 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.
 - d. Up to four static billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than two static billboard sign faces can be visible from any one street direction.
 - e. Any billboard illumination shall be designed, located, shielded, and directed to prevent the casting of glare or direct light upon roadways and surrounding properties, and prevent the distraction of motor vehicle operators or pedestrians in the public right-of-way.
3. The following additional standards apply to electronic billboards:
 - a. Electronic billboards are prohibited in the C-2 Corridor Commercial District.
 - b. All electronic billboards must be separated by a minimum distance of 3,000 feet.
 - c. The maximum sign area of an electronic billboard is 400 square feet.
 - d. Electronic billboards shall be a minimum of 600 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.
 - e. Up to two electronic billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than one electronic billboard sign face can be visible from any one street direction.
 - f. Electronic billboards cannot change more than once every eight seconds. Static images with no animation are required and the transition from one image to the next must occur in one second or less.

- g. An electronic display must contain a default mechanism to show a "full black" image or turn the sign off in case of malfunction, or must be manually turned off within 12 hours of a reported malfunction.
- h. The maximum brightness is limited to 5,000 nits when measured from the billboard's face at its maximum brightness, during daylight hours, and 200 nits when measured from the billboard's face at its maximum brightness between dusk and dawn, i.e., the time of day between sunrise and sunset. The billboard must have an ambient light meter and automatic or manual dimmer control that produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise.

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Laura Berkley | 563-888-3553

Action / Date
5/8/2024

Subject:

Resolution approving Case F23-12 being the request of Orville J. Birkestrand for a final plat of Daniel Churchill's 2nd Addition, a 2-lot subdivision on 0.40 acres located at 1203 Jersey Ridge Road. [Ward 5]

Recommendation:

Adopt the Resolution.

Background:

The property owner submitted a final plat to subdivide the 0.40 acre tract of land at the northeast corner of Jersey Ridge Road and Fulton Avenue. The site is currently a commercial building and a single-family home in the C-V Village of East Davenport District. The intent is to create two lots that separate the commercial building from the single-family home.

The Plan and Zoning Commission reviewed Case F23-14 at its September 5, 2023 meeting and has recommended approval subject to the listed findings and conditions:

Findings

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

Conditions

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. That Fulton Street shall be changed to Fulton Avenue.
4. That the buildings shall comply with the 2015 IBC/IRC exterior wall fire ratings.

Comprehensive Plan

Within Existing Urban Service Area: Yes
Within Urban Service Area 2035: Yes

Future Land Use Designation

The subject property is designated as **Commercial Node (CN)** in the Davenport +2035 Future Land Use Map. This land use category is 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 in 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.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.
The proposed Final Plat complies with the Davenport +2035 proposed land use section.

Zoning

The subject property is zoned **C-V Village of East Davenport District**. This district is intended to ensure that new development in the Village of East Davenport is compatible with the unique cultural and historic character of the area.

Technical Review

1. Zoning: The proposed lots comply with dimensional standards. The setback on the east property line of Lot 2 is legal non-conforming. There are no minimum lot area or minimum lot width requirements in the C-V District.
2. Streets: No new streets are proposed. An access easement will be established in order to allow for off-street parking for Lot 2 in the parking lot of Lot 1.
3. Storm Water: No new development is proposed with this subdivision.
4. Sanitary Sewer: The lots are serviced by existing mains on Jersey Ridge Road and Fulton Avenue.
5. Other Utilities: Other normal utility services are available.
6. Building: When existing buildings are legally separated, they must adhere to the 2015IBC/IRC for the location on the lot and exterior wall fire ratings. Currently, the buildings are too close together and require exterior wall fire rating before the lots can be separated.
7. Parks/Open Space: There are no impacts to parks/open space.

Public Input

A Public Hearing and notification are not required for a final plat.

Attachments:

1. Resolution
2. Final Plat
3. Maps
4. Application

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION approving Case F23-12 being the request of Orville J. Birkestrand for a final plat of Daniel Churchill's 2nd Addition, a 2-lot subdivision on 0.40 acres located at 1203 Jersey Ridge Road.

WHEREAS, the Plan & Zoning Commission reviewed Case F23-12 at the September 5, 2023 regularly scheduled meeting with a recommendation for approval subject to the following conditions:

1. The surveyor signs the plat;
2. The utility providers sign the plat when their easement needs have been met;
3. Fulton Street shall be changed to Fulton Avenue;
4. The buildings shall comply with the 2015 IBC/IRC exterior wall fire ratings; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the final plat of Daniel Churchill's 2nd Addition, an addition to the City of Davenport, Scott County, Iowa as filed with the City Clerk, by Orville J. Birkestrand, be and the same is hereby approved and accepted; and the dedication for public street purposes and the granting of easements as shown on said plat are accepted and confirmed by the Mayor and Deputy City Clerk of said City; and

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

Passed and approved this 8th day of May, 2024.

Approved:

Attest:

Mike Matson
Mayor

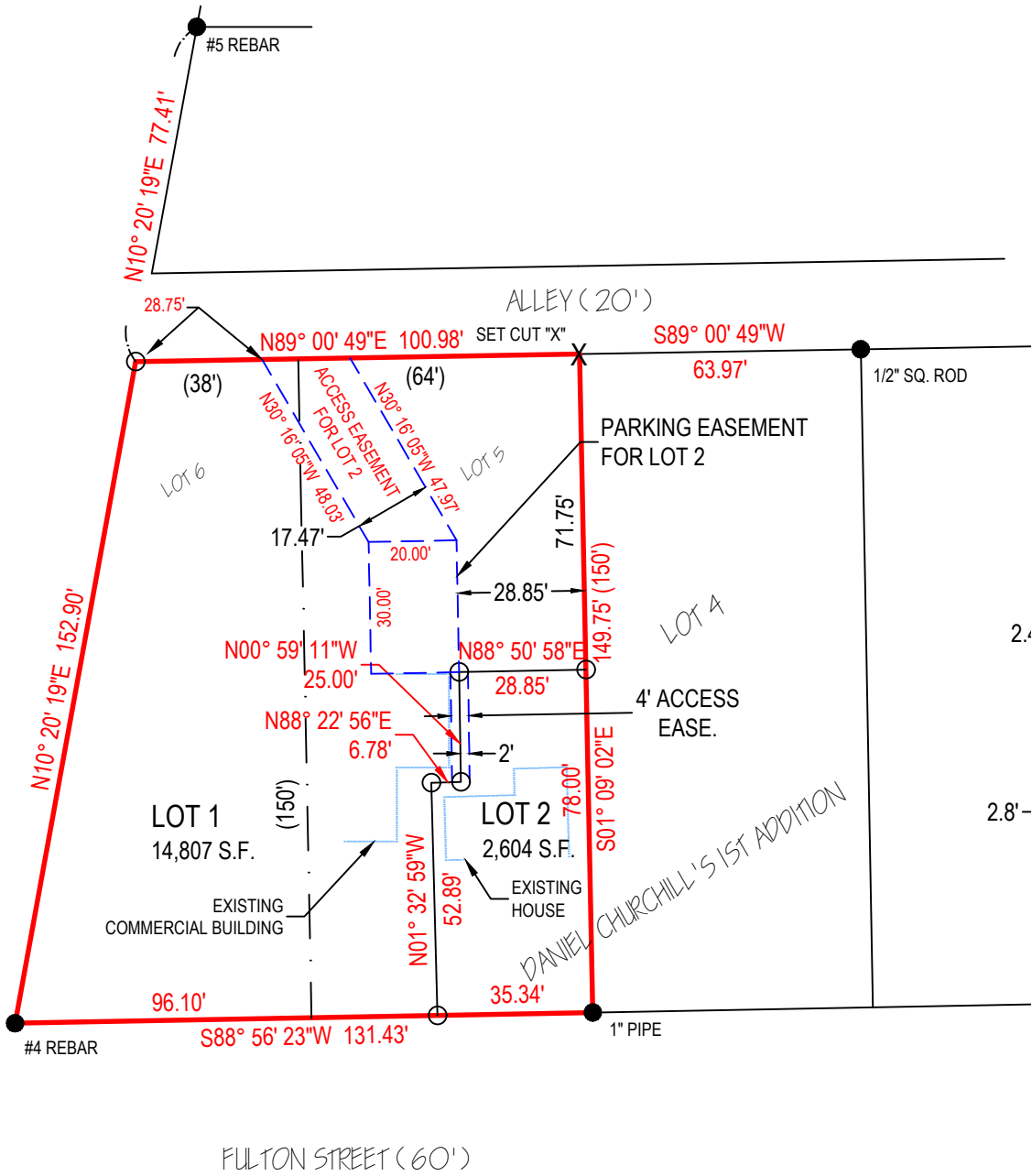
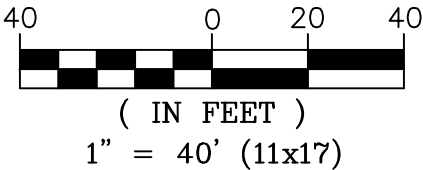
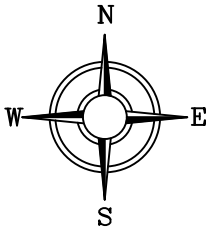
Brian Krup
Deputy City Clerk

FINAL PLAT

DANIEL CHURCHILL'S 2ND ADDITION

BEING A REPLAT OF LOTS 5 AND 6 IN DANIEL CHURCHILL'S 1ST ADDITION TO THE CITY OF DAVENPORT, IOWA, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT COUNTY, IOWA.

