

CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, September 9, 2020; 5:30 PM

City Hall | 226 W 4th St | Council Chambers

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting Minutes for August 26, 2020.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for September 2, 2020.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

1. Chiropractic Founders Day - 125th Anniversary of Chiropractic: September 18, 2020

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. First Consideration: Ordinance for Case REZ20-06 being the request of Malwa LLC to rezone 1.38 acres, more or less, of property located at 4425 W Locust St from C-1 Neighborhood Commercial to C-2 Corridor Commercial. [Ward 1]

THE PLAN AND ZONING COMMISSION RECOMMENDS DENIAL OF THE REQUEST. A 3/4TH MAJORITY IS REQUIRED.

XI. Approval of All Items on the Consent Agenda

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

1. Third Consideration: Ordinance amending Chapter 15.08.300 of the Davenport Municipal Code entitled "Permits." [All Wards]
2. Third Consideration: Ordinance amending Chapter 15.16 of the Davenport Municipal Code entitled "Electrical Code." [All Wards]

3. Second Consideration: Ordinance amending Chapter 13.38.100 entitled "Construction Site Erosion and Sediment Control - Enforcement" of the Davenport Municipal Code to allow City Council to set the schedule of fines by Resolution. [All Wards]
4. First Consideration: Ordinance amending Schedule VI of Chapter 10.96 entitled "Speed Limits" by adding Utica Ridge Rd from Crow Creek Rd to Veterans Memorial Parkway as a 35 mph street. [Ward 6]
5. Resolution approving the following street closure on the listed date and time to hold an outdoor event.

St. Paul Lutheran Church; Donut Driveup; 2136 Brady St; Sunday, September 13, 2020 7:00 a.m. - 12:00 p.m.; **Closure:** W High St between N Main St and Brady St; north-south alley between W High St and W Pleasant St and N Main St and Brady St. [Ward 5]

6. Resolution of endorsement for the use of Transportation Alternatives Program (TAP) funding for the Veterans Memorial Parkway (VMP) Trail Extension Project, CIP #28027. [Ward 8]
7. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Union Arcade Building subsurface vault fill and support, CIP #35022. [Ward 3]
8. Resolution approving a cooperative agreement with the U.S. Environmental Protection Agency in an amount up to \$116,250 for the Clean Diesel Emission Reduction through Vehicle Replacement Program for the purchase of three new tandem axle dump trucks. [All Wards]
9. Resolution awarding the contract for the Kaiserslautern Square Upgrade project to Tricon General Construction of Dubuque, IA in the amount of \$770,450, CIP #64049. [Ward 3]
10. Resolution awarding the contract for the FY21 Contract Milling Program to Tri City Blacktop Inc of Bettendorf, IA in the amount of \$158,472.80, CIP #35041. [Wards 1-7]
11. Resolution approving a contract and conditionally approving the contract and bond for the fabrication of one modified pumper fire truck to Sutphen Corp of Amlin, OH and authorizing Mayor Mike Matson or designee to sign and manage any related agreements. [All Wards]
12. Resolution adopting the FY22 Budget Policies. [All Wards]
13. Resolution accepting the annual Byrne Justice Assistance Grant (JAG) from the Federal Government for 2020-2021 in the amount of \$81,074. [All Wards]
14. Resolution approving the purchase of protective equipment from a State of Iowa Department of Administrative Services (DAS) bid contract with Safeware Inc in the amount of \$196,966.24 for the Davenport Police Department. [All Wards]
15. Motion approving the amended Annual Action Plan for Year 46 (July 1, 2020 - June 30, 2021) for the CDBG and HOME Programs (City of Davenport,

petitioner). [All Wards]

16. Motion approving the following noise variance request for the listed event on the listed dates and times.

Sacred City Church; Outdoor Worship Gatherings; 2822 Eastern Ave; Every Sunday morning that weather permits the remainder of 2020, 10:00 a.m. - 11:30 a.m.; Outdoor music, over 50 dBa. [Ward 5]

17. Motion approving beer and liquor license applications.

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

Ward 1

Gunchies (Conrad Holdings, LLC) - 2905 Telegraph Rd - Outdoor Area - New License/Owner - License Type: C Liquor

Ward 3

Super Saver Liquor (Malwa, LLC) - 1610 Rockingham Rd - New License/Owner - License Type: E Liquor

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

Ward 1

Rockingham Liquor (Lila LLC) - 2423 Rockingham Rd - License Type: E Liquor

Ward 3

La Flama Restaurant (Jam Brothers, Inc) - 114 Myrtle St, Ste F - License Type: C Liquor

Raw Bar (RAWBAR) - 136 E 3rd St - Outdoor Area - License Type: C Liquor

West Side Grocery (Rams S LLC) - 1802 W 7th St - License Type: E Liquor

Ward 4

Hy-Vee #5 (Hy-Vee, Inc) - 2351 W Locust St - License Type: E Liquor

MC's Happy Hallow (D.M.C. Corporation) - 1502 W 14th St - License Type: C Liquor

Q C Mart (Bethany Enterprises, Inc) - 1556 W Locust St - License Type: C Beer

Riverside Liquor 2 (Two Brother's Locust, LLC) - 1528 W Locust St - License Type: E Liquor

Ward 5

The Outing Club (The Outing Club, Inc) - 2109 Brady St - Outdoor Area - License Type: C Liquor

Ward 6

Costco Wholesale #1325 (Costco Wholesale Corporation) - 2790 E 53rd St - License Type: E Liquor

Lindsay Park Yacht Club (Lindsay Park Yacht Club, Inc) - 2101 E River Dr - Outdoor Area - License Type: A Liquor

Texas Roadhouse (Texas Roadhouse Holdings LLC) - 4005 E 53rd St - License Type: C Liquor

18. Motion awarding the contract for the 6th & Vine Traffic Circle to Centennial Contractors of the Quad Cities of Moline, IL in the amount of \$86,305, CIP #38012. [Ward 3]
19. Motion approving a five-year contract for employee benefit brokerage consulting services to Assured Partners, Inc of Davenport, IA in an amount not-to-exceed \$70,000 which includes an annual payment to Milliman, Inc for benefit actuarial services. [All Wards]

XII. Other Ordinances, Resolutions and Motions

XIII. Public with Business

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

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

XIV. Reports of City Officials

XV. Adjourn

XVI. Executive Session

1. To discuss a real estate transaction pursuant to Iowa Code Section 21.5(1)(j).

City of Davenport

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

Action / Date
9/9/2020

Subject:
Approval of the City Council Meeting Minutes for August 26, 2020.

ATTACHMENTS:

Type	Description
▣ Backup Material	082620 CC Minutes

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/3/2020 - 9:23 AM

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, August 26, 2020

The City Council of Davenport, Iowa met in regular session on Wednesday, August 26, 2020 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 W 4th St, Davenport, IA with Mayor Mike Matson presiding and all Aldermen present (Alderman Condon present via telephone).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Jobgen

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting Minutes for August 12, 2020.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for August 19, 2020.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, August 19, 2020 -- The Council observed a moment of silence. Pledge of Allegiance led by Mayor Matson. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present except Alderman Gripp (Alderman Jobgen present via telephone).

The following Public Hearings were held: Community Development: 1) on the proposed conveyance of City-owned parcels H0023-33, 1412 W 14th St, to Kerry and Misha Davis, petitioners; and A0060-21, 1619 W Pleasant St, to Brealynn and Donald Dickerson, petitioners. Public Works: 1) on the Resolution of Necessity for the 2020 Alley Resurfacing Program covering the north-south alley between Pershing Ave and Iowa St from E Columbia Ave to E Garfield St. Finance: 1) authorizing the City to convey City-owned parcel W0453-OLD to the owners of 3207 Fieldcrest Dr, the adjacent parcel to the northeast; 2) authorizing the City to convey City-owned parcel X1101B06B, to the owners of 927 W 60th St, the adjacent parcel to the north; 3) authorizing the City to convey City-owned parcel F0046-16 to Francisco Brown, petitioner and resident of 817 Farnam St; and 4) authorizing the City to convey City-owned parcel G0038-36B, located on the north side of the 300 block of W 9th St, to Lisa Avila, petitioner and owner of 908 Harrison St.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Alderwoman Lee reviewed all items listed. On motion by Alderman Dunn, second by Alderman Peacock all items moved to the Consent Agenda. Public Safety: Alderman Ambrose reviewed all items listed. On motion by Alderman Jobgen, second by Alderwoman Dickmann all items moved to the Consent Agenda. Public Works: Alderman Dunn reviewed all items listed. On motion by Alderman Dohrmann, second by Alderwoman Dickmann all items moved to the Consent Agenda. Finance: Alderman Condon reviewed all items listed. On motion by Alderman Peacock, second by Alderwoman Dickmann item #8, Resolution authorizing a request for reimbursement for eligible costs related to the COVID-19 public health emergency from the Iowa COVID-19 Government Relief Fund, would be voted on later on the agenda and all other items moved to the Consent Agenda.

Other Ordinances, Resolutions and Motions: On motion by Alderman Ambrose, second by Alderwoman Meginnis with all Aldermen present voting aye, the rules were suspended to vote on the following item:

*Resolution authorizing a request for reimbursement for eligible costs related to the COVID-19 public health emergency from the Iowa COVID-19 Government Relief Fund. On motion by Alderman Ambrose, second by Alderman Peacock with all Aldermen present voting aye, the Resolution was adopted, **2020-348**.*

*Council adjourned at **6:42 p.m.***

VIII. Appointments, Proclamations, Etc.

IX. Presentations

HELD

A. Davenport Fire Department Awards Ceremony

- E Locust St Structure Fire Rescue

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.

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

1. Third Consideration: Ordinance amending Schedule XIII of Chapter 10.96 entitled "7-Ton Truck Restrictions" by adding 59th St from Main St to 61st St. [Ward 8]

ADOPTED 2020-349

ORDINANCE NO. **2020-349**

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XIII 7-TON TRUCK RESTRICTIONS THERETO BY ADDING 59TH ST FROM MAIN ST TO 61ST ST.

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

Section 1. That Schedule XIII 7-Ton Truck Restrictions of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding the following:

59th St from Main St to 61st St.

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.

Approved 8/26/2020: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Third Consideration: Ordinance amending Chapter 15.32 of the Davenport Municipal Code titled "Uniform Fire Code" to adopt the International Code Council's 2015 International Fire Code with amendments. [All Wards] **ADOPTED 2020-350**

ORDINANCE NO. **2020-350**

Ordinance amending Chapter 15.32 of the Davenport Municipal Code to adopt the International Code Council's 2015 International Fire Code with amendments.

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

Section 1. That Chapter 15.32 entitled "International Fire Code" is hereby amended to read as follows:

15.32.010 International Fire Code (2015) adopted.

Except as hereinafter modified, the International Code Council's 2015 International Fire Code, including appendices, is adopted by reference as the fire code of the City of Davenport, Iowa and hereby incorporated by reference into this chapter.

15.32.020 Modifications to 2015 International Fire Code.

The 2015 International Fire Code is modified as follows:

A..Amendment – Section 101.1: The City of Davenport.

These regulations shall be known as the Fire Code of the City of Davenport, hereinafter referred to as this code. The following definitions shall be in place:

Wherever the word "jurisdiction" is used in the International Fire Code, it is the City of Davenport.

Wherever the party responsible for the enforcement of the International Fire Code is given a title of "Fire Marshal" and the following definition: "Fire Marshal is the Code Official of the Fire Prevention Bureau" or a duly authorized representative.

Whenever the words "Department of Fire Prevention" are used, they shall be held to mean "Fire Prevention Bureau".

The word "shall" is mandatory, and the word "may" is permissive.

B..Amendment – Section 202 (M): Commercial Cooking Appliances.

Appliances used in a commercial food service establishment for heating or cooking food and which produce grease vapors, steam, fumes, smoke, or odors that are required to be removed through a local exhaust ventilations system. Such appliances include deep fat fryers; upright broilers; griddles; broilers; steam-jacketed kettles; hot-top ranges; under-fired broilers (Charbroilers); ovens; barbecues; rotisseries; residential stoves/ovens and similar appliances. For the purpose of this definition, a food service establishment shall include any commercial building or portion thereof used for the preparation and serving of food including for employee purposes.

C. Amendment – Section 503.2.1: Dimensions.

Fire apparatus access roads shall have a minimum unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4268 mm).

D. Amendment – Section 507.5.1: Where required.

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

E. Amendment – Section 507.5.1.1: Hydrant for fire department connections.

Buildings equipped with a fire department connection installed in accordance with Section 912 shall have a fire hydrant located on a fire access road within 100 feet (30 m) of the fire department connection as measured by an approved route around the exterior of the building.

Exception: The distance shall be permitted to exceed 100 feet (30 m) where approved by the fire code official.

F. Addition (New Section to IFC) – Section 604.8: Shutdown of Emergency and Standby Power Systems.

In addition to the requirements of NFPA 10 for a remote manual stop, a keyed switch to shut down the generator shall be located at the remote annunciator panel or fire panel. The Code Official shall determine its location. If there is no annunciator or fire alarm panel or the location of these panels is determined to be inadequate for this shut down button, the Code Official shall determine its location.

G. Addition (New Section to IFC) – Section 901.4.6.1: Fire Sprinkler Riser Room.

A fire sprinkler riser room shall be separated from the electrical room. The riser room shall have no electrical panels, devices, or apparatus inside the room other than the outlets or support equipment (lighting, air compressor, and heater) required for the use of the fire sprinkler system and/or the fire alarm panel. The sprinkler riser room shall not be exclusively accessed from the electrical room, but the electrical room may be accessed from the riser room.

H. Amendment – Section 903.3.1.2.1 – Group R Balconies and Decks.

Sprinkler protection shall be provided for all exterior balconies, decks, and ground floor patios of dwelling units where the building is required to have a fire sprinkler system installed. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch to 6 inches below the structural members and a maximum distance of 14 inches below the deck of the exterior balconies and decks.

I. Addition – Section 903.3.1.2.3 – Fire Sprinklers for Canopies.

A canopy covering a door that is required to be marked as an exit shall be required to have fire sprinklers installed outside that door if the canopy extends more than 4 feet out from the door and is 12 feet or less in height from the ground regardless of whether the canopy is combustible or non-combustible. Canopies that have vehicle access under them with door openings shall be required to have fire sprinklers installed under the total canopy regardless of whether the canopy is combustible or non-combustible.

Exception: If the Code does not require a building to have a fire sprinkler system, section 903.3.1.2.3 does not apply.

J. Addition (New Section to IFC) – Section 904.12.2.1 – Ventilation Operation.

The ventilation system shall shut down the make up air to the hood and continue to exhaust upon activation of the hood fire extinguishing system. Supply air openings other than part of the hood system shall be a minimum of 6 feet from any part of a Type I Hood. Supply air openings closer than 6 feet must shut down upon activation of the extinguishing system.

K. Amendment – Section 905.1 – General.

Standpipe systems shall be provided in new buildings and structures in accordance with Sections 905.2 through 905.10. In buildings used for *high-piled combustible storage*, fire protection shall be in accordance with Chapter 32. For the purposes of this Section 905 "Standpipe Systems", Sections 905.3.1 through 905.6.2 shall be amended by deleting all references to Class II and Class III standpipe systems and inserting Class I standpipe systems in their place.

L. Amendment – Section 905.2 – Installation standard.

A Class I standpipe system shall provide 2 ½ inch (63.5 mm) hose connections to supply water for use by fire departments and those trained in handling heavy fire streams. Also, 2 ½ inch to 1 ½ inch reducers with 1 ½ inch caps shall be provided on each standpipe outlet. 2 ½ inch and 1 ½ inch threads shall be National Standard Threads (NST). No hose is to be provided.

Exception: Hose may be provided when the facility has an assigned and trained fire brigade.

M. Deletion – Section 905.3.4.1 – Hose and cabinet.

This section shall be deleted.

N. Deletion – Section 905.5.3 – Class II system 1-inch hose.

This section shall be deleted.

O. Addition (New Section to IFC) – Section 905.3.9 – Building Footprint and Access.

Where the most remote portion of a floor or story is more than 400 feet from a hose connection or fire department access road, the fire code official is authorized to require standpipes to be provided in approved locations.

P. Amendment – Section 907.2 – Where Required – New Buildings and Structures.

An *approved* fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5.

Not fewer than one manual fire alarm box shall be provided in an *approved* location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or waterflow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the *fire code official* to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is accessible to the public.

Q. Addition (New Section to IFC) – Section 907.2 (a) – Manual Fire Alarm Pull Boxes.

Manual fire alarm pull boxes ("pull stations") shall be required where deemed necessary by the Code Official.

R. Addition (New Section to IFC) – Section 907.2 (b) – Monitoring.

All fire alarm systems shall be monitored by a UL listed monitoring station.

S. Amendment – Section 907.2.1 – Fire Alarms in Group A Occupancies.

A manual and automatic fire alarm system shall be installed in accordance with NFPA 72 in Group A Occupancies have an occupant load of 300 or more. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

T. Amendment – 907.2.3 – Group E

In the absence of a complete automatic sprinkler system, a complete automatic detection system utilizing an emergency voice/alarm communication system shall be installed throughout the entire Group E occupancy. A Group E occupancy with a complete automatic sprinkler system shall be provided with a fire alarm system utilizing an emergency voice/alarm communication system in compliance with Section 907.5.2.2 and installed in accordance with Section 907.6. As a minimum, smoke detection shall be provided in corridors at a maximum spacing of 30 feet on center, and heat or smoke detection shall be provided in any hazardous or non-occupied areas in all new or existing Group E occupancies.

Exceptions:

1. Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
 - 2.1. Interior corridors are protected by smoke detectors with alarm verification.
 - 2.2. Auditoriums, cafeterias, gymnasiums, and the like are protected by heat detectors or other approved detection devices.
 - 2.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
 - 2.4. Off-premises monitoring is provided.
 - 2.5. The capability to activate the evacuation signal from a central point is provided.
 - 2.6. In buildings where normally occupied spaces are provided two-way communication system between such spaces and a constantly attended receiving station from which a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official.
3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system, the notification appliances will activate on sprinkler water flow, and manual activation is provided from a normally occupied location.
4. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided that activation of the fire alarm system initiates an approved occupant notification signal in accordance with Section 907.5.

U. Amendment – 907.2.9 – Group R-2

An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancies.

1. Common spaces outside of *dwelling units and sleeping units*
2. Laundry rooms, mechanical equipment rooms, and storage rooms
3. All interior corridors serving *sleeping units or dwelling units*

Exception: An automatic smoke detection system is not required in buildings that do not have interior *corridors* serving *sleeping units or dwelling units* and where each *sleeping unit or dwelling unit* either has a *means of egress* door opening directly to an exterior *exit access* that leads directly to an *exit* or a *means of egress* door opening directly to an *exit*.

Required smoke alarms in *dwelling units* and *sleeping units* in Group R-2 occupancies shall be interconnected with the fire alarm system in accordance with NFPA 72.

V. Addition (New Section to IFC) – 1028.6 – Exit Discharge Pathways.

Exit discharge pathways shall be paved from all required exits of a building to a public way or parking lot.

15.32.030 Open fires and burning.

A. Definitions.

1. OPEN FIRE – Shall mean any burning of combustible materials where the products of combustion are emitted into the open air without passing through a chimney or stack. Open fire as used in this section shall not be interpreted to include recreational fires or cooking fires which may be conducted without permit of the fire department.

2. RECREATIONAL FIRE – Shall mean the burning of wood for pleasure, cooking or similar purposes, either contained in a receptacle originally designed and manufactured for such purpose; or uncontained so long as the fire being burned has a total wood fuel area of not more than eight feet in diameter and four feet in height, and the fire is being used in conjunction with camping in a publicly- or privately-owned campground or at least 25 feet from the nearest structure or combustible material.

3. COOKING FIRE – Shall mean the burning of conventional fuel materials such as charcoal, natural or propane gas to cook food in a receptacle such as a barbecue grill or barbecue pit, which was originally designed and manufactured for that purpose.

4. GARBAGE – Shall mean animal and vegetable waste resulting from the handling, preparing, cooking, storing or serving of food or of material intended for use as food.

5. RUBBISH – Shall include, but is not limited to, nonputrescible (not subject to rotting or decay) solid waste consisting of combustible and noncombustible wastes such as ashes, paper, cardboard, tin cans, wood, glass, bedding and crockery.

6. REFUSE – Shall mean putrescible (subject to decay or rotting) and nonputrescible wastes including, but not limited to, garbage, rubbish, household waste, incinerator residue, street cleanings, market and industrial solid wastes and sewage treatment wastes in dry or semi-solid form, organic growth such as vines, weeds, grass, flowers, leaves, plant stems or stalks, or similar growth.

7. BUILDING MATERIALS – Shall mean any material including but not limited to lumber, brick, concrete, plaster, plaster board, gutters, floor coverings, or similar substances accumulated as a result of repairs or additions to existing structures, construction of new buildings, or demolition of existing structures.

8. PROHIBITED MATERIALS – Shall include, but not be limited to, dead animals, waste oil, plastic material, rubber products or materials, tires, tar or tar-based products or materials, asbestos containing materials, creosote containing materials, styrofoam, plastic- or rubber-coated wire, and similar substances.

9. WOOD – As used in this section, shall mean that part of a tree or shrub that consists of a more or less hard and compact substance which makes up the bulk of the trunk and branches of the tree or shrub, and which is concealed from view by the bark, and which when cut transversely is found to consist of concentric layers. Wood does not include tree stumps, shrub stumps, roots, wood products or items manufactured or consisting of processed wood such as lumber, plywood and similar items.

B. Open Fires Prohibited. No person shall ignite, cause or permit to be ignited, allow or maintain an open fire containing any garbage, rubbish, refuse, building materials, business waste as defined in Chapter 8.08, or prohibited material.

C. Exceptions to Prohibition on Open Fires.

1. The prohibition against open fires shall not be construed to prohibit the open burning of wood, as defined in section 15.32.030 A9, subject to the other requirements imposed by this section. The City, however, does not encourage the burning of wood and will collect wood not larger than six inches in diameter nor longer than five feet in length at curbside during normal solid waste collection if it is securely tied together in a bundle of 50 pounds or less in weight.

2. The fire department may, at its discretion, issue an open burning permit, subject to the other requirements of this section, for the following types of fires:

a. Controlled ceremonial bonfires.

b. Disaster rubbish. Disaster rubbish includes yard waste and other similar organic waste that may otherwise be prohibited as refuse and building material, which occurs as a result of a community disaster. Disaster rubbish may be burned only when an official declaration has been made that an emergency disaster condition exists and then, only during the period of time designated in the emergency disaster declaration.

c. Prescribed agricultural or natural areas. The open burning of fields or other areas planted with vegetation native to this region, may be permitted if necessary for the maintenance of native plants and controlling growth of invasive plant species. Such prescribed burns may only be conducted by personnel approved by the fire marshal or fire chief and with an approved burn plan and burn permit.

d. Bona fide training fires. Fires set for the purpose of bona fide training of public, institutional or industrial employees in methods of fire fighting.

e. Flare stacks. Open burning or flaring of waste gases may be permitted.

D. Regulation of Open Fires.

1. Prohibited on Public Property. No person shall ignite, cause or permit to be ignited, allow, maintain or burn a fire in any manner on publicly owned or publicly controlled property. Publicly owned or controlled property includes, but is not limited to, bridges, streets, alleys, sidewalks, boulevards, public rights-of-way, and other public property or places which have not been approved in writing by the fire chief or his designee. This section shall not be construed to prohibit cooking fires in public parks unless otherwise prohibited in this code, recreational fires as allowed on publicly-owned campgrounds unless otherwise prohibited by this code, or approved burning of fields and natural areas, pursuant to Section 15.32.030 C2c.

2. Attending to Fire Required. All open fires, cooking fires and recreational fires shall be continuously attended to by a competent person until the fire is extinguished. A person attending to an open fire, cooking fire or recreational fire must have a garden hose connected to a water supply or an approved fire extinguisher readily available to control the fire.

3. Distance from Structures. Open fires shall not be located, ignited, allowed, permitted or maintained less than 50 feet from any structure or combustible material.

4. Prohibited During Hazardous Conditions. When atmospheric conditions or local circumstances make the burning of open fires hazardous, the fire chief and/or fire marshal may prohibit any or all open fires by issuing a proclamation banning open fires. Such proclamation shall remain in effect until such time as the fire chief and/or fire marshal recalls or cancels the same.

5. Sunrise to Sunset. Open burning is permitted only between sunrise and sunset. All open fires must be completely extinguished at sunset.

6. Burn Days. The burning of wood in an open fire on private property shall be prohibited unless the fire chief or his designee has declared a particular day a "burn day" by recorded message on the telephone.

7. Burning to Clear Land. Notwithstanding Section 15.32.030 C1, no person shall ignite, cause or permit to be ignited, allow or maintain the burning of refuse, wood, trees, brush, shrubs, or similar organic growth for the purpose of clearing the land of trees, shrubs, brush or similar organic growth for development.

E. Nuisance Fire Conditions. No person shall burn any matter which the Fire Chief or his designee determines is causing:

1. Dense, thick, or heavy smoke, or
2. A strong odor, or
3. Constitutes a hazardous condition to life or property.

15.32.040 Penalty.

A. Anyone violating the provisions of this chapter is guilty of a simple misdemeanor and shall upon conviction be subjected to a fine not to exceed \$625.

B. Anyone violating the provisions of this chapter is guilty of a municipal infraction and shall upon conviction be subjected to a civil fine not to exceed \$750 for a first offense or \$1000 for a repeat offense; additionally the City also may seek an appropriate injunctive remedy to abate or correct further violations of this chapter.

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

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed as are any motions or resolutions of council that purport to give authority to a council standing committee to make a determination as all such determinations shall henceforth be made by the city council.

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

Approved 8/26/2020: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Third Consideration: Ordinance amending Chapter 16.28.050 entitled "Improvement - Sewers" of the Davenport Municipal Code. By amending section 16.28.060 thereto relating to the City collecting compensation for televising services performed in the process of sanitary sewer acceptance. [All Wards] **ADOPTED 2020-351**

ORDINANCE NO. **2020-351**

ORDINANCE amending Chapter 16.28.050 entitled "Improvements - Sewers" of the Municipal Code of Davenport, Iowa, by amending Section 16.28.050 thereto relating to the City collecting compensation for televising services performed in the process of sanitary sewer acceptance.

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

That Chapter 16.28.050 entitled "Improvements - Sewers" is hereby amended to read as follows:

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. Sewers on public property or easements shall have the approval of the Iowa State Board of Health. 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 sanitary sewer installed by private contractor, the City of Davenport Sewer Division must televise the lines to ensure that they meet acceptable city standards. 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 not 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.

Approved 8/26/2020: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

4. Second Consideration: Ordinance amending Chapter 15.08.300 of the Davenport Municipal Code entitled "Permits." [All Wards] **MOVED TO THIRD CONSIDERATION**

5. Second Consideration: Ordinance amending Chapter 15.16 of the Davenport Municipal Code entitled "Electrical Code." [All Wards] **MOVED TO THIRD CONSIDERATION**

6. First Consideration: Ordinance amending Chapter 13.38.100 entitled "Construction Site Erosion and Sediment Control - Enforcement" of the Davenport Municipal Code to allow City Council to set the schedule of fines by Resolution. [All Wards]

MOVED TO SECOND CONSIDERATION

7. Resolution authorizing the Mayor to execute documents necessary to convey City-owned parcels H0023-33, 1412 W 14th St, to Kerry and Misha Davis, petitioners; and A0060-21, 1619 W Pleasant St, to Brealynn and Donald Dickerson, petitioners. [Ward 4]

ADOPTED 2020-352

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

ADOPTED 2020-353

Timm Dalman; Festival of Praise; LeClaire Park; 8:00 a.m. Friday, September 4, 2020 - 11:30 p.m. Saturday, September 5, 2020; **Closure:** Harrison St and Ripley St south of River Dr. [Ward 3]

Top-Notch Productions, Inc; Quad City Bank & Trust and QCSO Riverfront Pops; LeClaire Park; 8:00 a.m. Thursday, September 10, 2020 - 3:00 p.m. Sunday, September 13, 2020; **Closure:** Harrison St and Ripley St south of River Dr. [Ward 3]

9. Resolution of acceptance for the E 39th St and Forest Rd Intersection Reconstruction project completed by CDMI Concrete Contractors of Port Byron, IL with a final cost of \$126,355.20, CIP #35040. [Ward 6] **ADOPTED 2020-354**
10. Resolution of acceptance for the rehabilitation of the JM Morris Blvd Pump Station 202 project, CIP #30051. [Ward 1] **ADOPTED 2020-355**
11. Resolution of acceptance for the Adler Theatre Floor Replacement project, CIP #69015. [Ward 3] **ADOPTED 2020-356**
12. Resolution awarding the contract for the CB&Q Parking Lot Reconstruction project to Hawkeye Paving Corporation of Davenport & Bettendorf in the amount of \$390,188.20, CIP #68012. [Ward 3] **ADOPTED 2020-357**
13. Resolution establishing the fee for closed circuit televising of newly constructed sanitary sewers prior to acceptance by the City. [All Wards] **ADOPTED 2020-358**
14. Resolution setting the Stormwater Management Maintenance and Repair Agreement Recording fee at \$100. [All Wards] **ADOPTED 2020-359**
15. Resolution approving Change Order #1 to the 2nd & Marquette Sewer Improvement project with Miller Trucking & Excavating in the amount of \$170,000, CIP #30016. [Ward 3] **ADOPTED 2020-360**
16. Resolution authorizing the Mayor to execute the necessary documents to convey City-owned parcel W0453-OLD to the owners of 3207 Fieldcrest Dr, the adjacent parcel to the northeast. [Ward 2] **ADOPTED 2020-361**
17. Resolution authorizing the Mayor to execute the necessary documents to convey City-owned parcel X1101B06B to the owners of 927 W 60th St, the adjacent parcel to the north. [Ward 8] **ADOPTED 2020-362**
18. Resolution authorizing the Mayor to execute the necessary documents to convey City-owned parcel F0046-16 to Francisco Brown, petitioner and resident of 817 Farnam St. [Ward 3] **ADOPTED 2020-363**
19. Resolution authorizing the Mayor to execute the necessary documents to convey City-owned parcel G0038-36B, located on the north side of the 300 block of W 9th St, to Lisa Avila, petitioner and owner of 908 Harrison St. [Ward 3] **ADOPTED 2020-364**
20. Resolution accepting the 2020-2021 (year one of three) AmeriCorps Program grant from the Corporation for National and Community Services in the amount of \$498,783 and authorizing the Finance Director or designee to sign the grant agreement to be managed and implemented by the Davenport Parks and Recreation Department. [All Wards] **ADOPTED 2020-365**
21. Resolution establishing the date and time for trick-or-treat for Saturday, October 31, 2020 4:30 p.m. - 7:00 p.m. [All Wards] **ADOPTED 2020-366**

22. Resolution approving three assistance programs through the State COVID (CDBG-CV) application process to assist with the impact of the pandemic on Davenport residents (City of Davenport, petitioner). [All Wards] **ADOPTED 2020-367**

23. Resolution approving the Small Business Resiliency Project with CDBG CARES Act funding to provide financial relief to assist small businesses as a result of the COVID-19 pandemic (City of Davenport, petitioner). [All Wards] **ADOPTED 2020-368**

24. Motion approving noise variance requests for various events on the listed dates and times. **PASSED 2020-369**

Off Point Pub; Kevin Soppe Memorial Ride; 2025 Hickory Grove Rd; Sunday, September 6, 2020 6:00 p.m. - 9:00 p.m.; Outdoor music, over 50 dBa. [Ward 4]

Top-Notch Productions, Inc; Quad City Bank & Trust and QCSO Riverfront Pops; LeClaire Park; Saturday, September 12, 2020 8:00 a.m. - 10:00 p.m.; Outdoor music, over 50 dBa. [Ward 3]

J&M Displays Inc; Riverfront Pops Fireworks Show; LeClaire Park; Saturday, September 12, 2020 9:00 p.m. - 10:00 p.m.; Fireworks, over 50 dBa. [Ward 3]

Jacob Harry; Cruise-In for a Cause; Parking lot west of Modern Woodmen Park; Sunday, September 20, 2020 2:00 p.m. - 6:30 p.m.; Outdoor music, over 50 dBa. [Ward 3]

25. Motion approving the petition for an alley light in back of 211 S Pine St. [Ward 3] **PASSED 2020-370**

26. Motion approving beer and liquor license applications. **PASSED 2020-371**

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

Ward 3

Zeke's Island Cafe (Lumpy's Inc) - 225 W 2nd St (Inside Figge) – replacing existing license - Outdoor Area - License Type: C Liquor

Ward 5

Jesses Mart (Guru Nanak Petro Mart Inc) - 412 E Locust St - new owner - License Type: C Beer

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

Ward 7

Hi Ho Mongolian Grill (Hi Ho Mongolian Grill, Inc) - 901 E Kimberly Rd, Ste 15 - Outdoor Area - License Type: Beer/Wine

27. Motion directing staff to hire an engineering firm for the design of the CDBG Replenishment projects, pending environmental approval from HUD. [Wards 3 & 8] **PASSED 2020-372**

28. Motion authorizing payment to Visit Quad Cities for FY21 tourism/marketing services in the amount not-to-exceed \$375,000. [All Wards] **PASSED 2020-373**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

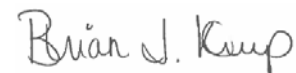
Following is a summary of revenue received for the month of July 2020:

Property taxes	\$1,864,411
Other City taxes	\$72,917
Special assessments	-
Licenses & permits	\$250,433
Intergovernmental	\$521,016
Charges for services	\$3,328,021
Use of monies & property	\$117,218
Fines & forfeits	\$106,337
Bonds/Loan Proceeds	\$586,924
Miscellaneous	\$53,909

XVI. Adjourn **6:52 p.m.**

XVII. Executive Session – **Not voted on, session not held.**

1. To discuss a real estate transaction pursuant to Iowa Code Section 21.5(1)(j).



Brian J. Krup
Deputy City Clerk

City of Davenport

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

Action / Date
9/9/2020

Subject:
Approval of the Report on Committee of the Whole for September 2, 2020.