1. Owner:
Orville J. Birkestrand
10 Oak Lane
Davenport, Iowa 52803
2. Engineer:
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
3. Surveyor:
Jerry D. Rogers
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
4. Attorney:
Marc Gellerman
1987 Spruce Hills Drive
Bettendorf, Iowa 52722
(563) 359-3646



NOTES:

1. MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
2. ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
3. COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.
4. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.
5. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DAVENPORT STANDARD SPECIFICATIONS.
6. BLANKET EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
7. THE SUBJECT PROPERTY IS ZONED C-V, COMMERCIAL DISTRICT.
8. NO PORTION OF THE SUBDIVISION IS LOCATED WITHIN THE FEMA DETERMINED SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS SHOWN ON FLOOD INSURANCE RATE MAPS #19163C0370G EFFECTIVE DATE MARCH 23, 2021.
9. NO SITE DEVELOPMENT IS PROPOSED WITH THIS SUBDIVISION.
10. STORMWATER DETENTION AND WATER QUALITY TREATMENT WILL NOT BE REQUIRED FOR THIS SUBDIVISION BUT WILL BE REQUIRED UPON FURTHER DEVELOPMENT OF THE PROPERTY.
11. RESIDENTIAL GARBAGE PICK UP IS PROVIDED ALONG FULTON STREET, COMMERCIAL GARBAGE IS PROVIDED BY PRIVATE SERVICE

LEGEND:

- DEED DIMENSION = (0.00')
- FIELD DIMENSION = 0.00'
- MONUMENTS FOUND:
- AS NOTED =
- MONUMENTS SET:
- #5 REBAR W/ PINK CAP #8860 =
- BOUNDARY LINE =
- FENCE LINE =
- EASEMENT LINE =
- SETBACK LINE=
- LOT LINE=

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

APPROVAL SIGNATURES:

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

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.

JERRY D. ROGERS

Iowa License Number: 8860

My license renewal date is December 31, 2023

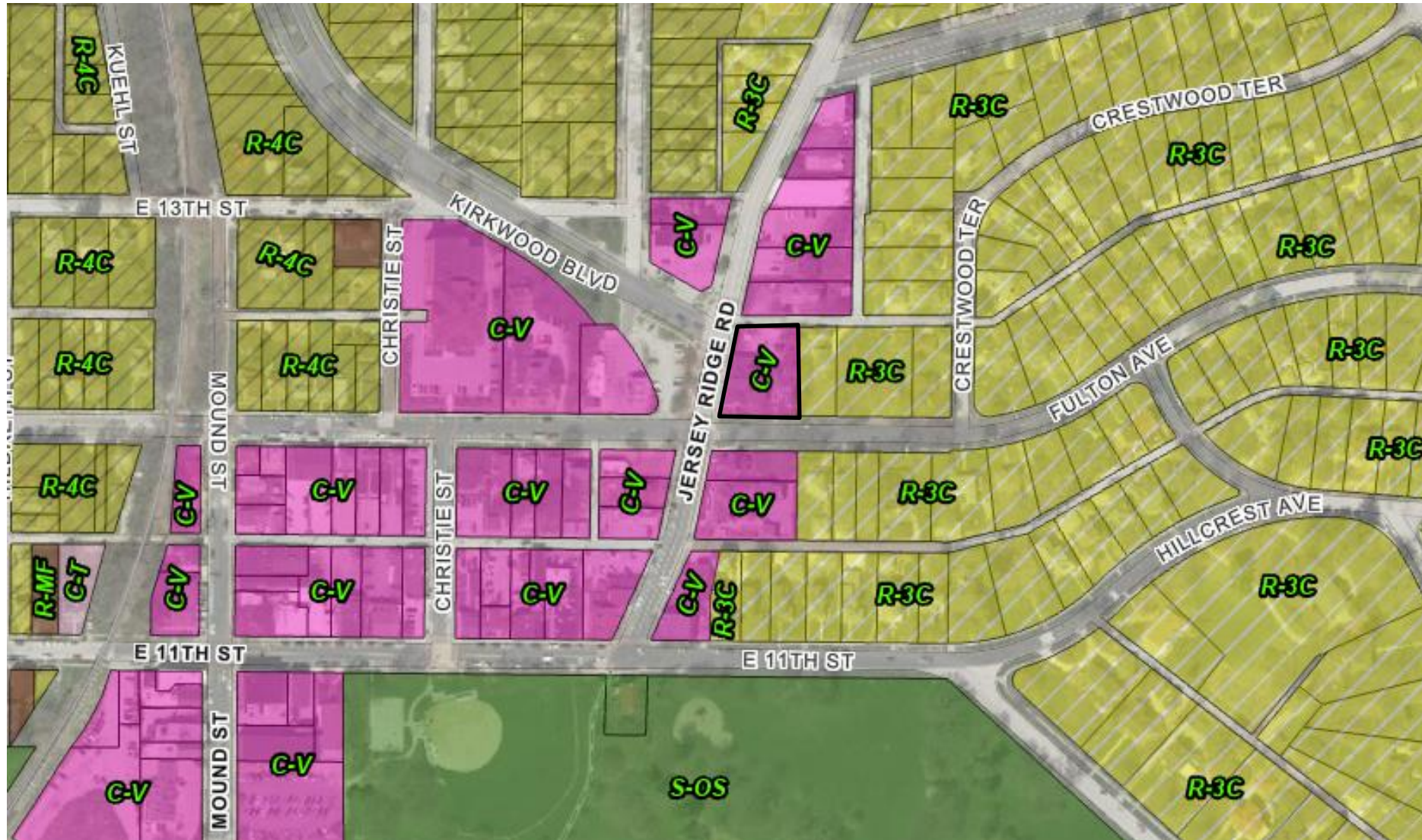
Pages or sheets covered by this seal: 1

Vicinity Map

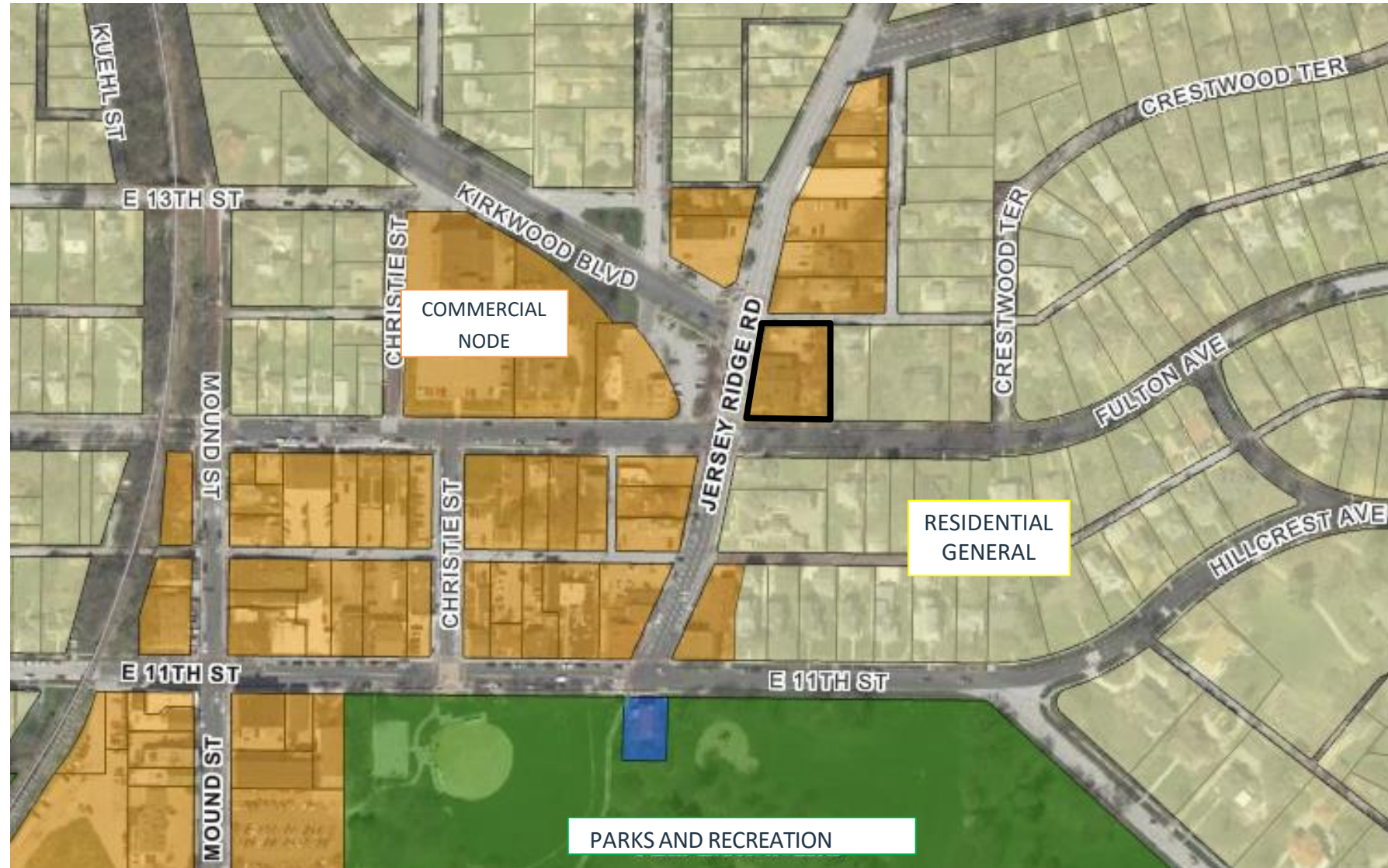
DAVENPORT
IOWA | USA



Zoning Map



Future Land Use Map





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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
SUBDIVISION PLAT
(LAND DIVISION)