ATTACHMENTS:

Type	Description
▣ Backup Material	COW Report 090220

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/3/2020 - 9:26 AM

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, September 2, 2020 -- The Council observed a moment of silence. Pledge of Allegiance led by Alderman Ambrose. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present (Alderman Dickmann present via telephone).

The following Public Hearings were held: Community Development: 1) for the Ordinance for Case REZ20-06 being the request of Malwa LLC to rezone 1.38 acres, more or less, of property located at 4425 W Locust St from C-1 Neighborhood Commercial to C-2 Corridor Commercial (with a note that the Plan and Zoning Commission recommends denial of the request); and 2) on the amended Annual Action Plan for Year 46 (July 1, 2020 - June 30, 2021) for the CDBG and HOME Programs. Public Works: 1) on the plans, specifications, form of contract, and estimate of cost for the Union Arcade Building subsurface vault fill and support, CIP #35022.

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 Lee, second by Alderman Ambrose item #1, First Consideration: Ordinance for Case REZ20-06 being the request of Malwa LLC to rezone 1.38 acres, more or less, of property located at 4425 W Locust St from C-1 Neighborhood Commercial to C-2 Corridor Commercial (with a note that the Plan and Zoning Commission recommends denial of the request), moved to the Discussion Agenda and the remaining item moved to the Consent Agenda. Public Safety: Alderman Ambrose reviewed all items listed. On motion by Alderman Jobgen, second by Alderman Peacock all items moved to the Consent Agenda. Public Works: Alderman Dunn reviewed all items listed. On motion by Alderman Dohrmann, second by Alderman Gripp all items moved to the Consent Agenda. Finance: Alderman Condon reviewed all items listed. On motion by Alderman Peacock, second by Alderman Dunn all items moved to the Consent Agenda.

Council adjourned at **6:19 p.m.**

City of Davenport

Agenda Group:

Department: Office of the Mayor

Contact Info: Samantha Torres 563-326-7701

Wards:

Action / Date

9/9/2020

Subject:

Chiropractic Founders Day - 125th Anniversary of Chiropractic: September 18, 2020

REVIEWERS:

Department

Reviewer

Action

Date

Office of the Mayor

Admin, Default

Approved

8/21/2020 - 8:06 AM

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Laura Berkley 563-888-3553
Wards:

Action / Date
9/9/2020

Subject:

First Consideration: Ordinance for Case REZ20-06 being the request of Malwa LLC to rezone 1.38 acres, more or less, of property located at 4425 W Locust St from C-1 Neighborhood Commercial to C-2 Corridor Commercial. [Ward 1]

THE PLAN AND ZONING COMMISSION RECOMMENDS DENIAL OF THE REQUEST. A 3/4TH MAJORITY IS REQUIRED.

Recommendation:
Adopt the Ordinance.

Background:

Comprehensive Plan:

- Within Existing Urban Service Area: Yes
- Within Urban Service Area 2035: Yes
- Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.
- Future Land Use Designation: Residential General (RG) – Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

Zoning: The property is currently zoned C-1 Neighborhood Commercial Zoning District.

Technical Review:

- Streets: The property is located south of West Locust Street. No impacts to streets are proposed.
- Stormwater: There is no proposal to redevelop. No additional stormwater requirements apply at this time.
- Sanitary Sewer: There is sanitary sewer adjacent to the property.
- Other Utilities: Other normal utility services are available.

Public Input:

- Property owners within 200 feet of the property have been notified and a sign has been placed on the property.
- A neighborhood meeting was held on Tuesday, July 21, 2020 via GoToMeeting and in person at City Hall. No one attended.
- The Notice of a Public Hearing was published in the Quad City Times on July 24, 2020.
- One property owner spoke in opposition at the August 4, 2020 Plan & Zoning Commission public hearing.
- No written letters of objection have been received.

Discussion:

The petitioner is requesting a rezoning to C-2 Commercial Corridor to accommodate retail alcohol sales. There is an existing license to sell beer and wine, and the Petitioner wishes to expand sales to include liquor. The current beer and wine license was grandfathered in when the new Zoning Code was adopted in 2019. Rezoning to C-2 would allow any owner to apply for any liquor license offered by the City, including one for hard liquor sales.

The adoption of the new zoning ordinance in 2019 resulted in significant stretches of the Locust Street corridor being downzoned to C-1, Neighborhood Commercial District. Further, the new Code restricted retail alcohol sales to districts zoned C-2 and above. Both actions were approved as a way to enhance neighborhood compatibility, specifically with the goal of reducing, over time, the prevalence of retail alcohol sales outlets along the Locust Street Corridor.

The existing license allows the existing owner to continue to sell beer and wine and is considered a legal Nonconforming Use as the use was an allowed use within a zoning district prior to the adoption of the new zoning ordinance in 2019.

Why is a zoning map amendment required? The new Zoning Ordinance does not permit the retail alcohol sales in the C-1 Neighborhood Commercial Zoning District. This was deliberate in the adoption of the New Zoning Ordinance. Therefore, the existing retail alcohol sales is a nonconforming use. According to Section 17.15.020B:

*A nonconforming use of a structure or land cannot be expanded, extended, enlarged, or **increased in intensity**. Such prohibited activity includes additions or enlargements of any structure devoted entirely to a nonconforming use, and any expansion, extension, or relocation of a nonconforming use to any other structure, any portion of the floor area, or any land area currently not occupied by such nonconforming use.*

Therefore, the zoning map amendment is being requested in order to expand and relocate the retail alcohol sales and allow a gas station as a permitted use.

Analysis of Section 17.14.040.E of the Davenport City Code, entitled Approval Standards.

E. Approval Standards: The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

1. Approval Standards for Map Amendments

a. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

The Davenport 2035 Residential General (RG) Future Land Use Designation reads:

Neighborhoods are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other

neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

Davenport 2035 does not designate West Locust as an Urban Corridor in the location of the subject property. The nearest Urban Corridor boundary is approximately 1.75 miles to the east at Locust Street and Hickory Grove Road/Division Street intersection.

First, residential development is in close proximity to the subject property. Objections regarding the negative impacts of the current business and the potential for these impacts to be increased were expressed at the public hearing. Expressed negative impacts include, trash generated from the business.

When the new zoning ordinance was adopted, the City consciously decided to not allow retail alcohol sales as a new use in the C-1 Zoning District for 3 principal reasons:

1. The potential of negatively impacting nearby and adjacent neighborhoods
2. The existing concentration of these facilities along older corridors in the Central City
3. A desire for these existing facilities to be grandfathered in now but slowly go away over time.

It is staff's opinion that the proposed amendment would not be compatible with the Comprehensive Plan.

-
b. The compatibility with the zoning of nearby property.

The subject and adjacent properties are zoned C-1 Neighborhood Commercial Zoning District. Residential zoning and development is in close proximity to the subject property. The introduction of C-2 Corridor Commercial Zoning District for the subject property may encourage other adjacent property owners to request the same zoning. There are several uses that are permitted in the C-2 Zoning District that are not permitted in the C-1 Zoning District. Table 17.08-1 Use Matrix is included in the background material. While Zoning to C-2, would allow for the requested expansion of retail alcohol sales, it would introduce other uses that are generally incompatible with residential such as, drive-through facilities, bars and minor vehicle repair without the oversight of the Zoning Board of Adjustment, and hotels and car washes.

The nearest commercially zoned property that is categorically higher than C-1 Neighborhood Commercial Zoning District is Shaffer Automotive, which is located approximately 1,800 feet south of the subject property. A map showing the 1,800 foot radius is included in the background material.

It is staff's opinion that the proposed amendment would not be compatible with the zoning of nearby property.

-
c. The compatibility with established neighborhood character.

The established neighborhood character is primarily residential adjacent to a smaller-sized neighborhood commercial cluster. The introduction of C-2 Corridor Commercial Zoning District on the subject property may encourage other adjacent property owners to request the same zoning. There are several uses that are permitted in the C-2 Zoning District that are not permitted in the C-1 Zoning District. A modified version of Table 17.08-1 - Use Matrix is included in the background material.

It is staff's opinion that the proposed amendment would not be compatible with the established neighborhood character.

d. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

Residential development is in close proximity to the subject property. Objections regarding the negative impacts of the current business and the potential for these impacts to be increased were expressed at the public hearing. Expressed negative impacts include trash generated from the business.

Zoning is a form of the police power, which authorizes the government to take actions that promote the public health, safety, and welfare of the City. Sometimes this means imposing new regulations to support this end. Indeed before the new code was enacted a liquor license was eligible at this location. But it is the City's desire to reduce the concentration of alcohol facilities in the City. The restriction in the new Code was enacted to support the health, safety and morals of the neighborhood and City.

It is staff's opinion that the proposed amendment would not promote the public health, safety, and welfare of the City.

e. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

The property is already developed and being operated as convenience store and gas station and thus well suited for this location.

It is staff's opinion that the property is suitable for the purposes for which it is presently zoned.

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

The property's current license may be maintained at its current level as the Retail Alcohol Sales use has been grandfathered. Gas Stations are Special Uses in C-1. Gas Stations and Retail Sale of Alcohol are permitted uses in the C-2 Corridor Commercial Zoning District.

It is staff's opinion that the proposed amendment would not create new nonconformities.

Recommendation:

Findings offered by City Staff:

1. The City made a deliberate decision to not allow retail alcohol sales in C-1 under the new Zoning Ordinance.
2. The request conflicts with the Comprehensive Plan.
3. The proposed zoning map amendment would not achieve consistency with approval standards in Section 17.14.040E of the Davenport City Code.

The Plan and Zoning Commission considered Case REZ20-06 at its August 18, 2020 meeting and voted to forward the request to City Council with a recommendation for denial.

The Commission vote was 9 yes (motion was to deny the request), 0 no and 0 abstention.

ATTACHMENTS:

Type

Description

▣ Ordinance	Ordinance
▣ Backup Material	P&Z Commission Letter to City Council 8-19-2020
▣ Backup Material	Public Hearing Notice
▣ Backup Material	Aerial Map
▣ Backup Material	Zoning Map
▣ Backup Material	Future Land Use Map
▣ Backup Material	1800 Foot Radius to Higher Intensity Commercial Zoning
▣ Backup Material	Use Matrix
▣ Backup Material	Neighborhood Meeting Notice
▣ Backup Material	P&Z Public Hearing Notice
▣ Backup Material	Public Hearing Notice to Neighbors
▣ Backup Material	Notified Property Owners

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berkley, Laura	Approved	8/25/2020 - 4:39 PM

ORDINANCE NO. 2020-

AN ORDINANCE for Case No. REZ20-06 being the request of Malwa, LLC to rezone 1.38 acres, more or less, of property located at 4425 W. Locust Street from C-1 Neighborhood Commercial Zoning District to C-2 Corridor Commercial Zoning District. [Ward 1]

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

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

The property has the following legal description:

Part of the NE $\frac{1}{4}$ of Section 29, Township 78N, Range 3E of the 5th P.M., Davenport, Scott County, Iowa more particularly described as follows:

Commencing at the Northwest corner of the NE $\frac{1}{4}$ of said Section 29; thence S.00 degrees 43 minutes West 45 feet south along the West line of the NE $\frac{1}{4}$ of said Section 29 to the point of the beginning; thence continuing S.00 degrees 43 minutes West 300 feet; thence East 200 feet; thence North 300 feet to the south ROW line of West Locust Street; thence West 200 feet to the point of beginning, containing 1.38 acres, more or less.

Section 2. The Plan and Zoning Commission considered case REZ20-06 at its August 18, 2020 meeting and voted to forward the request to City Council with a recommendation for denial.

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 _____

Mike Matson, Mayor

Attest: _____
Brian Krup, Deputy City Clerk

Published in the *Quad City Times* on _____



DAVENPORT

DEVELOPMENT &
NEIGHBORHOOD SERVICES

August 19, 2020

To the Honorable Mayor and City Council:

At its August 18, 2020 meeting, the Plan and Zoning Commission considered Case REZ20-06, the request of Malwa, LLC to rezone 4425 W Locust Street from C-1, Neighborhood Commercial District to C-2, Corridor Commercial District.

The Commission voted unanimously, 9-0, to forward the Case to the City Council with a recommendation for denial, with the following findings:

1. The City made a deliberate decision to not allow retail alcohol sales in C-1 under the new Zoning Ordinance.
2. The request conflicts with the Comprehensive Plan.
3. The proposed zoning map amendment would not achieve consistency with approval standards in Section 17.14.040E of the Davenport City Code.

Sincerely,

Robert Inghram, Chair



PUBLIC HEARING NOTICE | City Council - Committee of the Whole

Date: 9/2/2020 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM
Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

IOWA ILLINOIS GAS & ELECTRIC C
666 GRAND AVE PO BOX 657
DES MOINES IA 50303-0657

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street.**

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a rezoning request. The purpose of the rezoning request is to change the property's allowed uses by changing the zoning classification.

Request/Case Description:

Case REZ20-06: Request of Malwa, LLC to rezone 1.38 acres, more or less, of property located at 4425 W. Locust Street from C-1 Neighborhood Commercial to C-2 Corridor Commercial to permit retail alcohol sales [Ward 1].

What are the Next Steps after the Public Hearing?

The City Plan and Zoning Commission forwarded this case to the City Council with a recommendation for denial at its last meeting. After this public hearing of the Committee of the Whole this case will move on to the next scheduled City Council meeting for the first of three readings. For the specific dates and times of subsequent meetings, please contact the case planner as provided on this notice.

Would You Like to Submit an Official Comment?

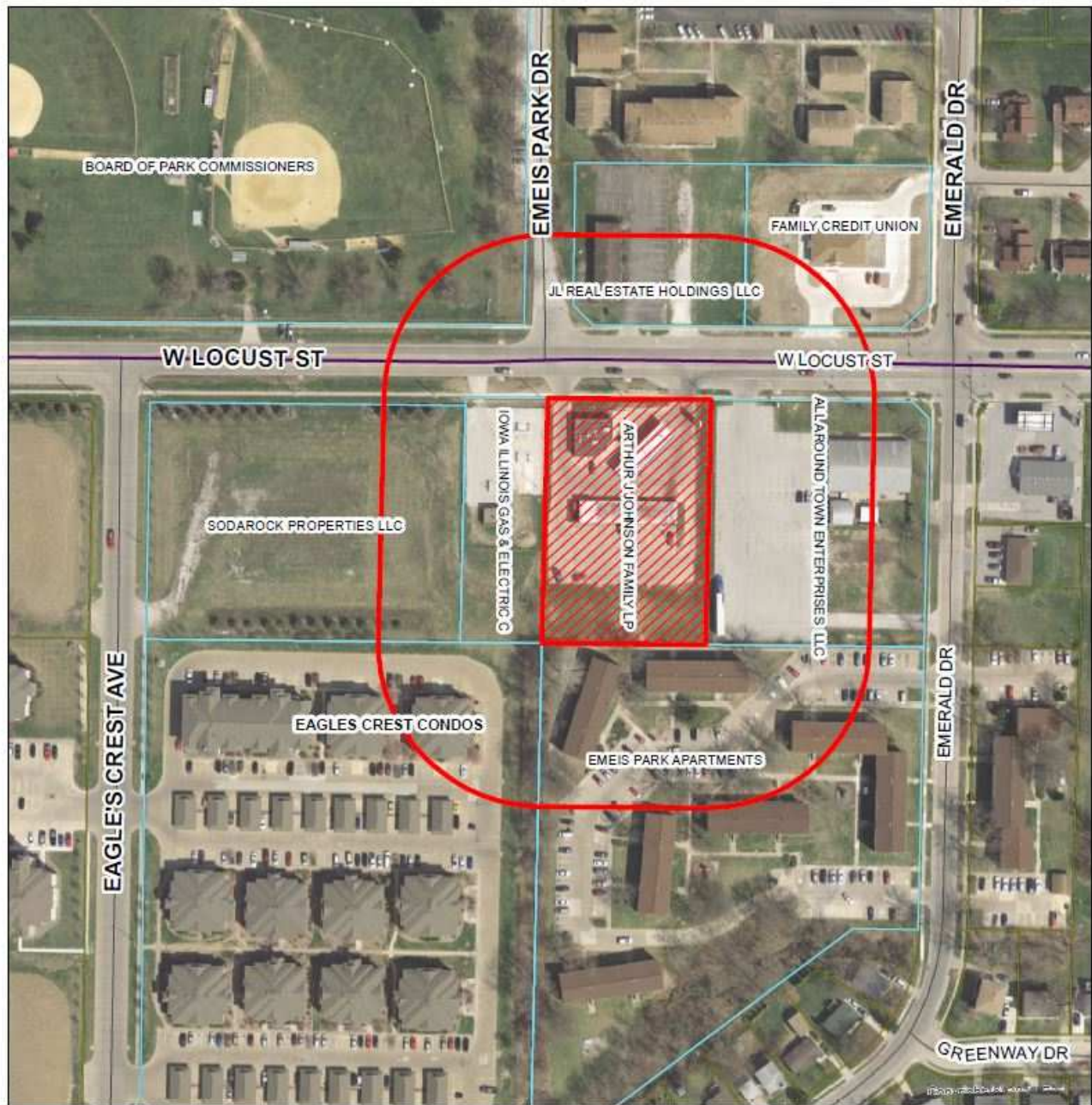
As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

Do You Have Any Questions?





If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Laura Berkley) at Laura.Berkley@davenportiowa.com or 563-888-3553. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Request for a Zoning Map Amendment (Rezoning)
REZ20-06 - 4425 W Locust Street C-1 to C-2
Adjacent Property Owner Notice Area



Legend

-  Subject Property
-  200' Notice Area
-  Adjacent Properties
-  Parcels

0 130 260 390 Feet



Private parties utilizing City GIS data do so at their own risk.
The City of Davenport will not be responsible for any costs or
liabilities incurred due to any differences between information
provided and actual physical conditions.



PUBLIC HEARING NOTICE | City Council - Committee of the Whole

Date: 9/2/2020 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM
Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

SODAROCK PROPERTIES LLC
10523 RT 52 N
DUBUQUE IA 52001

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street**.

What is this All About?

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Request/Case Description

Case REZ20-06: Request of Malwa, LLC to rezone 1.38 acres, more or less, of property located at 4425 W. Locust Street from C-1 Neighborhood Commercial to C-2 Corridor Commercial to permit retail alcohol sales [Ward 1].

What are the Next Steps after the Public Hearing?

The City Plan and Zoning Commission forwarded this case to the City Council with a recommendation for denial at its last meeting. After this public hearing of the Committee of the Whole this case will move on the the next sheduled City Council meeting for the first of three readings. For the specific dates and times of subsequent meetings, please contact the case planner as provided on this notice.

Would You Like to Submit an Official Comment?

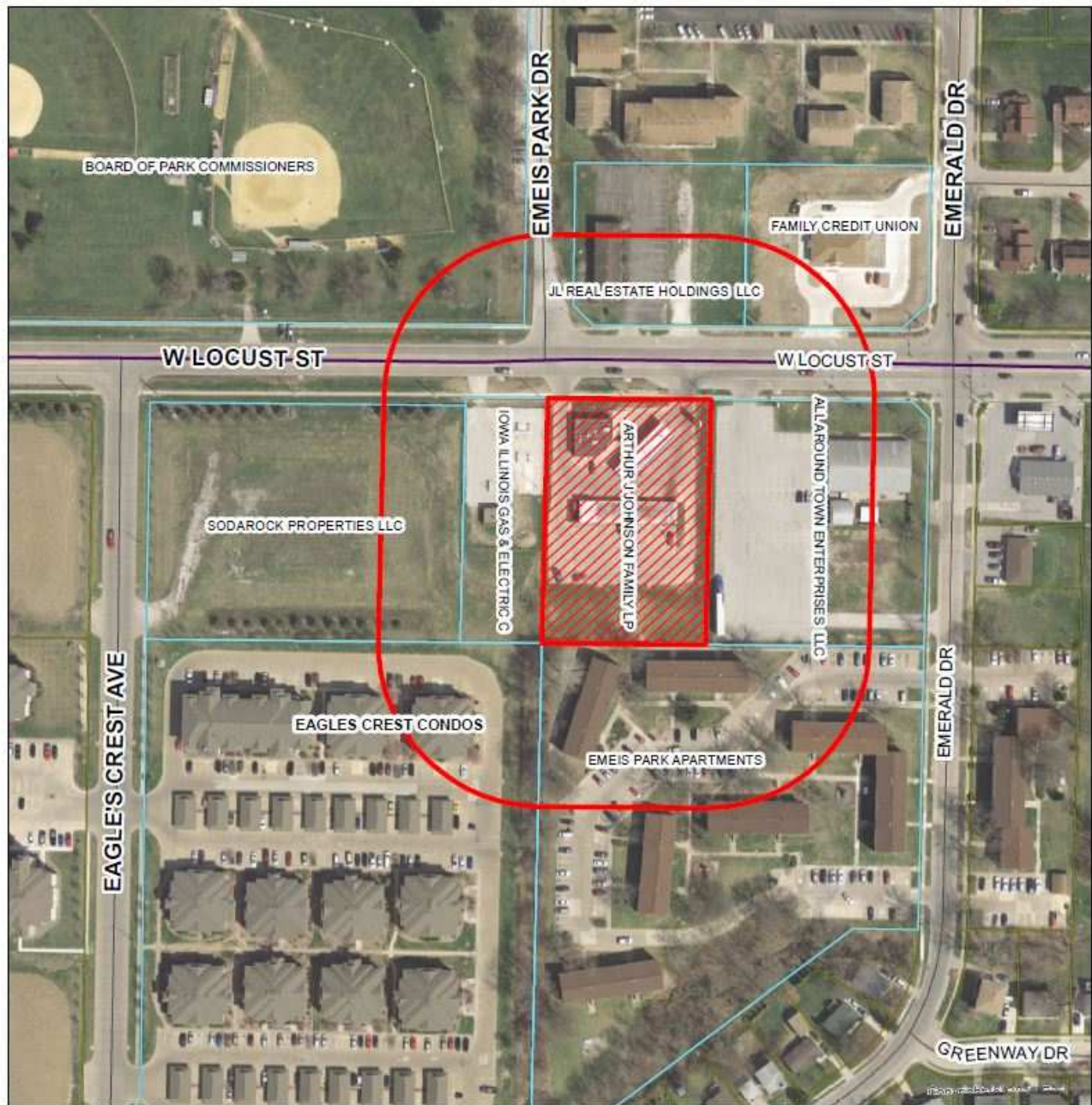
As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

Do You Have Any Questions?




If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Laura Berkley) at Laura.Berkley@davenportiowa.com or 563-888-3553. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145


Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Request for a Zoning Map Amendment (Rezoning)
REZ20-06 - 4425 W Locust Street C-1 to C-2
Adjacent Property Owner Notice Area



Legend

-  Subject Property
-  200' Notice Area
-  Adjacent Properties
-  Parcels

 Feet
 0 130 260 390



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Time: 5:30 PM
Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

EMEIS PARK APARTMENTS
2930 BELL AV
DES MOINES IA 50321

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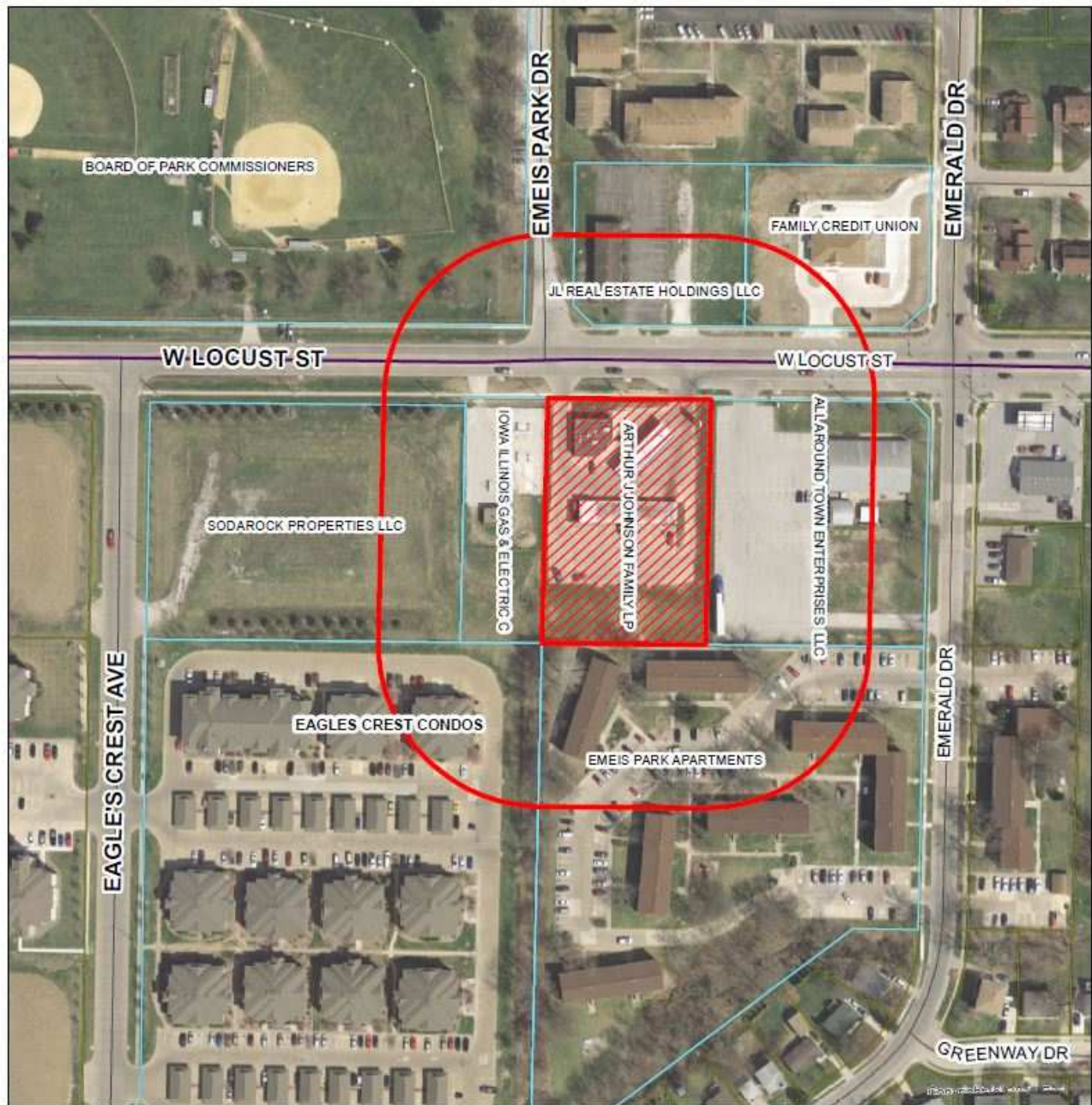
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0 130 260 390 Feet



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Date: 9/2/2020 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM
Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

ALL AROUND TOWN ENTERPRISES LLC
3730 W LOCUST ST
DAVENPORT IA 52804

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street**.

What is this All About?

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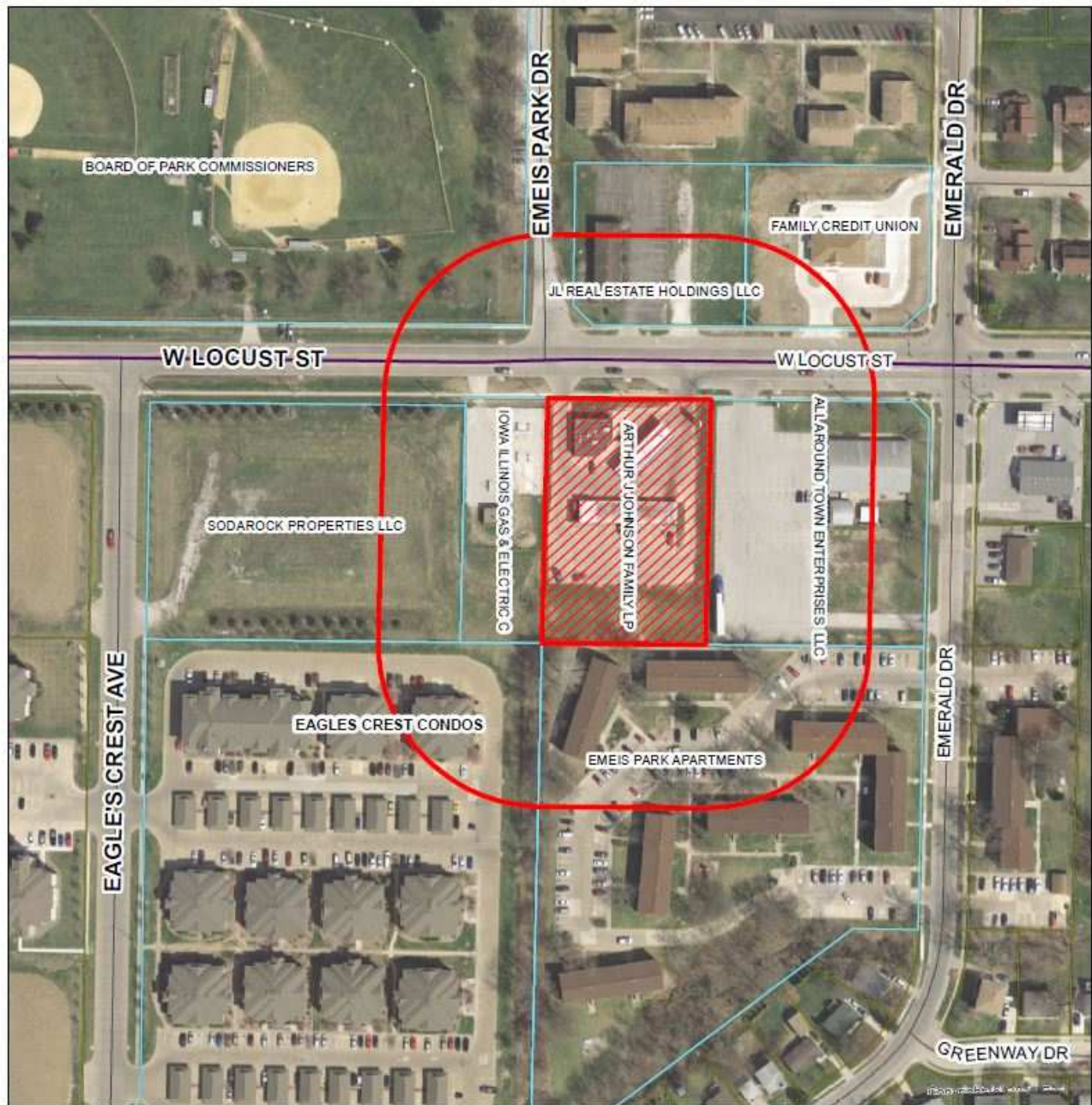
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0 130 260 390 Feet



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Date: 9/2/2020 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM
Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