APPLICANT INFORMATION

Applicant Name

Orville J. Birkestrand

Address

10 Oak Lane

City | State | Zip

Davenport, IA 52803

Phone

(309) 721-1400

Secondary Phone

E-Mail Address

ojbirkestrand@rabbittool.com

Acceptance of Applicant

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

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

Orville J. Birkestrand
Print Applicant's Name

Orville J. Birkestrand
Applicant's Signature

Date

SUBDIVISION NAME

Daniel Churchill's 2nd Addition

LOCATION DESCRIPTION

1203 Jersey Ridge Rd.

SUBMITTED

08/09/2023

NUMBER OF LOTS BY USE TYPE

2 - S.F.

ACRES

0.40

STREETS ADDED

0

PLAT TYPE SUBMITTED:

PRELIMINARY PLAT: \$16.16 Requirements ☒

FINAL PLAT: \$16.20 Requirements ☐

PRELIMINARY PLAT REQUIREMENTS:

Preliminary Plat ☒

Contours (2') & Infrastructure (pre/post) ☒

FINAL PLAT REQUIREMENTS:

Platting Certificates per §354.11 State Code ☐

Final Plat ☐

GENERAL REQUIREMENTS:

Authorization to Act as Applicant, if needed ☐

Application Fee (REQUIRED) ☐

Subdivision Platting Fee Schedule

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

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

DEVELOPMENT TEAM

Developer / Project Manager

OJ Birkestrand

Address

10 Oak Lane, Davenport, IA 52803

Phone

(309) 721-1400

Secondary Phone

E-Mail Address

ojbirkestrand@rabbittool.com

Owner

Orville J Birkestrand

Address

10 Oak Lane, Davenport, IA 52803

Phone

(309) 721-1400

Secondary Phone

E-Mail Address

ojbirkestrand@rabbittool.com

Engineer

Townsend Engineering

Address

2224 East 12th Street, Davenport, IA 52803

Phone

(563) 386-4236

Secondary Phone

E-Mail Address

kevin@townsendengineering.net

Attorney

Marc Gellerman, 1987 Spruce Hills Dr., Bettendorf, IA

Address

Marc Gellerman, 1987 Spruce Hills Dr., Bettendorf, IA

Phone

(563) 359-3646

Secondary Phone

E-Mail Address

Authorization to Act as Applicant

I/We, _____
[as property owner(s)]

authorize _____
[the above person(s)]

to act as applicant, representing me/us before the following board: Plan & Zoning Commission *

for the property located at _____.

Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

Notarization: _____

Date

State of _____,

County of _____,

Sworn and subscribed before me

[identification type]

this _____ day of _____, _____.

Notary Public

My Commission Expires:

** Application Form by Board Type*

Plan and Zoning Commission

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

Zoning Board of Adjustment

Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

Design Review Board

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

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

City of Davenport

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

Action / Date
5/8/2024

Subject:

Resolution of support for the submission of an application to the State of Iowa High Quality Jobs Program through a partial property tax exemption for the construction of a high-tech data center project (Vemerald LLC, Petitioner). [Ward 8]

Recommendation:

Adopt the resolution.

Background:

Vemerald LLC is seeking to construct a large high-tech data center campus within the Midwest and is in the process of due diligence on approximately 328 acres in Davenport, specifically the northwest corner of Hillandale Road and Enterprise Way. The project is seeking financial assistance through the State of Iowa High Quality Jobs Program, which is administered by the Iowa Economic Development Authority. As part of Vemerald's application to the State, the City is required to approve and provide a resolution of City support detailing the financial incentive. The company is working on a nationwide/midwest site selection effort.

Proposed Project Overview

- Minimum capital investment of \$800 million
- Construction of at least two data halls and ancillary buildings totaling approximately 715,000 square feet
- Employment of at least 50 new full-time employees at or above the High Quality Jobs wage rate for Scott County of \$28.76/hr with benefits
- Estimated assessed valuation of \$420 million
- The campus would be used for the remote storage, processing, and distribution of large amounts of data

The High Quality Jobs Program allows communities to provide a property tax exemption incentive to qualifying businesses that have a minimum investment (at least \$10 million) and create at least 31 jobs that meet/exceed county wage rates and benefits. The proposed project exceeds these minimums. The terms proposed for Vemerald LLC are a 60% property tax exemption for a period of 20 years. The annual estimated exemption is \$8,063,000 with a cumulative 20-year total estimated to be \$161 million.

The remaining 40% of property taxes that are generated will be distributed as regular property tax disbursements to the local taxing jurisdictions. This property tax revenue is estimated to be \$5,376,000 annually for a cumulative 20-year total of \$107 million. The annual property tax revenue for each taxing jurisdiction is shown in the table below:

Taxing	Est. Property Tax Revenue Year
---------------	---------------------------------------

Authority	1
City	\$2,537,000
County	\$900,000
School	\$1,734,000
Other	\$205,000
Total	\$5,376,000

Approval of this Resolution confirms the following:

1. City Council approval of City participation in the project with support of Vemerald LLC's High Quality Jobs Program application with a 60% property tax exemption for 20 years, estimated to be \$161 million; and
2. Authorizes the Mayor to sign the High Quality Jobs Program application and, pending approval of the project application by the Iowa Economic Development Authority Board, the associated High Quality Jobs contractual agreements for Vemerald LLC.

Attachments:

1. Resolution
2. Proposed Site
3. Summary Graphic

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION of support for the submission of an application to the State of Iowa High Quality Jobs Program through a partial property tax exemption for the construction of a state-of-the-art data center project (Vemerald LLC, Petitioner).

WHEREAS, the project will have a capital investment of at least \$800 million and involve the construction of at least two data hall facilities and ancillary buildings totaling approximately 715,000 square feet; and

WHEREAS, the project involves the creation of at least 50 full-time positions paying at least \$28.76 plus benefits; and

WHEREAS, the State of Iowa High Quality Jobs program allows for full or partial property tax exemption for up to 20 years for qualified projects; and

WHEREAS, the City of Davenport has negotiated a 60% property tax exemption for a period of 20 years for the data center project with an estimated 20-year total exemption of \$161 million; and

WHEREAS, the tax exemption programs, together with the other economic development programs of the City, have been used to assist projects which otherwise would not occur; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that Vemerald LLC is hereby fully supported in submitting an application to the State of Iowa High Quality Jobs Program through a partial tax exemption for the construction of a high-tech data center project, and the Mayor is hereby authorized to sign necessary documents.

Passed and approved this 8th day of May, 2024.

Approved:

Attest:

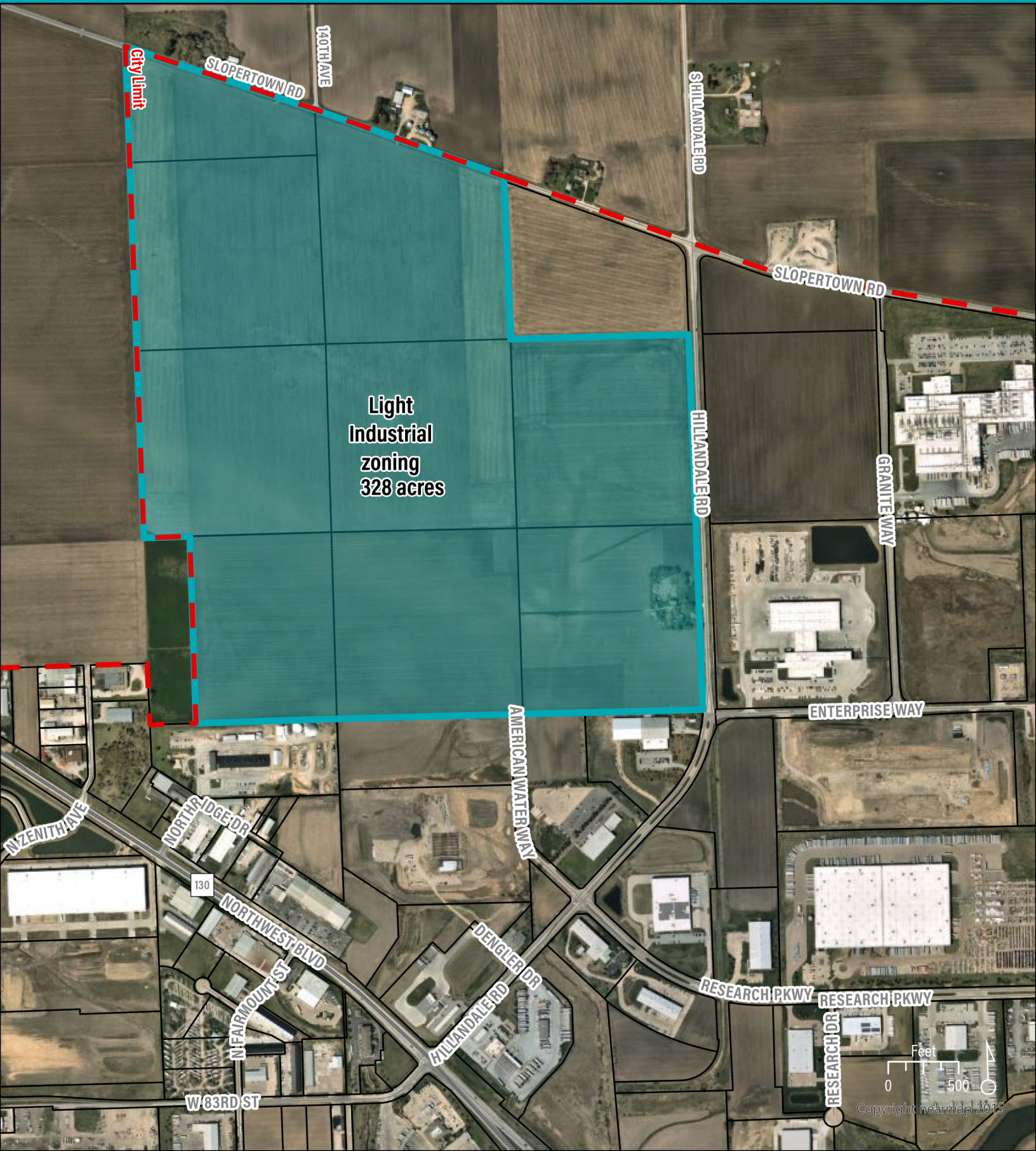
Mike Matson
Mayor

Brian Krup
Deputy City Clerk



THE CITY OF
DAVENPORT
IOWA | USA

Proposed Site

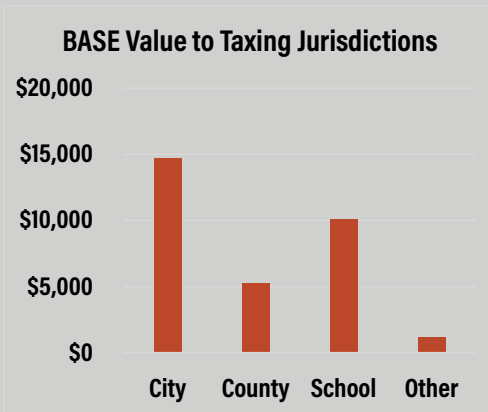




THE DATA CENTER PROJECT

CURRENT SITE | TODAY

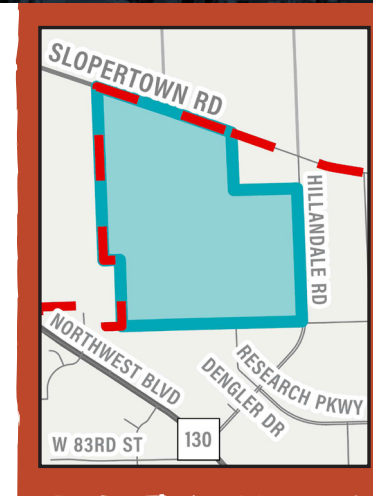
- 328 Acres
- Agricultural Use
- \$958,000 Assessed Valuation
- Total Taxes: \$31,213
- Taxes to City: \$14,731



References: Bi-State Regional Commission IMPLAN Analysis & Iowa Economic Development Authority
www.iowaeda.com/grow/high-quality-jobs/

PROPOSED \$800M PROJECT

- 328 Acres | Approx. 715,000 Sq. Ft.
- Industrially Zoned
- \$420M Estimated Assessed Valuation
- 50 New Jobs
- \$5M Value of New Jobs



ECONOMIC IMPACT

\$78.6M
Total Annual Economic Impact

\$10.4M
Total Annual New Payroll

160
Total New Jobs

\$1.1B
Economic Impact Construction

Q | How does the High Quality Jobs Partial Tax Exemption Work?

40%

Added Community Benefit/Value

Revenue to all jurisdictions in Year 1 based upon estimated assessed valuation

60%

Company Exemption or Savings on Taxes for 20 years

\$8,063,000 annually

or

\$161,000,000 total

\$50.6M MORE cumulative property tax revenue for City of Davenport (Years 1-20)

Taxing Authority	Property Tax Revenue (Year 1)	Property Tax Revenue (Year 21)
City	\$2,537,000	\$6,343,000
County	\$900,000	\$2,249,000
School	\$1,734,000	\$4,335,000
Other	\$205,000	\$512,000
Total	\$5,376,000	\$13,439,000

City Levy Fund Distribution

Fund	Levy Portion	Year 1 Revenue	Year 21 Revenue
General	\$8.47	\$1,281,000	\$3,202,000
Tort Liability	\$0.25	\$38,000	\$95,000
Trust & Agency	\$4.93	\$745,000	\$1,864,000
Transit	\$0.91	\$138,000	\$344,000
Debt Service	\$2.05	\$310,000	\$775,000
Total	\$16.61	\$2,512,000	\$6,280,000

City of Davenport

Department: Administration
Contact Info: Brian Krup | 563-326-6163

Action / Date
5/8/2024

Subject:

Resolution approving street, lane, and public ground closures on the listed dates and times to hold outdoor events.

CPKC; Final Spike Steam Tour; Riverfront; 8:00 a.m. Thursday, May 9, 2024 - 11:30 p.m. Friday, May 10, 2024; **Closure:** Dillon Fountain east parking lot. [Ward 3]

Mississippi River Distilling Company Downtown Lounge; Final Friday Garage Band and Alternating Currents; 318 East 2nd Street; various dates and times (see attached schedule); **Closure:** east-west alley between East 2nd Street and East 3rd Street from Iowa Street to the MidAmerican parking lot. [Ward 3]

St. Paul Lutheran Church; A St. Paul Farewell Celebration; 2136 North Brady Street; 1:00 p.m. - 8:00 p.m. Sunday, June 2, 2024; **Closure:** West Lombard Street from Main Street to Brady Street. [Ward 5]

Recommendation:

Adopt the Resolution.

Background:

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

CPKC Final Spike Steam Tour | The event is 2:00 p.m. - 5:00 p.m. Friday, May 10. Thursday, May 9 will be used to set up the requested parking lot as well as programming in Quinlan Court.

Attachments:

1. Resolution
2. CPKC Steam Train Tour Map
3. Mississippi River Distilling Final Friday Garage Band Schedule
4. Mississippi River Distilling Final Friday Garage Band Closure Map
5. Mississippi River Distilling Final Friday Garage Band Closure Petition
6. A St. Paul Farewell Celebration Closure Map

Resolution No. _____

Resolution offered by Alderman Jobgen.

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

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

*CPKC; Final Spike Steam Tour; Riverfront; 8:00 a.m. Thursday, May 9, 2024 - 11:30 p.m. Friday, May 10, 2024; **Closure:** Dillon Fountain east parking lot. [Ward 3]*

*Mississippi River Distilling Company Downtown Lounge; Final Friday Garage Band and Alternating Currents; 318 East 2nd Street; various dates and times (see attached schedule); **Closure:** east-west alley between East 2nd Street and East 3rd Street from Iowa Street to the MidAmerican parking lot. [Ward 3]*

*St. Paul Lutheran Church; A St. Paul Farewell Celebration; 2136 North Brady Street; 1:00 p.m. - 8:00 p.m. Sunday, June 2, 2024; **Closure:** West Lombard Street from Main Street to Brady Street. [Ward 5]*

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

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

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

Passed and approved this 8th day of May, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

DAVENPORT, IA
EVENT DATE:
MAY 10
1400 TO 1700



BLACK CAB PRODUCTIONS	
Emc2	
Event	CPKC Steam Train Tour - The Final Spike
Event Producer	Dwayne Maurer
Event Date(s)	25Apr TO 31May2024
Venue	Various
Venue Room(s)	
Sheet Title	DAVENPORT OVERVIEW
Revision Date	2024-03-06
Notes	
Drawn By	Oli Kiddell
Scale	1:50