BOARD OF PARK COMMISSIONERS
1757 W 12TH ST
DAVENPORT IA 52804

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street.**

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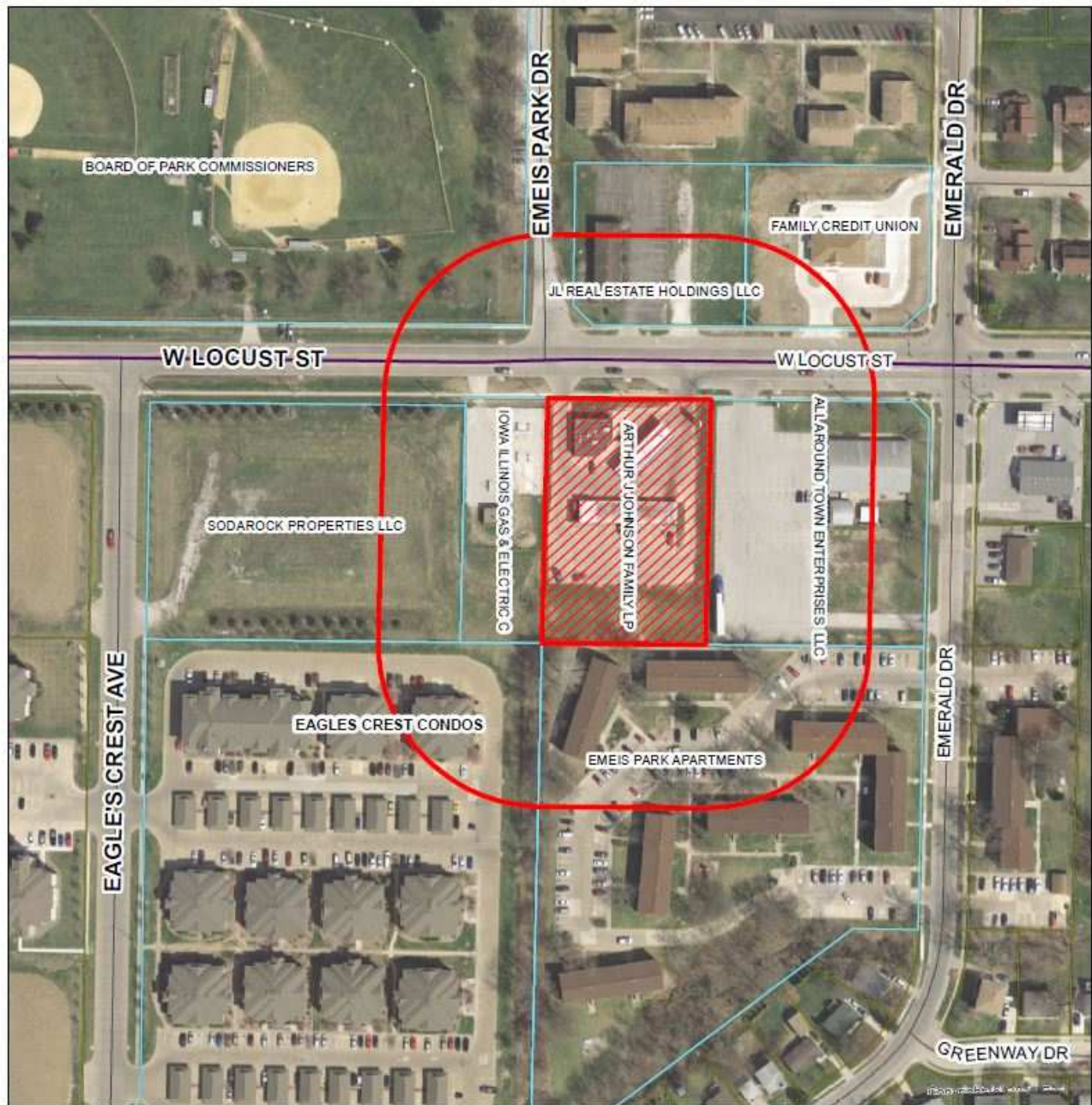
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Time: 5:30 PM
Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

JL REAL ESTATE HOLDINGS LLC
4811 BRADY ST UNIT 2
DAVENPORT IA 52806

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street**.

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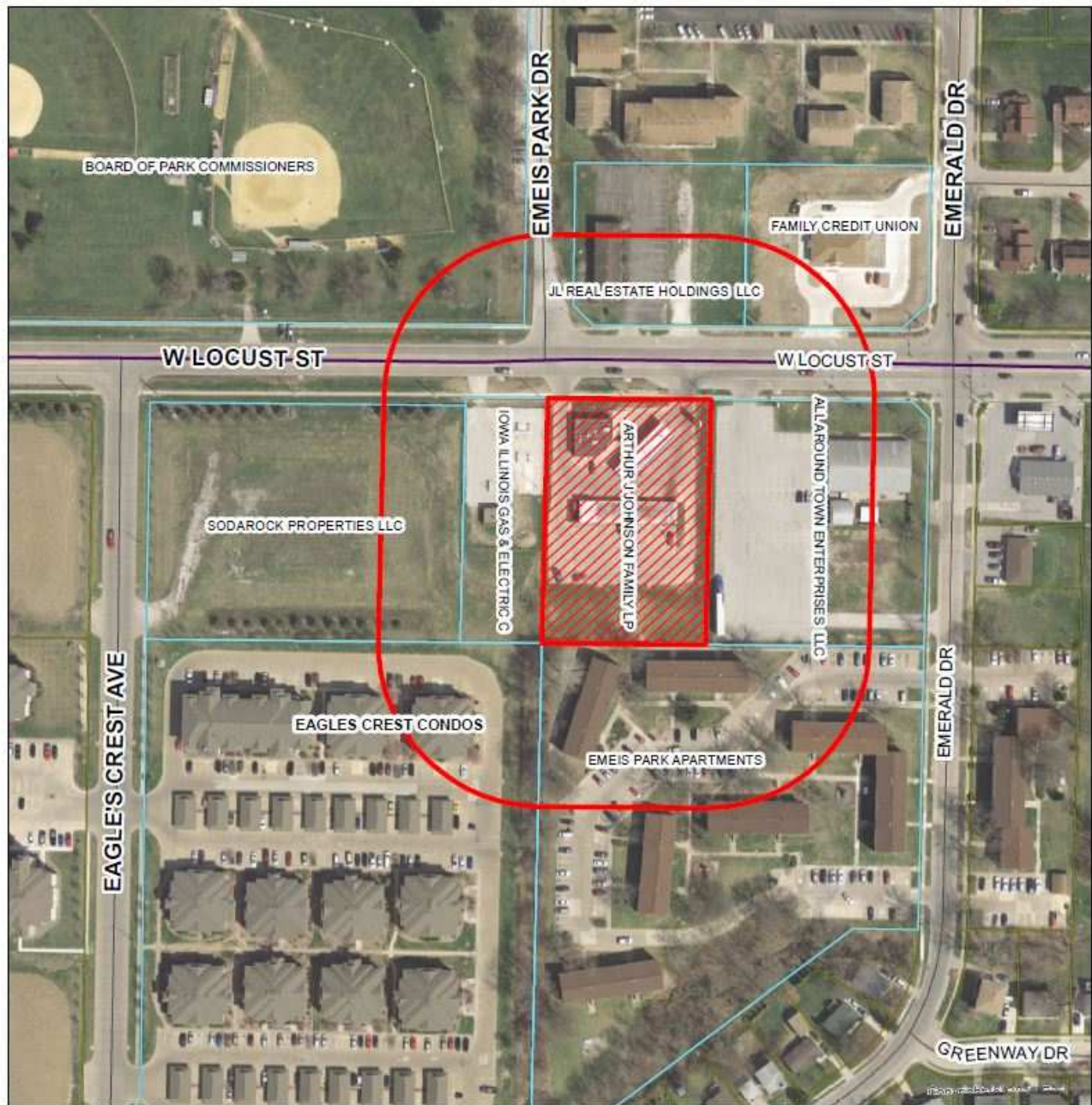
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0 130 260 390 Feet



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FAMILY CREDIT UNION
1530 W 53RD ST
DAVENPORT IA 52806-2440

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street**.

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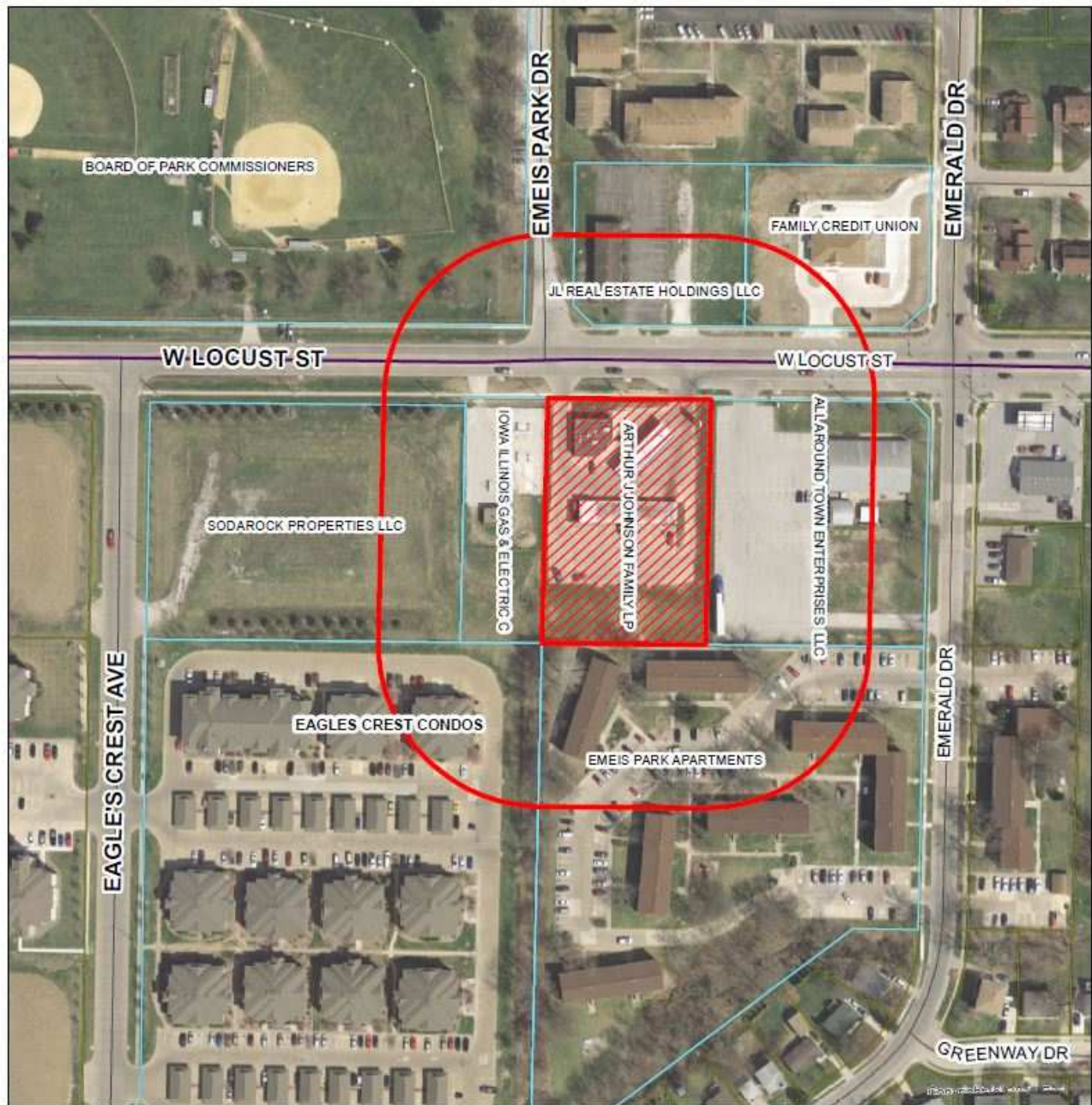
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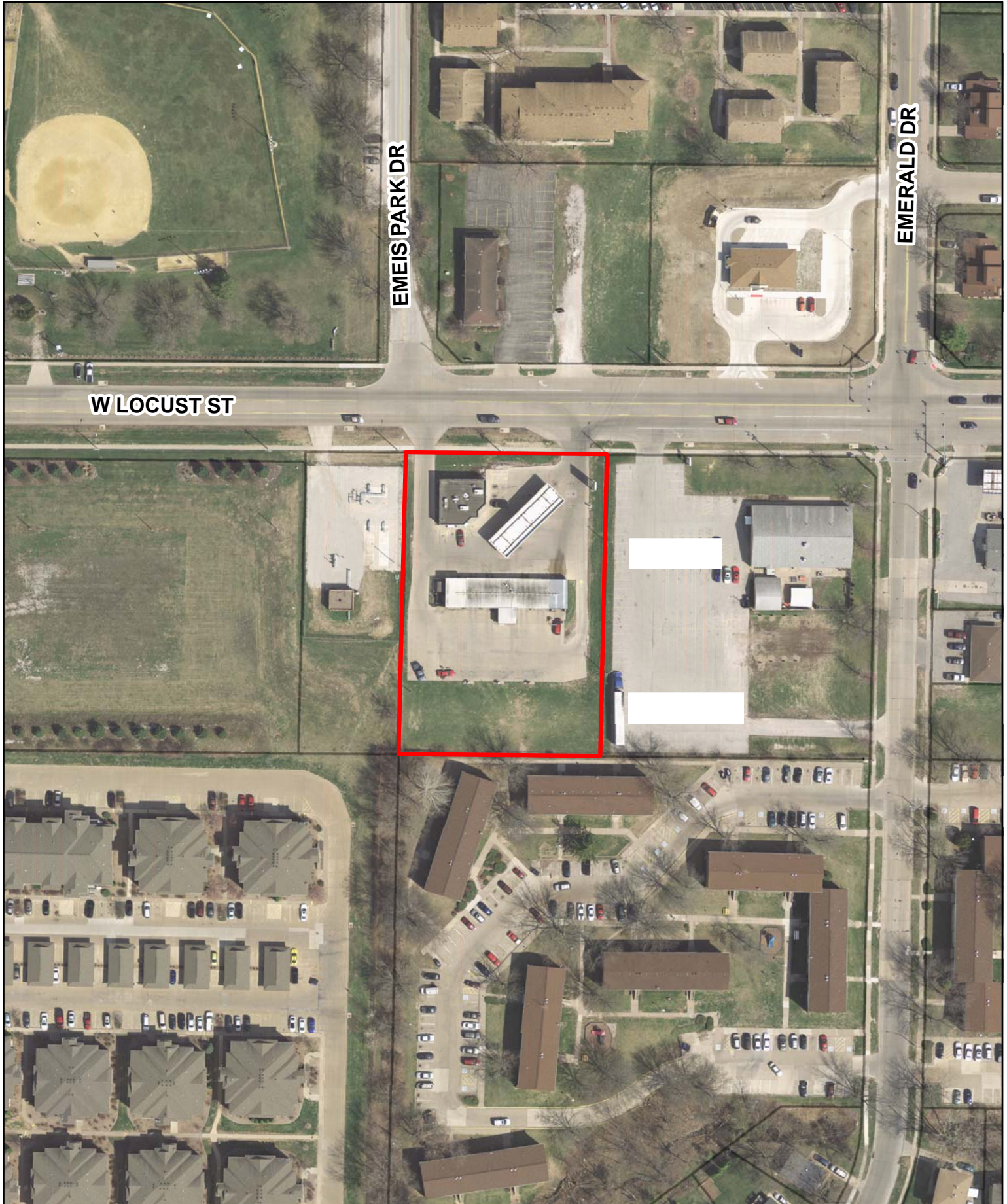
0 130 260 390 Feet



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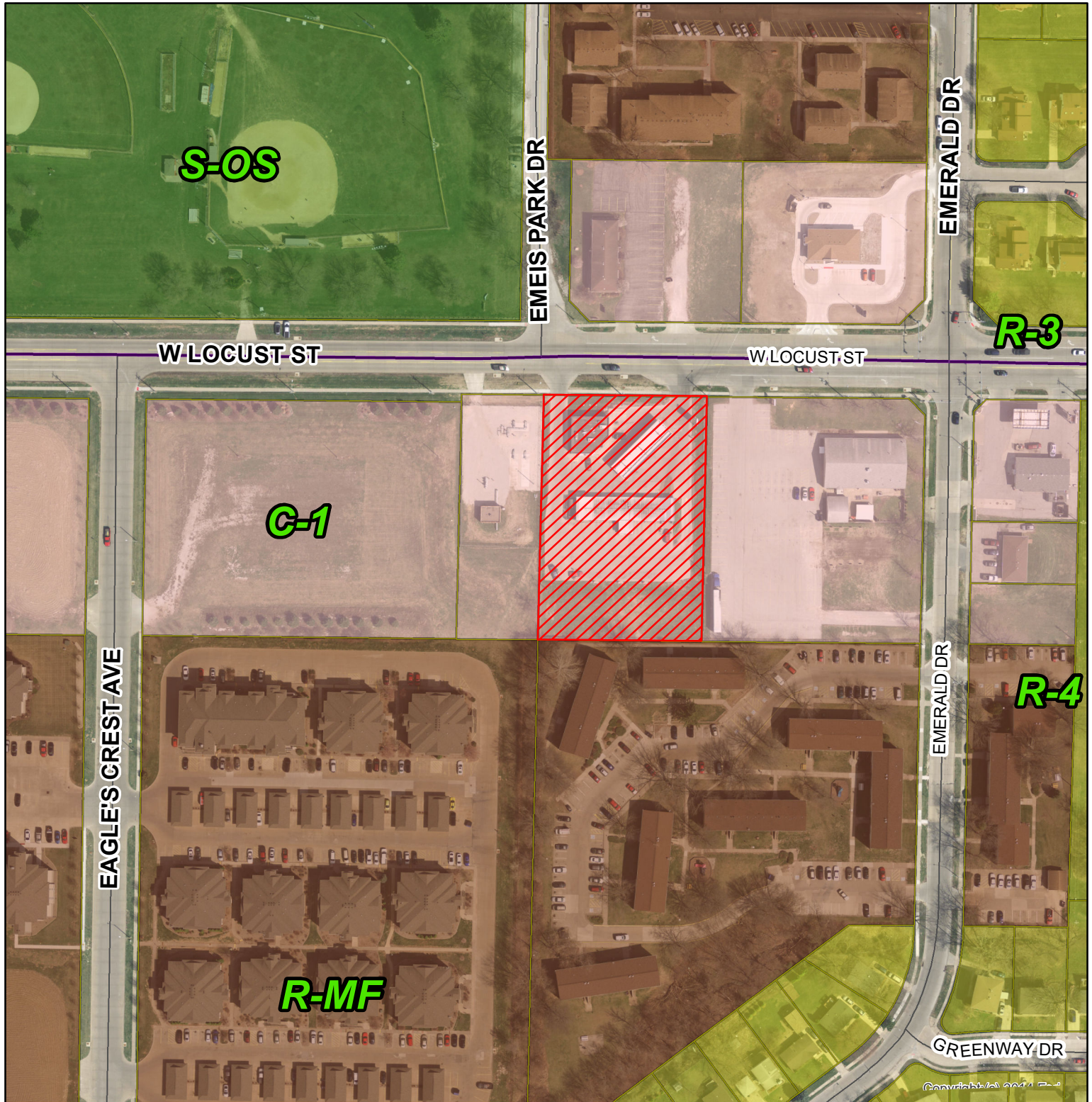
Request for a Zoning Map Amendment (Rezoning)
REZ20-06 - 4425 W Locust Street C-1 to C-2

Aerial Map




Request for a Zoning Map Amendment (Rezoning)

REZ20-06 - 4425 W Locust Street C-1 to C-2



0 130 260 390 Feet

Legend

 Subject Property

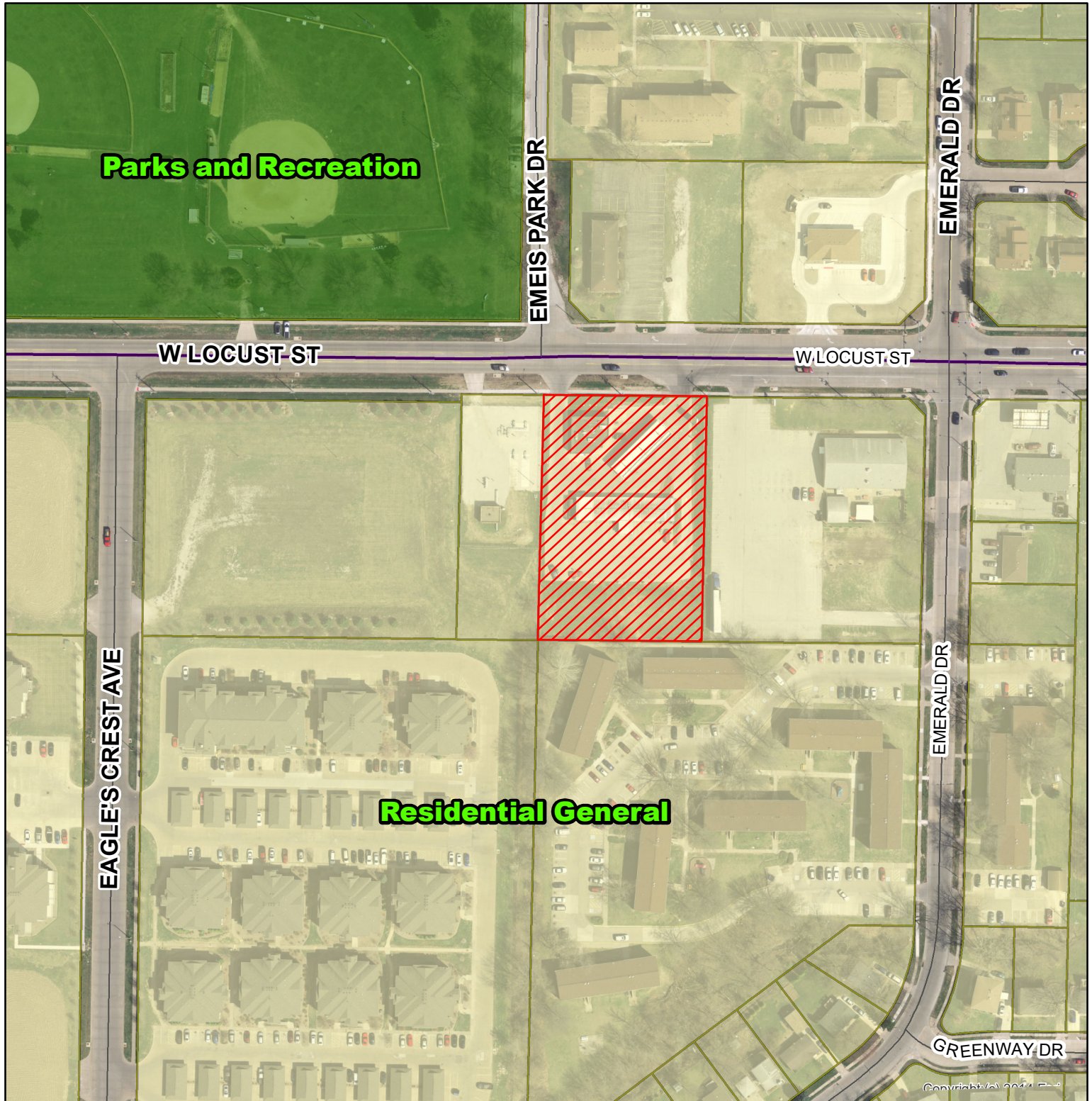


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Request for a Zoning Map Amendment (Rezoning)

REZ20-06 - 4425 W Locust Street C-1 to C-2

Future Land Use Map (Davenport +2035)



0 130 260 390 Feet

Legend

 Subject Property

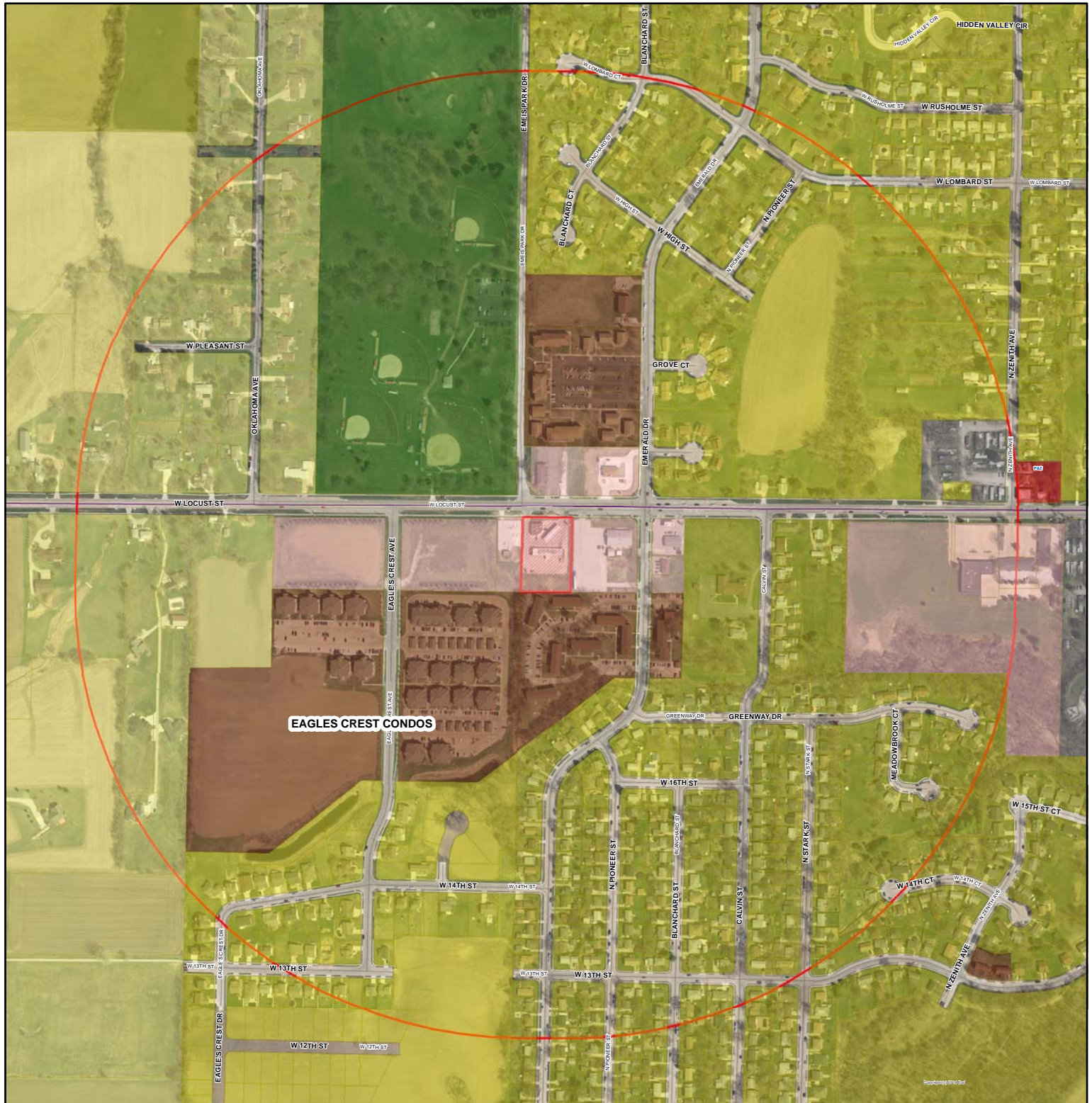


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Request for a Zoning Map Amendment (Rezoning)



REZ20-06 - 4425 W Locust Street C-1 to C-2

1,800 Radius From Subject Property



0 450 900 1,350 Feet

Legend

-  1,800 Foot Radius
-  Subject Property



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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-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					
Amusement Facility - Outdoor										S				S	P		S					
Animal Care Facility – Large Animal																		P				
Animal Care Facility – Small Animal							S	S	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					
Arts and Fitness Studio							P	P	P	P		P	P	P			P					
Bar								S	P	P		P	P	P			P					
Bed and Breakfast	P	P	S	S	S													P			Sec. 17.08.030.C	
Billboard									P	P					P	P					Sec. 17.08.030.D	
Body Modification Establishment								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.E	
Car Wash									P	P				S			P				Sec. 17.08.030.F	
Casino														P								
Cemetery																			P			
Children’s Home					P				P	P				P			S			P	Sec. 17.08.030.G	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	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		
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.H	
Conservation Area																		P	P			
Country Club																			P			
Cultural Facility							P	P	P	P		P	P	P			P		P	P		
Day Care Center					P		P	P	P	P	P	P	P	P			P			P	Sec. 17.08.030.I	
Day Care Home	P	P	P	P	P													P			Sec. 17.08.030.I	
Drive-Through Facility								S	P	P		S		P	P	P	P				Sec. 17.08.030.J	
Drug/Alcohol Treatment Facility, Residential									S	S				S			S			S	Sec. 17.08.030.K	
Drug Treatment Clinic									S	S				S			S			S	Sec. 17.08.030.K	
Domestic Violence Shelter					P			P	P	P				P			P			P	Sec. 17.08.030.G	
Dwelling – Accessory Dwelling Unit	P	P	P	P																	Sec. 17.08.030.L	
Dwelling – Manufactured Home						P												S			Sec. 17.08.030.M	

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Dwelling - Multi-Family					P		P	P	P	P		P	P	P			P				Sec. 17.08.030.N		
Dwelling - Townhouse					P		P	P	P	P		P	P	P			P				Sec. 17.08.030.O		
Dwelling - Single-Family	P	P	P	P			P	P	P				P								Sec. 17.08.030.O		
Dwelling - Single-Family Semi-Detached		P	P	P	P		P	P	P				P								Sec. 17.08.030.O		
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P				P								Sec. 17.08.030.O		
Dwelling - Two-Family (Conversion)			S	S	P		P	P	P				P								Sec. 17.08.030.O		
Educational Facility - Primary or Secondary	P	P	P	P	P															P			
Educational Facility - University or College										P	P	P		P						P			
Educational Facility - Vocational							S	S	S	P	P	P	S	P	P	P	P			P			
Equine, Keeping of/Equestrian Facility	P																	P			Sec. 17.08.030.P		
Fairground																		S	S	P			
Financial Institution							P	P	P	P	P	P	P	P			P						
Financial Institution, Alternative									S	S				S			P				Sec. 17.08.030.Q		
Food Bank															P		P						
Food Pantry									P	S				S			S						
Funeral Home							S	S	S	P				P			P						
Gas Station								S	P	P				P	P	P	P				Sec. 17.08.030.R		
Golf Course/Driving Range																			P				
Government Office/Facility							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-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.S		
Halfway House									S	S				S			S			S	Sec. 17.08.030.K		
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.K		
Hotel									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						

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Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.T	
Manufactured Home Park						P																
Medical/Dental Office							P	P	P	P	P	P	P	P			P			P		
Micro-Brewery/Distillery/Winery									P	P		P	P	P	P		P					
Neighborhood Commercial Establishment		S	S	S	S																Sec. 17.08.030.U	
Office							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				Sec. 17.08.030.V	
Parking Lot (Principal Use)								S	S	S	S	S	S	S	P		S			P	Chapter 17.10	
Parking Structure (Principal Use)								S	S	P	P	S	S	P			P			P	Chapter 17.10	
Personal Service Establishment							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		
Private Recreation Facility								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		
Public Safety Facility					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		S	S	P			P	S			Sec. 17.08.030.W	
Recreational Vehicle (RV) Park																		S	S		Sec. 17.08.030.E	
Research and Development											P				P	P	P			P		
Residential Care Facility					P		P	S	P	P	P	P		P	P		P			P	Sec. 17.08.030.X	
Restaurant								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		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	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		P	P							
Retail Sales of Fireworks															P	P					Sec. 17.08.030.Y	
Salvage Yard																S						
Self-Storage Facility: Enclosed									S	P	P			P	P	P	P				Sec. 17.08.030.Z	
Self-Storage Facility: Outdoor										S					P	P	S				Sec. 17.08.030.Z	
Social Service Center									P	P				P			P			P		
Solar Farm											P				P	P		S		P	Sec. 17.08.030.AA	
Specialty Food Service								P	P	P		P	P	P	P		P					
Storage Yard - Outdoor															P	P					Sec. 17.08.030.BB	
Truck Stop															P	P						
Vehicle Dealership – Enclosed										P	S	P		P	S		P					

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-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Vehicle Dealership – With Outdoor Storage/Display										S				S	S		P					
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															P	P	SP				Sec. 17.08.030.CC	
Vehicle Repair/Service – Minor								S	P	P				P	P	P	SP				Sec. 17.08.030.CC	
Warehouse															P	P						
Wholesale Establishment															P	P	S					
Wind Energy System											S				S	S		S		S	Sec. 17.08.030.DD	
Wine Bar								S	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	Sec. 17.08.030.EE	
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	Sec. 17.08.030.EE	
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	Sec. 17.08.030.EE	
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	Sec. 17.08.030.EE	
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	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	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	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	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	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	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	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	Sec. 17.08.040.H	



DAVENPORT
DEVELOPMENT &
NEIGHBORHOOD SERVICES

July 14, 2020

IOWA ILLINOIS GAS & ELECTRIC C
C/O MID AMER CORP TAX -- DMR7
DES MOINES IA 50303-0657

**NOTICE
NEIGHBORHOOD MEETING
Tuesday, July 21, 2020 5:00 PM
City Hall Council Chambers
226 West 4th Street, Davenport, IA 52801**

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case REZ20-06: Request of Pardeep Manru to rezone 1.38 acres, more or less, of property located 4425 W. Locust St. from C-1 Neighborhood Commercial to C-2 Corridor Commercial Zoning District. [Ward 1]

A map of the affected property is included in this notice.