Mississippi River Distilling Company Downtown Lounge

Final Friday Garage Band and Alternating Currents

Friday, May 31, 2024

Setup Time: 3:00 PM - 4:00 PM

Event Time: 6:00 PM - 10:00 PM

Cleanup Time: 10:00 PM - 11:00 PM

Friday, June 28, 2024

Setup Time: 3:00 PM - 4:00 PM

Event Time: 6:00 PM - 10:00 PM

Cleanup Time: 10:00 PM - 11:00 PM

Friday, July 26, 2024

Setup Time: 3:00 PM - 4:00 PM

Event Time: 6:00 PM - 10:00 PM

Cleanup Time: 10:00 PM - 11:00 PM

Thursday, August 15, 2024 | *Alternating Currents*

Setup Time: 3:00 PM - 4:00 PM

Event Time: 5:00 PM - 10:00 PM

Cleanup Time: 10:00 PM - 11:00 PM

Friday, August 16, 2024 | *Alternating Currents*

Setup Time: 3:00 PM - 4:00 PM

Event Time: 5:00 PM - 12:00 AM

Cleanup Time: 12:00 AM - 1:00 AM

Saturday, August 17, 2024 | *Alternating Currents*

Setup Time: 10:00 AM - 12:00 PM

Event Time: 12:00 PM - 12:00 AM

Cleanup Time: 12:00 AM - 1:00 AM

Sunday, August 18, 2024 | *Alternating Currents*

Setup Time: 10:00 AM - 12:00 PM

Event Time: 12:00 PM - 10:00 PM

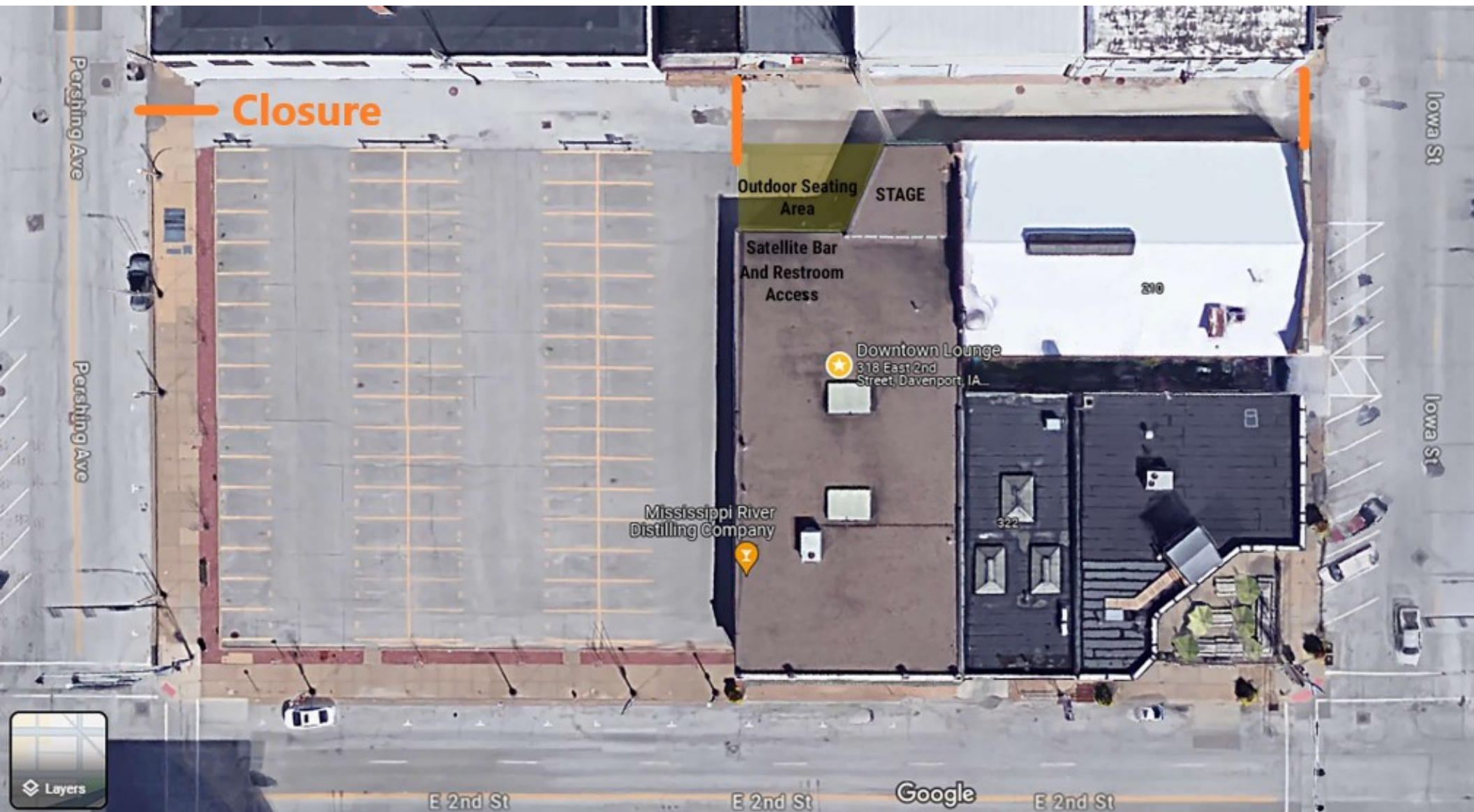
Cleanup Time: 10:00 PM - 11:00 PM

Friday, August 30, 2024

Setup Time: 3:00 PM - 4:00 PM

Event Time: 6:00 PM - 10:00 PM

Cleanup Time: 10:00 PM – 11:00 PM



Closure

Outdoor Seating
Area

STAGE

Satellite Bar
And Restroom
Access

Downtown Lounge
318 East 2nd
Street, Davenport, IA

Mississippi River
Distilling Company

E 2nd St

E 2nd St

Google

E 2nd St

Iowa St

Iowa St

Layers



CITY OF DAVENPORT

STREET CLOSURE PETITION FOR SPECIAL EVENTS

On the dates and times listed below, there is proposed a street closure with outdoor music/band/performance requested by Mississippi River Distilling Company, which will require the closing of the Alley between 100 feet west of Iowa Street and 250 feet east of Pershing Street. An obstruction will be placed in the alley to restrict passage of vehicles, but pedestrian access will be maintained.

Proposed event dates/times:

Friday, June 28th 2024 Event Time: 6:00 PM - 10:00 PM
Friday, May 31st 2024 Event Time: 6:00 PM - 10:00 PM
Friday, July 26th 2024 Event Time: 6:00 PM - 10:00 PM
Thursday, August 15th 2024 Event Time: 5:00 PM - 10:00 PM
Friday, August 16th 2024 Event Time: 5:00 PM - 12:30 AM
Saturday, August 17th 2024 Event Time: 12:00 PM - 12:30 AM
Sunday, August 18th 2024 Event Time: 12:00 PM - 10:00 PM
Friday, August 30th 2024 Event Time: 6:00 PM - 10:00 PM

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

NAME AND ADDRESS	NOT		
	IN FAVOR	OPPOSED	CONCERNED
Kraig Klemme - 301 E. 3rd	X		
Rat Hatch 313 E 3rd	X		
Chandra Book 215 Iowa St.	X		
DOM SANTAPRICE 323 G 3rd	X		

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

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

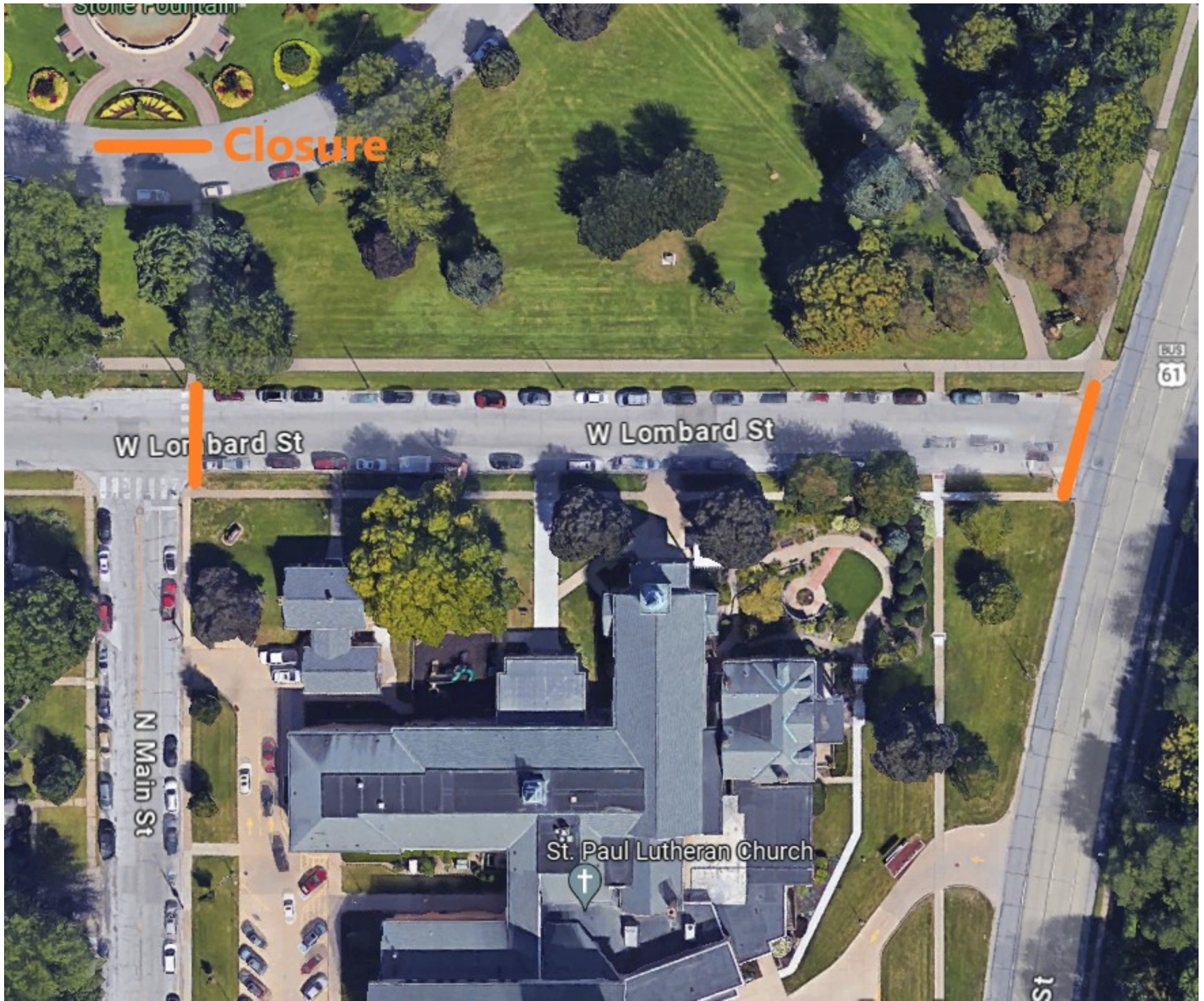
Signature of Applicant

Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com



City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
5/8/2024

Subject:

Resolution awarding a contract for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project to McCarthy Improvement Company of Davenport, Iowa in the amount of \$929,459.70, CIP #35061. [Wards 2, 4, & 7]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on April 2, 2024, and sent to contractors. On April 23, 2024, the Purchasing Division opened and read five (5) responsive and responsible bids. See attached bid tab. McCarthy Improvement Company of Davenport, Iowa was the lowest responsive and responsible bidder.

This project includes intersection improvements along West Central Park Avenue at the intersections of Division Street and Marquette Street. The proposed improvements include reconstruction of the pavement at both intersections and replacement of the traffic signal at Marquette Street.

Funding for this project is from CIP #35061 | High Volume Street Repair.

Attachments:

1. Resolution
2. 24-90 Bid Tab for GS Redacted

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION awarding a contract for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project to McCarthy Improvement Company of Davenport, Iowa in the amount of \$929,459.70, CIP #35061.

WHEREAS, the City needs to contract for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project; and

WHEREAS, McCarthy Improvement Company of Davenport, Iowa was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project is hereby awarded to McCarthy Improvement Company of Davenport, Iowa in the amount of \$929,459.70.

Passed and approved this 8th day of May, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: West Central Park Avenue (Division and Marquette Street)
Intersection Improvements Project

BID NUMBER: 24-90

OPENING DATE: April 23, 2024

FUNDING: 70085684 530350 35061 | High Volume Street Repair

RECOMMENDATION: Award the contract to McCarthy Improvement Company of Davenport, Iowa in the amount of \$929,459.70

VENDOR NAME	PRICE
McCarthy Improvement Company of Davenport, IA	\$929,459.70
Hawkeye Paving Corporation of Davenport, IA	\$1,008,384.80
Emery Construction Group Inc. of Moline, IL	\$1,126,823.60
Centennial Contractors of the Quad Cities of Moline, IL	\$1,174,369.00
Langman Construction, Inc of Rock Island, IL	\$1,186,780.45

Approved By  4/24/24
Purchasing Date

Approved By  4-24-24
Dept. Director Date

Approved By  4-24-24
Budget/CIP Date

Approved By  4/25/2024
Interim City Administrator Date

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
5/8/2024

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the Emerald Drive Reconstruction project, CIP #35062. [Ward 1]

Recommendation:

Adopt the Resolution.

Background:

This is a street reconstruction project from 1316 Emerald Drive north towards Locust Street. This project will be funded by Capital Improvements Program funds for streets projects. The proposed improvements include, but are not limited to, the furnishing of all labor, materials, and equipment for the reconstruction of the existing concrete roadway, installation of subdrains, sidewalk ADA compliant ramps, reset all existing utility surface features to finish grade, replacement of the adjacent driveway approaches, topsoil, sodding, and erosion control.

Attachments:

1. Resolution
2. Emerald Drive

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Emerald Drive Reconstruction project, CIP #35062.

WHEREAS, plans, specifications, forms of contract and estimate of cost were filed with the City Clerk of Davenport, Iowa for the Emerald Drive Reconstruction project; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Emerald Drive Reconstruction project.

Passed and approved this 8th day of May, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



THE CITY OF
DAVENPORT
IOWA | USA

Emerald Drive
Reconstruction Project
CIP #35062



City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
5/8/2024

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the East Locust Street (Grand Avenue to Eastern Avenue) Resurfacing project, CIP #35062. [Ward 5]

Recommendation:

Adopt the Resolution.

Background:

This is a street reconstruction project from Grand Avenue to Eastern Avenue. This project will be funded by Capital Improvements Program funds for streets projects. The proposed improvements include, but are not limited to, the furnishing of all labor, materials, and equipment for the mill and overlay of the existing roadway, signalization improvements at Grand Avenue, sanitary sewer repairs, sidewalk ADA compliant ramps, reset all existing utility surface features to finish grade, pavement markings, replacement of the adjacent driveway approaches, topsoil, sodding, and erosion control.

Attachments:

1. Resolution
2. Locust Street

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the East Locust Street (Grand Avenue to Eastern Avenue) Reconstruction project, CIP #35062.

WHEREAS, plans, specifications, forms of contract and estimate of cost were filed with the City Clerk of Davenport, Iowa for the East Locust Street (Grand Avenue to Eastern Avenue) Reconstruction project; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the East Locust Street (Grand Avenue to Eastern Avenue) Reconstruction project.

Passed and approved this 8th day of May, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



THE CITY OF
DAVENPORT
IOWA | USA

East Locust Street Rehabilitation Project

CIP #35062



City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
5/8/2024

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant & Compost Facility Flood Mitigation, Stormwater, and Effluent Pumping System project (EDA #06-79-06258), CIP #39012. [Ward 1]

Recommendation:

Adopt the Resolution.

Background:

This project is to secure the southern perimeter of the Water Pollution Control Plant (WPCP) and Compost Facility by constructing an earthen berm system of approximately 4,600 feet in length to the height of three feet over a 500-year flood event. In addition, this project will install interior stormwater and effluent pumping systems that ensure the plant continues to operate efficiently and effectively during high water events from the Mississippi River. Funding for the project is through an Economic Development Administration (EDA) grant and local match.

Attachments:

1. Resolution
2. Phase 1 Map

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant & Compost Facility Flood Mitigation, Stormwater, and Effluent Pumping System project (EDA #06-79-06258), CIP #39012.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the Deputy City Clerk of Davenport Iowa for the Water Pollution Control Plant & Compost Facility Flood Mitigation, Stormwater, and Effluent Pumping System project (EDA #06-79-06258); and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant & Compost Facility Flood Mitigation, Stormwater, and Effluent Pumping System project (EDA #06-79-06258).

Passed and approved this 8th day of May, 2024.

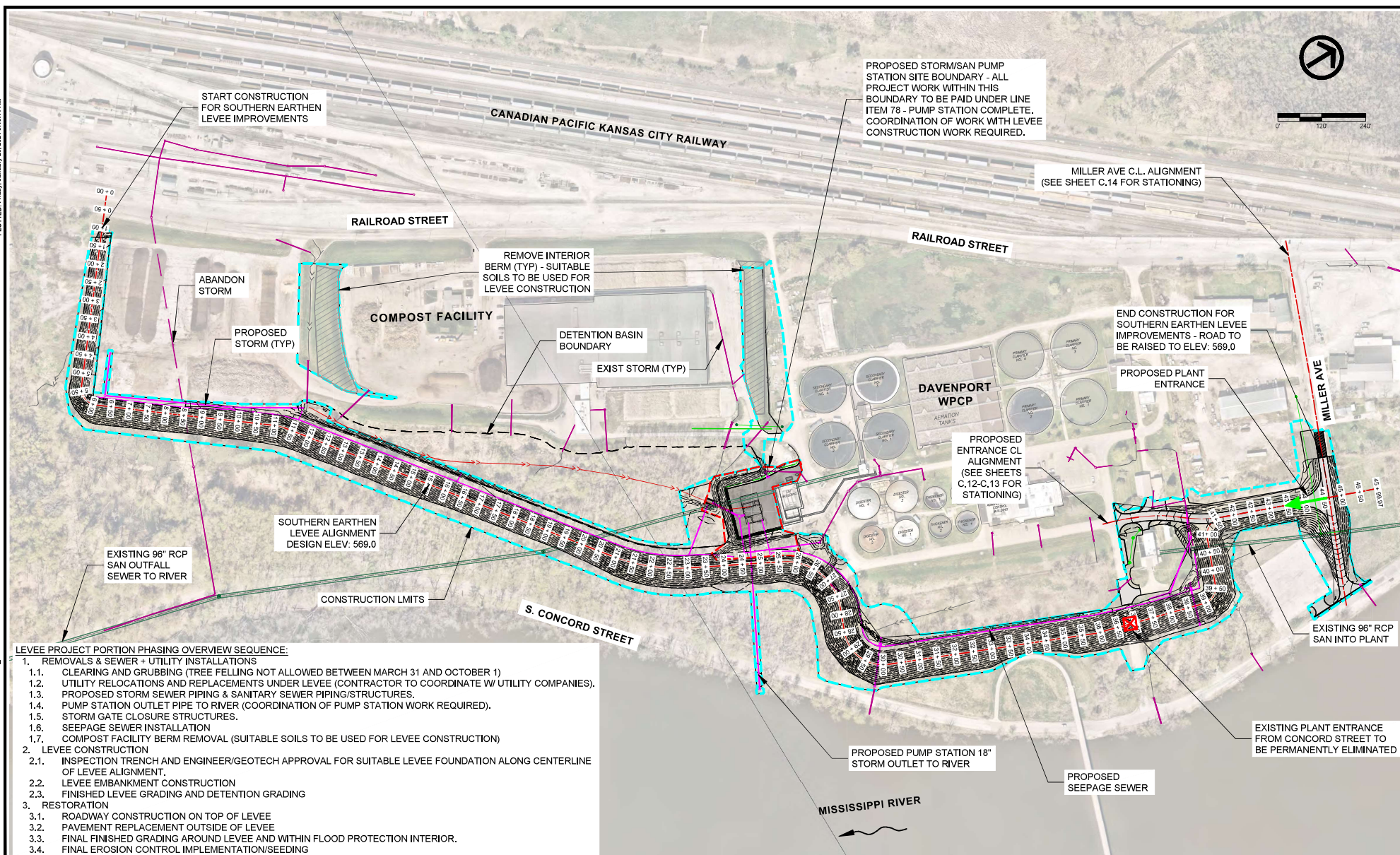
Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

FILE PATH: C:\MIL 3D PROJECTS\DAVENPORT 222 WPCP FLOOD PROTECTION\CADD\PRODUCTION DRAWINGS 222169\222169 PROPOSED PLAN OVERVIEW



DATE	REVISIONS	SCALE	AS NOTED
		DRAWN	EWL
		CHECKED	LFF
		APPROVED	EWL
		DATE	1-25-2024
		ISSUED FOR	CONSTRUCTION



SOUTHERN LEVEE SYSTEM - WPCP FLOOD PROTECTION PROJECT
LEVEE AND PUMP STATION (PHASE 1), CITY OF DAVENPORT, IA

1800 5th Avenue • Rock Island, Illinois 61201
309-786-7590 • 309-797-0996(FAX) • 877-241-8010(WATS)

PROPOSED PLAN & PHASING OVERVIEW

DWG. NO.

A.12

PROJECT	222169
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City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
5/8/2024

Subject:

Resolution authorizing the submission of an application to the United States Department of Transportation's Safe Streets and Roads for All Grant Program for assistance to improve transportation safety throughout the City. [Wards 2, 3, 4, 5, & 8]

Recommendation:

Adopt the Resolution.

Background:

The City of Davenport is submitting a 2024 Safe Streets and Roads for All grant application to the U.S. Department of Transportation. The total project cost is estimated at \$4,257,000. The City is requesting \$3,405,600 from the U.S. DOT (80% of eligible costs including planning, design, construction, and contingency) and the City will provide 20% of the eligible cost. The total City share is estimated at \$851,400.

The project will improve transportation safety and aims to prevent death or serious injury on roads and streets for all users. Proposed improvements will implement evidence-based strategies at high-crash corridors and intersections and create physical separation between vehicles and vulnerable roadway users along major arterial roads.

Project improvements include:

- Design and construction of a below-grade trail crossing at US 61/North Brady Street at Goose Creek (approximately at 59th Street) and a trail extension to Goose Creek Park
- Design and construction of intersection safety improvements at US 61/North Brady Street and 59th Streets
- Design and construction of a traffic signal on a school route at US 61/North Brady Street and 12th Street
- Planning and design of a roundabout at US 6/Kimberly Road and Fairmount Street
- Planning for a corridor study in the Hilltop District to reduce speeding and improve pedestrian safety
- Planning and design to improve safety at Five Points intersection

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION authorizing the submission of an application to the United States Department of Transportation's Safe Streets and Roads for All Grant Program for assistance to improve transportation safety throughout the City.

WHEREAS, the City of Davenport (the "City") is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the "State"); and

WHEREAS, the City is committed to improving transportation safety for all users; and

WHEREAS, the components of the project are dedicated to public use which the City will adequately maintain; and

WHEREAS, the City will commit \$851,400 (20% of eligible cost) for the project through local funds; and

WHEREAS, the City endorses the application and has estimated the total project cost to be \$4,257,000, and the grant request to be \$3,405,600.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that staff is hereby authorized to submit an application to the United States Department of Transportation's Safe Streets and Roads for All Grant Program for assistance to improve transportation safety throughout the City.

Passed and approved this 8th day of May, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
5/8/2024

Subject:

Resolution accepting the Iowa Department of Transportation Agreement for Traffic Safety Improvement Program (TSIP) Project for the 53rd Street at Utica Ridge Road Intersection Improvements project, CIP #38021. [Ward 6]

Recommendation:

Adopt the Resolution.

Background:

The Iowa Department of Transportation (IDOT) provides funds through the Traffic Safety Improvement Program (TSIP) to help pay for road improvements that enhance safety. The primary purpose of this project is to add dual left turn lanes for both eastbound 53rd Street and northbound Utica Ridge Road. There is currently one left turn lane in each direction and the addition of dual left turn lanes along with traffic signal changes and better access control will greatly improve traffic flow and safety at the intersection.

The estimated cost of this project is \$1,028,000 and the amount of this grant is \$500,000. The City will be obligated to pay any costs exceeding \$500,000.

This project must be let to contract before July 1, 2026 though construction is expected to occur in 2025.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION accepting the Iowa Department of Transportation Agreement for Traffic Safety Improvement Program (TSIP) Project for the 53rd Street at Utica Ridge Road Intersection Improvements project, CIP #38021.

WHEREAS, the City of Davenport believes it is necessary to improve the intersection of 53rd Street and Utica Ridge Road by adding additional left turn lanes and upgrading the traffic signals; and

WHEREAS the State of Iowa, through its Traffic Safety Improvement Program, has agreed to provide funding of \$500,000 for the project with the City share of the remaining cost.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa that the Iowa Department of Transportation Agreement for Traffic Safety Improvement Program (TSIP) Project for the 53rd Street at Utica Ridge Road Intersection Improvements project is hereby accepted.

Passed and approved this 8th day of May, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
5/8/2024

Subject:

Resolution to fix meeting date for hearing on the issuance of not to exceed \$31,000,000 General Obligation Corporate Bonds, Series 2025. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This Resolution sets the Public Hearing for the May 15, 2024 Committee of the Whole Meeting beginning at 5:30 p.m. in Council Chambers at Davenport City Hall, 226 West 4th Street. The purpose of this Public Hearing is to begin proceedings for the issuance of not-to-exceed \$31,000,000 General Obligation Corporate Bonds, Series 2025. The proceeds from this bond sale, occurring later in the fiscal year, will be used to pay the costs in connection with making improvements to sanitary sewers, streets, street lighting, signage, sidewalks, airport, municipal buildings and facilities, vehicles, and public safety along with a number of other projects adopted by the City Council and incorporated into the FY 2025 Budget.

Attachments:

1. Resolution

April 24, 2024

VIA EMAIL

Mallory Merritt
CFO/Interim City Administrator
City Hall
Davenport, Iowa

Re: Not to Exceed \$31,000,000 General Obligation Corporate Bonds, Series 2025
Our File No. 629872-95

Dear Mallory:

Using your list of projects, we have prepared a resolution that may be approved at the regular City Council meeting on May 8, in order to set May 15 as the date for the hearing on General Obligation Corporate Bonds, Series 2025, in an amount not to exceed \$31,000,000.

The materials attached include the following items:

1. Resolution, including the form of notice, setting the date for hearing on the Bonds.
2. Certificate of the Deputy Clerk with respect to the transcript.
3. Certificate of the Deputy Clerk with respect to the publication of the notice.

The notice must be published in the *Quad City Times* no later than May 11, 2024.

As these proceedings are completed, please have one fully executed copy returned to our office. If you have any questions, please contact Emily Hammond, Erin Regan, Cheryl Ritter or me.

Best regards,

John P. Danos

cc: Brian Krup
Basia Gerlach
Jim Odean
Jon Burmeister

SET DATE FOR HEARING ON
ISSUANCE OF GENERAL OBLIGATION
CORPORATE BONDS, SERIES 2025

629872-95

Davenport, Iowa

May 8, 2024

The City Council of the City of Davenport, Iowa, met on May 8, 2024, at 5:30 p.m. at the Council Chambers, City Hall, Davenport, Iowa. The Mayor presided and the roll was called showing the following Aldermen present and absent:

Present: _____

Absent: _____.

The City Council took up for consideration a resolution setting a date for public hearing on the proposed issuance of not to exceed \$31,000,000 General Obligation Corporate Bonds, Series 2025.

Alderman _____ introduced the resolution hereinafter next set out and moved its adoption, seconded by Alderman _____; and after due consideration thereof by the City Council, the Mayor put the question upon the adoption of said resolution, and the roll being called, the following named Aldermen voted:

Ayes: _____

Nays: _____.

The resolution, as hereinafter set out, was signed by the Mayor as evidence of approval, was attested by the Deputy Clerk and was declared to be effective.