If successful, this rezoning could result in the sale of Hard Liquor at this location.

A public meeting will be held to discuss the proposal at the time and place listed above. You may also attend using the GoToMeeting information included below. The Plan and Zoning Commission will hold a formal public hearing on the matter on Tuesday August 4, 2020, 5:00 pm at Davenport City Hall. You will receive an additional notice prior to this meeting.

If you have any questions regarding the proposal, please contact the Planning Division.

Case No. REZ20-06

EMAIL: planning@davenportiowa.com

Phone: (563) 326-6198

GoToMeeting

Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/MatthewFlynn1/plan-zoning-commission>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(571\) 317-3116](tel:+15713173116)

Access Code: 968-282-773

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/968282773>

*** Proof of Publication ***

STATE OF IOWA
SCOTT COUNTY, } ss.

The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE QUAD-CITY TIMES, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is made a part of this affidavit, was published in said THE QUAD-CITY TIMES, on the dates listed below.

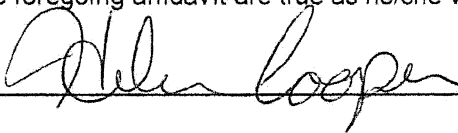
CITY OF DAVENPORT - LEGALS

Sharon Langel
226 W 4TH ST
DAVENPORT, IA 52801

ORDER NUMBER 74823

The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true as he/she verily believes.

**NOTICE OF
PUBLIC HEARING**
Tuesday, August 4, 2020 - 5:00 P.M.
City of Davenport Plan and Zoning
Commission
Council Chambers - Davenport City Hall
226 W. 4th Street - Davenport, Iowa
There is on file in the Development &
Neighborhood Services Department
(DNS), on behalf of the Plan and Zoning
Commission, the following request:
Case RE220-06: Request of Malwa, LLC
to rezone 1.38 acres, more or less, of
property located at 4425 W. Locust Street
from C-1 Neighborhood Commercial to
C-2 Corridor Commercial (Ward 1).
The public hearing on the above matter is
scheduled for 5:00 p.m. on August 4,
2020, or as soon thereafter as possible, in
the Council Chambers of the Davenport
City Hall, 226 West 4th Street, Davenport,
Iowa. You may submit written comments
on the above item or attend the public
hearing to express your views, or both.
Interpretive services are available at no
charge. Servicios interpretativos libres
están disponibles. TTY: (563) 326-6146.
Any written comments to be reported at
the public hearing should be received in
the Development & Neighborhood Serv-
ices Department at the Public Works
Building, 1200 E. 46th Street, Davenport,
Iowa 52807, no later than 12:00 noon on
the day of the public hearing. PO No.
2100493
Development & Neighborhood Services
Department
Email: planning@davenportiowa.com
Phone: 563-326-6198



Section: Notices & Legals

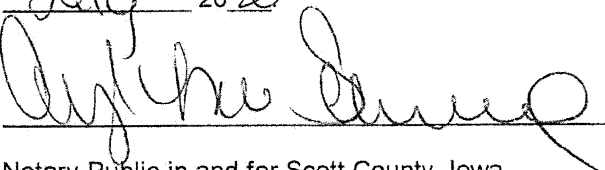
Category: 2627 Miscellaneous Notices

PUBLISHED ON: 07/24/2020

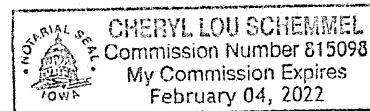
TOTAL AD COST: 22.36

FILED ON: 7/24/2020

Subscribed and sworn to before me by said affiant this 24 day of
July 2020



Notary Public in and for Scott County, Iowa



Quad-City Times
media group
& Muscatine Journal

FIRST INVOICE

Quad-City Times
PO Box 540
Waterloo, IA 50704-0540
1-888-988-8505

CITY OF DAVENPORT - LEGALS

Sharon Langel
226 W 4TH ST
DAVENPORT IA 52801

Customer Nbr: 60067429

Phone: (563) 888-2074

Date: 07/30/2020

Page: 1

Amount Paid: _____

Card #: _____

Exp Date: ____/____/____

Check #: _____

Signature: _____



Date: 07/24/2020 Ref #: 74823 Total: 22.36

Lee Enterprises no longer accepts credit card payments sent via e-mail. Emails containing credit card numbers will be blocked.
Please use the coupon above to send credit card payment to the remittance address located in the upper right corner.

Date	Reference #	Type	Description	Lines	Total
07/24/20	74823	INV	P&Z 8-4-20 PH PO # 2100493	40	22.36

Remarks:

Total Due:

22.36



PUBLIC HEARING NOTICE | City Council - Committee of the Whole

Date: 9/2/2020 Location: Council Chambers | City Hall | 226 W. 4th ST.

Time: 5:30 PM

Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street**.

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a rezoning request. The purpose of the rezoning request is to change the property's allowed uses by changing the zoning classification.

Request/Case Description:

Case REZ20-06: Request of Malwa, LLC to rezone 1.38 acres, more or less, of property located at 4425 W. Locust Street from C-1 Neighborhood Commercial to C-2 Corridor Commercial to permit retail alcohol sales [Ward 1].

What are the Next Steps after the Public Hearing?

The City Plan and Zoning Commission forwarded this case to the City Council with a recommendation for denial at its last meeting. After this public hearing of the Committee of the Whole this case will move on the the next scheduled City Council meeting for the first of three readings. For the specific dates and times of subsequent meetings, please contact the case planner as provided on this notice.

Would You Like to Submit an Official Comment?

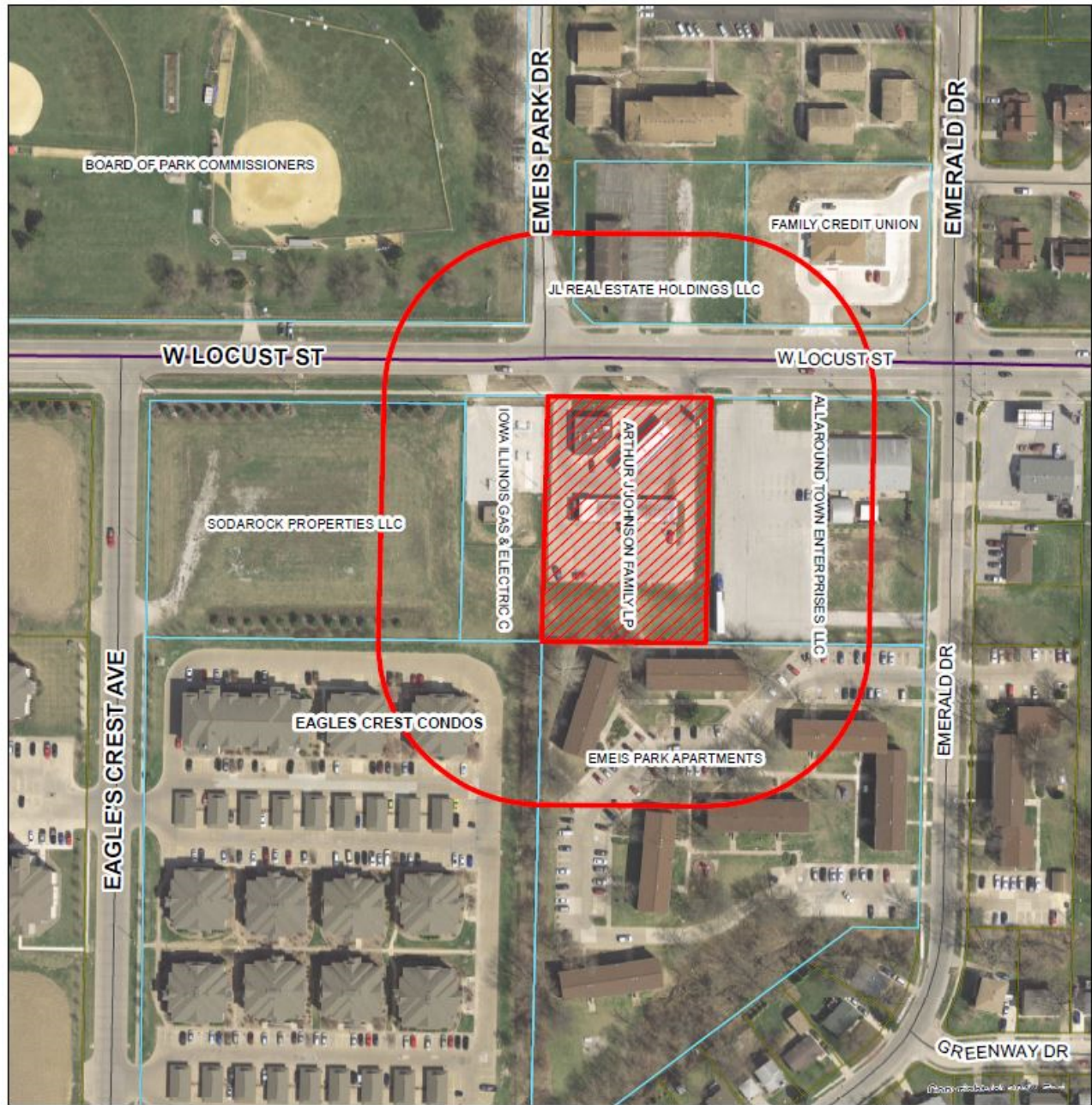
As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

Do You Have Any Questions?





If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Laura Berkley) at Laura.Berkley@davenportiowa.com or 563-888-3553. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145


Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Request for a Zoning Map Amendment (Rezoning)
REZ20-06 - 4425 W Locust Street C-1 to C-2
Adjacent Property Owner Notice Area



Legend

-  Subject Property
-  200' Notice Area
-  Adjacent Properties
-  Parcels

 Feet
 0 130 260 390



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.



PUBLIC HEARING NOTICE | City Council - Committee of the Whole

Date: 9/2/2020 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM
Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

SODAROCK PROPERTIES LLC
10523 RT 52 N
DUBUQUE IA 52001

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street**.

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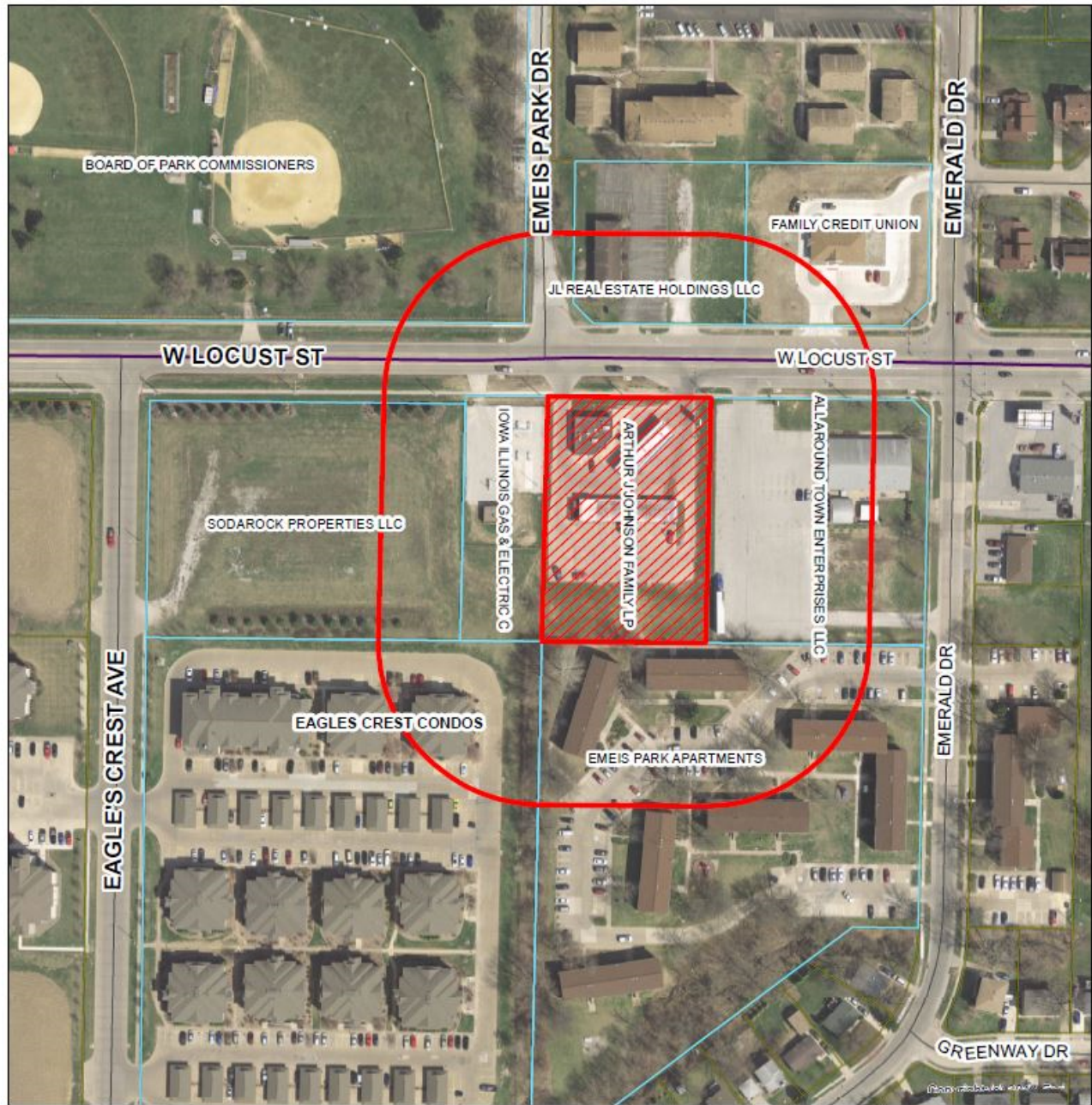
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REZ20-06 - 4425 W Locust Street C-1 to C-2
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PUBLIC HEARING NOTICE | City Council - Committee of the Whole

Date: 9/2/2020 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM
Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

EMEIS PARK APARTMENTS
2930 BELL AV
DES MOINES IA 50321

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street**.

What is this All About?