• • • •

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

Mayor

Attest:

Deputy Clerk

RESOLUTION NO. _____

Resolution to fix meeting date for hearing on the issuance of not to exceed \$31,000,000 General Obligation Corporate Bonds, Series 2025

WHEREAS, in accordance with its Charter and Chapter 384 of the Code of Iowa, the City of Davenport, in Scott County, Iowa (the “City”) hereby proposes to issue General Obligation Corporate Bonds, Series 2025 (the “Bonds”) in a principal amount not to exceed \$31,000,000, for the purpose of paying the costs in connection with making improvements to sanitary sewers, storm water drainage systems, waterway and flood control assets, streets, street lighting, signage and signalization, streetscapes, sidewalks and paths, the municipal airport, municipal buildings and facilities, and municipal parks; acquiring and maintaining vehicles and/or equipment for municipal parks, streets, public safety department, solid waste collection, and the municipal library; repair and maintenance of bridges; information technology improvements; public transportation system improvements; and municipal economic development and housing projects (collectively, the “Projects”); and

WHEREAS, it is necessary to fix a date for a hearing on the issuance of the Bonds, and to give proper notice thereof;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Davenport, Iowa, as follows:

Section 1. The City Council shall meet as the Committee-of-the-Whole on May 15, 2024, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 p.m., at which time and place any resident or property owner of the City may present oral or written comments with respect to the issuance of the Bonds, and all comments will be considered by the City Council at its regular meeting to be held at 5:30 p.m., on May 22, 2024, at the Council Chambers, City Hall, at which time the City Council will take additional action for the issuance of the Bonds.

Section 2. The Deputy Clerk is hereby directed to give notice of the proposed action for the issuance of the Bonds, setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once, and not less than 4 nor more than 20 days prior to the meeting, in the *Quad City Times*. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE
PROCEEDINGS FOR THE ISSUANCE OF NOT TO EXCEED \$31,000,000
GENERAL OBLIGATION CORPORATE BONDS, SERIES 2025

The City Council of the City of Davenport, Iowa, will meet as the Committee-of-the-Whole on May 15, 2024 at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 p.m., for the purpose of holding a public hearing and instituting proceedings for the issuance of not to exceed \$31,000,000 General Obligation Corporate Bonds, Series 2025, for the purpose of paying the costs in connection with making improvements to sanitary sewers, storm water drainage systems, waterway and flood control assets, streets, street lighting, signage and signalization, streetscapes, sidewalks and paths, the municipal airport, municipal buildings and facilities, and municipal parks; acquiring and maintaining vehicles and/or equipment for municipal parks, streets, public safety department, solid waste collection, and the municipal library; repair and maintenance of bridges; information technology improvements; public transportation system improvements; and municipal economic development and housing projects.

At that time and place, oral or written comments from any resident or property owner of the City may be presented, and all comments will be considered by the City Council at its regular meeting to be held at 5:30 p.m., on May 22, 2024, at the Council Chambers, City Hall, at which time the City Council will take additional action for the issuance of the Bonds.

The Bonds, when issued, will constitute general obligations of the City, payable from taxes levied upon all taxable property in the City.

By order of the City Council of Davenport, Iowa.

Brian Krup
Deputy Clerk

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the “Regulations”) of the Internal Revenue Service, the City declares (a) that it intends to undertake the Projects which are reasonably estimated to cost approximately \$31,000,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of the Bonds, or (ii) expenditures made no earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Projects have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved May 8, 2024.

Mayor

Attest:

Deputy Clerk

STATE OF IOWA
COUNTY OF SCOTT SS:
CITY OF DAVENPORT

I, the undersigned, Deputy Clerk of the City of Davenport, Iowa, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council of the City relating to the fixing of a date for the hearing on the issuance of not to exceed \$31,000,000 General Obligation Corporate Bonds, Series 2025.

WITNESS MY HAND this _____ day of _____, 2024.

Deputy Clerk

STATE OF IOWA
COUNTY OF SCOTT SS:
CITY OF DAVENPORT

I, the undersigned, Deputy Clerk of the City of Davenport, Iowa, do hereby certify that pursuant to the resolution of its Council fixing a meeting date for the hearing on and taking of additional action for the issuance of not to exceed \$31,000,000 General Obligation Corporate Bonds, Series 2025, the notice, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published in the *Quad City Times* on the date specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this _____ day of _____, 2024.

Deputy Clerk

(Attach here publisher's original affidavit with a clipping of the notice as published.)

City of Davenport

Department: Administration
Contact Info: Brian Krup | 563-326-6163

Action / Date
5/8/2024

Subject:

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

Mississippi River Distilling Company Downtown Lounge; Final Friday Garage Band and Alternating Currents; 318 East 2nd Street; various dates and times (see attached schedule); Outdoor music/band, over 50 dBA. [Ward 3]

Recommendation:

Pass the Motion.

Background:

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

Attachments:

None

City of Davenport

Department: Finance
Contact Info: Jamie Swanson | 563-326-7795

Action / Date
5/8/2024

Subject:
Motion approving beer and liquor license applications.

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

Ward 2

Rudy's Tacos (K & J 2024, Inc) – 3502 West Kimberly Road – New Owner/License – License
Type: Class C Liquor (On-Premises)

Ward 3

Great River Brewery (AFS GRB BrewCo Davenport, LLC) – 332 East 2nd Street – New License
with Outdoor Area – License Type: Class C Liquor (On-Premises)

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

Ward 2

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

Ward 3

The Diner (The Diner, LLC) - 421 West River Drive #6 - Outdoor Area - License Type: Class C
Liquor (On-Premises)

Geezer's Drafthouse (Geezers, Inc) - 1654 West 3rd Street - Outdoor Area - License Type: Class
C Liquor (On-Premises)

Ward 6

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

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

Staybridge Suites (Surya Management, LLC) - 4729 Progress Drive - Outdoor Area - License
Type: Class C Liquor (On-Premises)

Ward 7

American Legion Post 26 (Davenport Post #26, The American Legion, Inc) - 702 West 35th Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

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

Recommendation:
Pass the Motion.

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

Attachments:
None

City of Davenport

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

Action / Date
5/8/2024

Subject:

Motion awarding a five-year contract for Transit Advertising Sales to Houck Transit Advertising of Shoreview, Minnesota. [All Wards]

Recommendation:

Pass the Motion.

Background:

A Request for Proposals was issued and sent to vendors on March 11, 2024. On April 10, 2024 the Purchasing Division opened and announced two (2) proposals.

A committee consisting of Public Works and Finance staff evaluated the proposals on the following criteria set forth in the RFP:

- Highest guaranteed payment | 40%
- Highest percentage payment | 25%
- Past performance – firm | 10%
- Implementation strategy | 10%
- Experience – contract manager | 10%
- Quality and thoroughness of proposal | 5%

Houck Transit Advertising was determined to be the best fit for the City. This contract will provide revenue-generating transit advertising and marketing services on behalf of the transit agency of the City, Citibus. The contractor will be responsible for coordinating all revenue-generative advertising activities on transit vehicles, bus shelters, kiosks, and other locations.

There is no funding information for this contract as this will be revenue for the City generated by the advertising.

Attachments:

1. RFG Tab

CITY OF DAVENPORT, IOWA
RFQ TABULATION

DESCRIPTION: Transit Advertising Sales

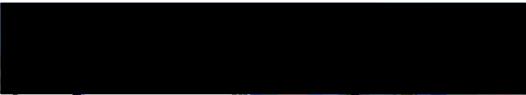
BID NUMBER: 24-78

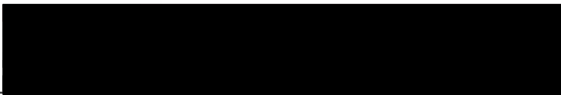
OPENING DATE: April 10, 2024

FUNDING: There is no funding information for this contract as this will be revenue for the City generated by the advertising.

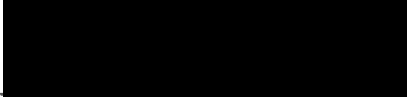
RECOMMENDATION: Award the contract to Houck Transit Advertising of Shoreview, Minnesota.

<u>VENDOR NAME</u>	<u>LOCATION</u>
Houck Transit Advertising	Shoreview, MN
Mesmerize Transit	Noblesville, IN

Approved By  4/25/24
Purchasing Date

Approved By  4-25-24
Dept. Director Date

Approved By N/A
Budget/CIP Date

Approved By  4/26/2024
Interim City Administrator Date

City of Davenport

Department: Finance

Contact Info: Mike Carlsten | 563-326-7906 |

Action / Date

5/8/2024

Subject:

Motion awarding a contract for repairs to fire truck T-3 to Legacy Fire Apparatus of Shorewood, Illinois in an amount not to exceed \$75,000. [All Wards]

Recommendation:

Pass the Motion.

Background:

A sole source procurement justification is on file with the Purchasing Division. Legacy Fire Apparatus of Shorewood, Illinois is a Midwest certified dealer and service repair for Sutphen Corporation and Sutphen towers.

The aerial bucket of T-3 was damaged in an accident as Fire was responding to a call. The accident caused damage to the bucket and master stream device (nozzle).

Funding is from account 50470720 520236 | Claims & Judgments.

Attachments:

None