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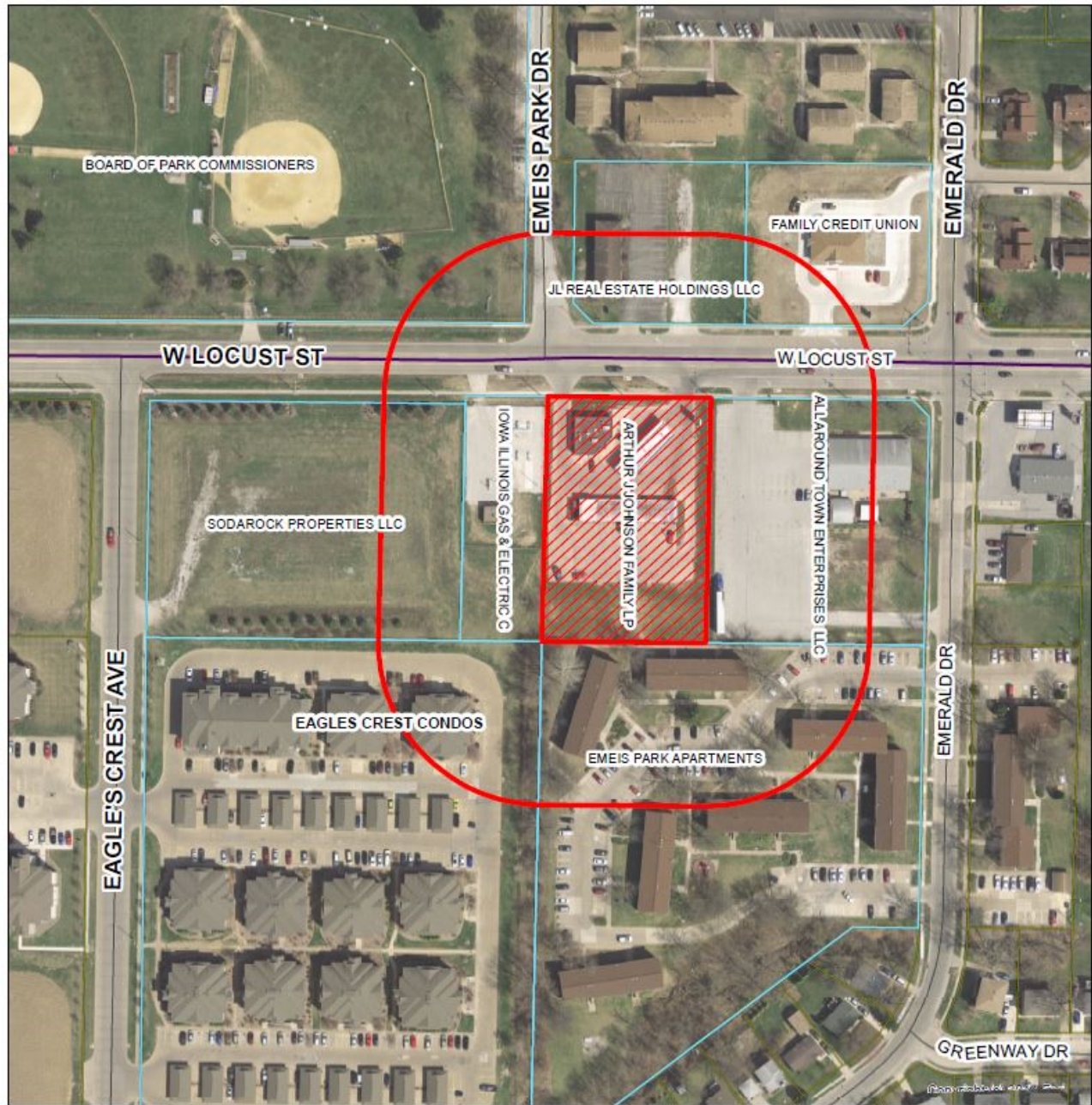
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Date: 9/2/2020 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM
Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

ALL AROUND TOWN ENTERPRISES LLC
3730 W LOCUST ST
DAVENPORT IA 52804

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street**.

What is this All About?

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Request/Case Description

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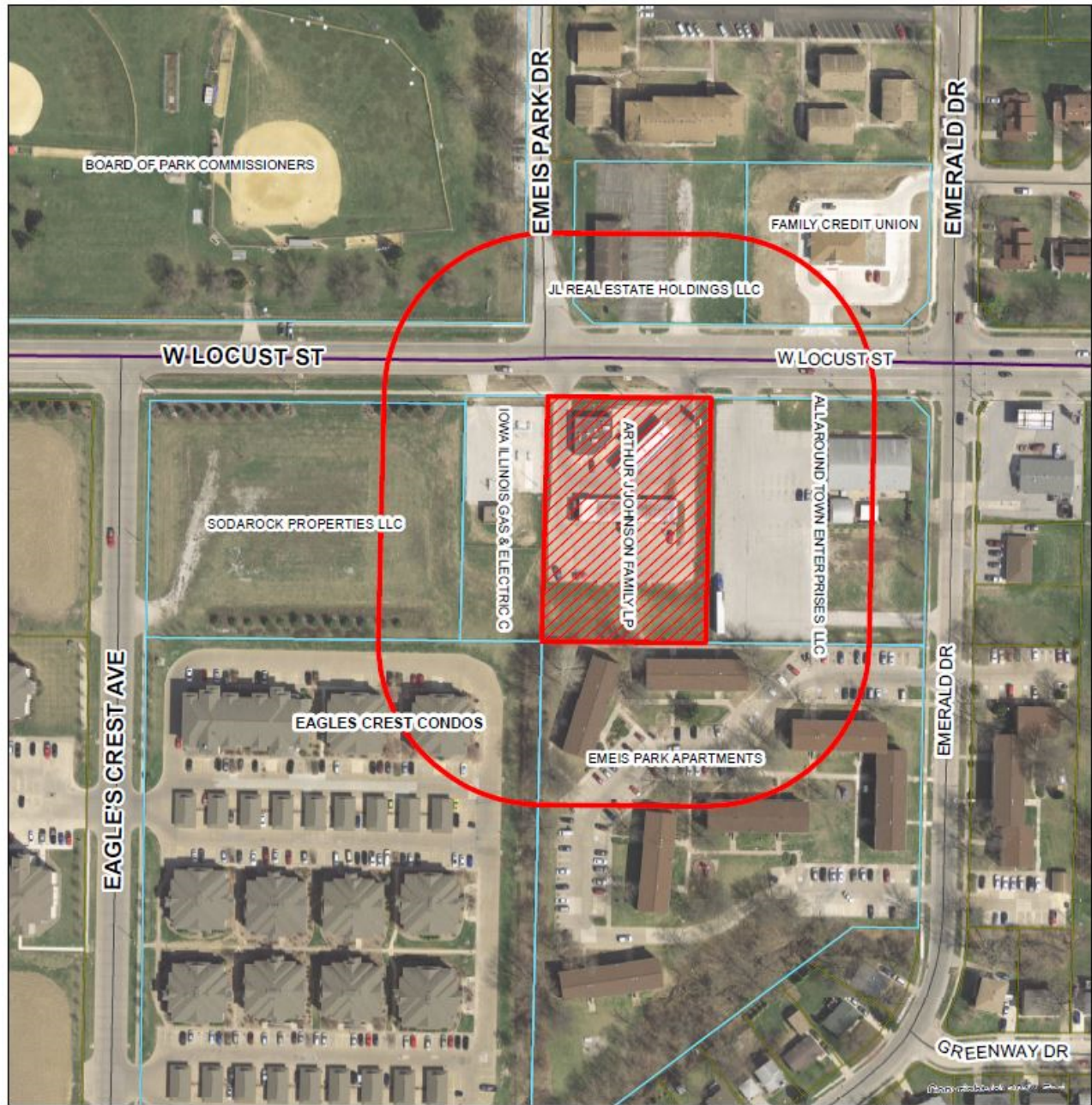
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PUBLIC HEARING NOTICE | City Council - Committee of the Whole

Date: 9/2/2020 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM
Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

BOARD OF PARK COMMISSIONERS
1757 W 12TH ST
DAVENPORT IA 52804

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street**.

What is this All About?

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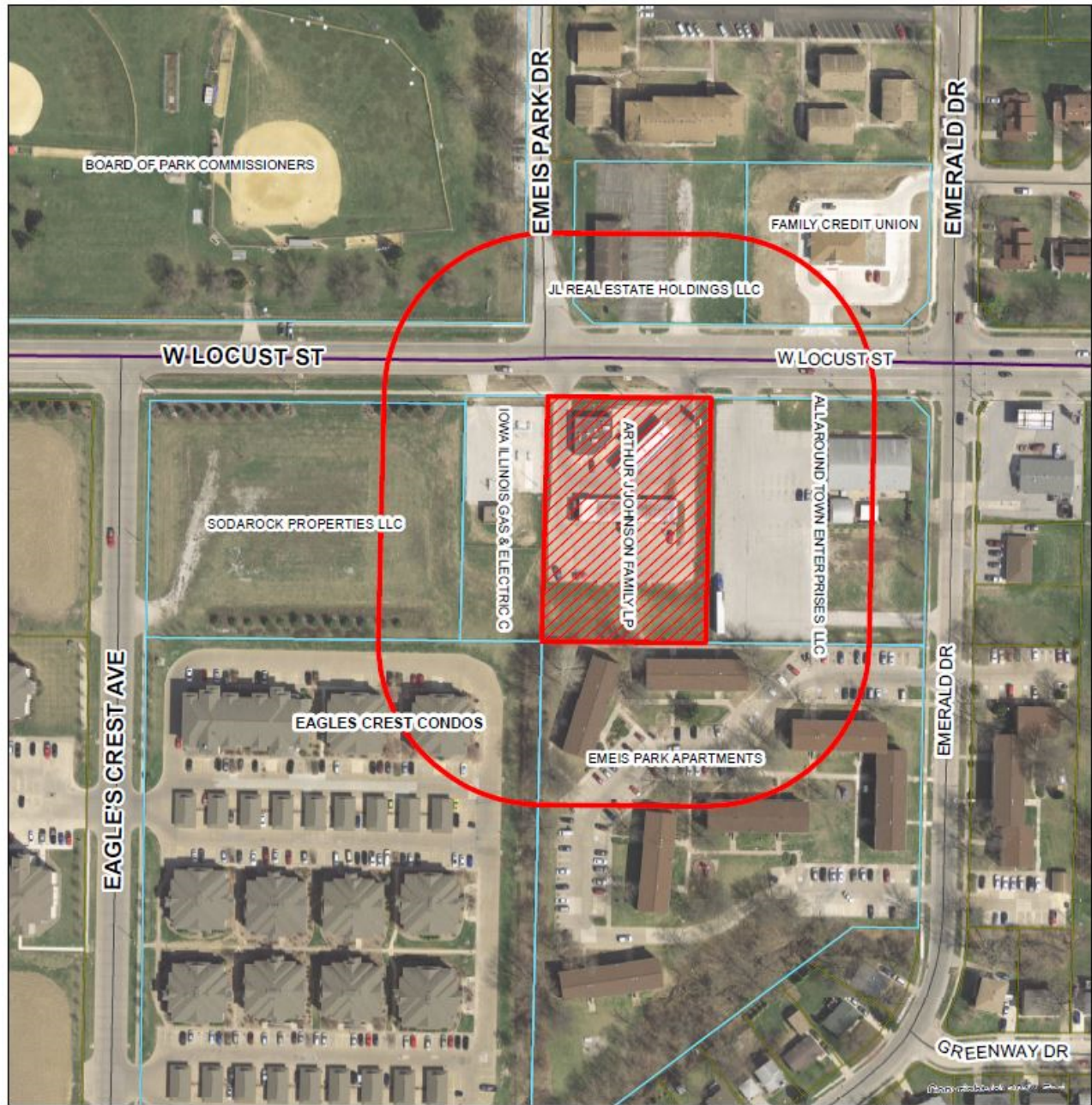
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Request for a Zoning Map Amendment (Rezoning)
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PUBLIC HEARING NOTICE | City Council - Committee of the Whole

Date: 9/2/2020 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM
Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

JL REAL ESTATE HOLDINGS LLC
4811 BRADY ST UNIT 2
DAVENPORT IA 52806

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street**.

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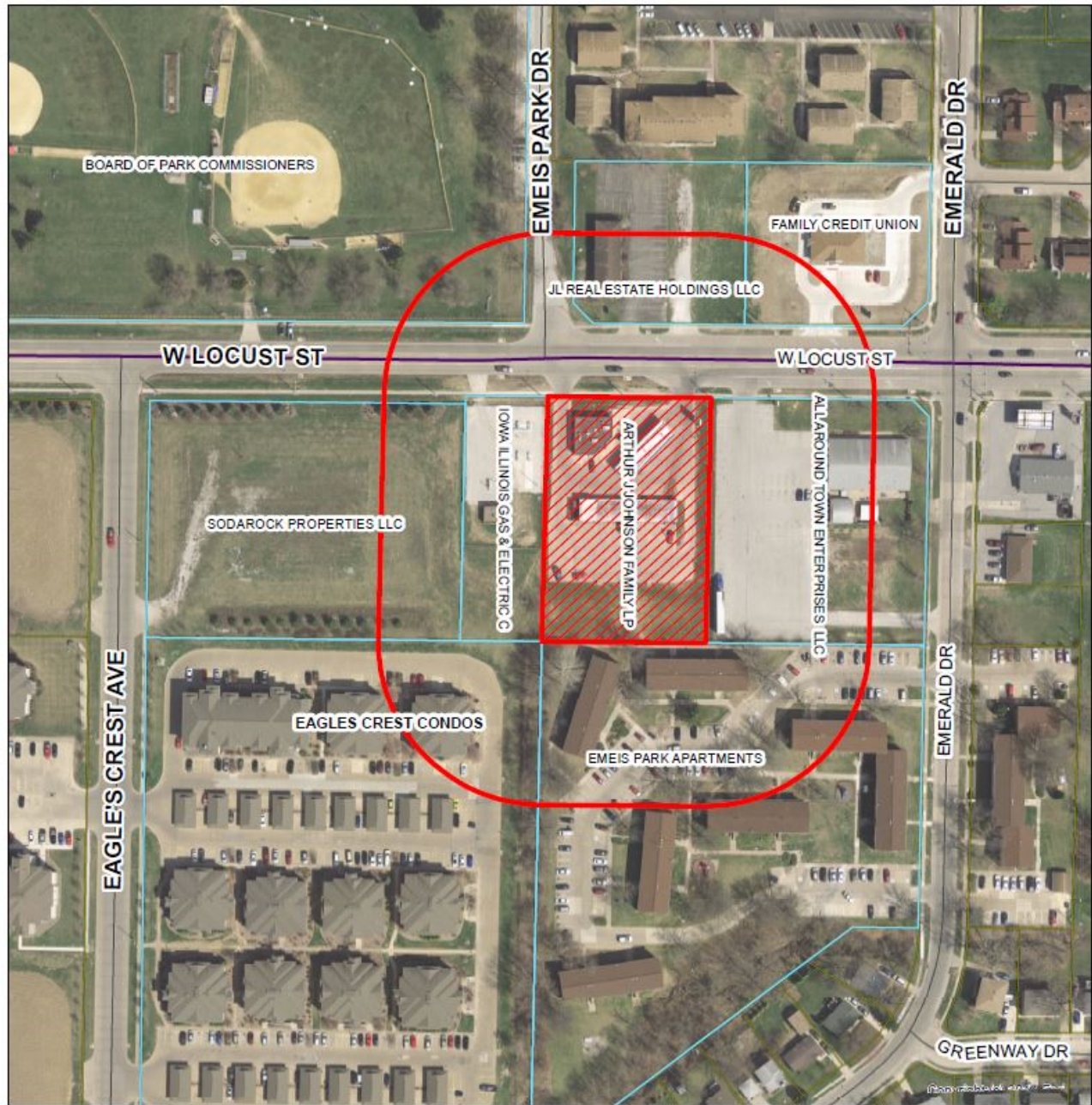
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Do You Have Any Questions?





If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Laura Berkley) at Laura.Berkley@davenportiowa.com or 563-888-3553. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145


Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Request for a Zoning Map Amendment (Rezoning)
REZ20-06 - 4425 W Locust Street C-1 to C-2
Adjacent Property Owner Notice Area



Legend

-  Subject Property
-  200' Notice Area
-  Adjacent Properties
-  Parcels

 Feet
 0 130 260 390



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.



PUBLIC HEARING NOTICE | City Council - Committee of the Whole

Date: 9/2/2020 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM
Subject: Public hearing for a rezoning request before the City Council - Committee of the Whole

FAMILY CREDIT UNION
1530 W 53RD ST
DAVENPORT IA 52806-2440

To: All property owners within 200 feet of the subject property located at **4425 W. Locust Street**.

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a rezoning request. The purpose of the rezoning request is to change the property's allowed uses by changing the zoning classification.

Request/Case Description

Case REZ20-06: Request of Malwa, LLC to rezone 1.38 acres, more or less, of property located at 4425 W. Locust Street from C-1 Neighborhood Commercial to C-2 Corridor Commercial to permit retail alcohol sales [Ward 1].

What are the Next Steps after the Public Hearing?

The City Plan and Zoning Commission forwarded this case to the City Council with a recommendation for denial at its last meeting. After this public hearing of the Committee of the Whole this case will move on the the next sheduled City Council meeting for the first of three readings. For the specific dates and times of subsequent meetings, please contact the case planner as provided on this notice.

Would You Like to Submit an Official Comment?

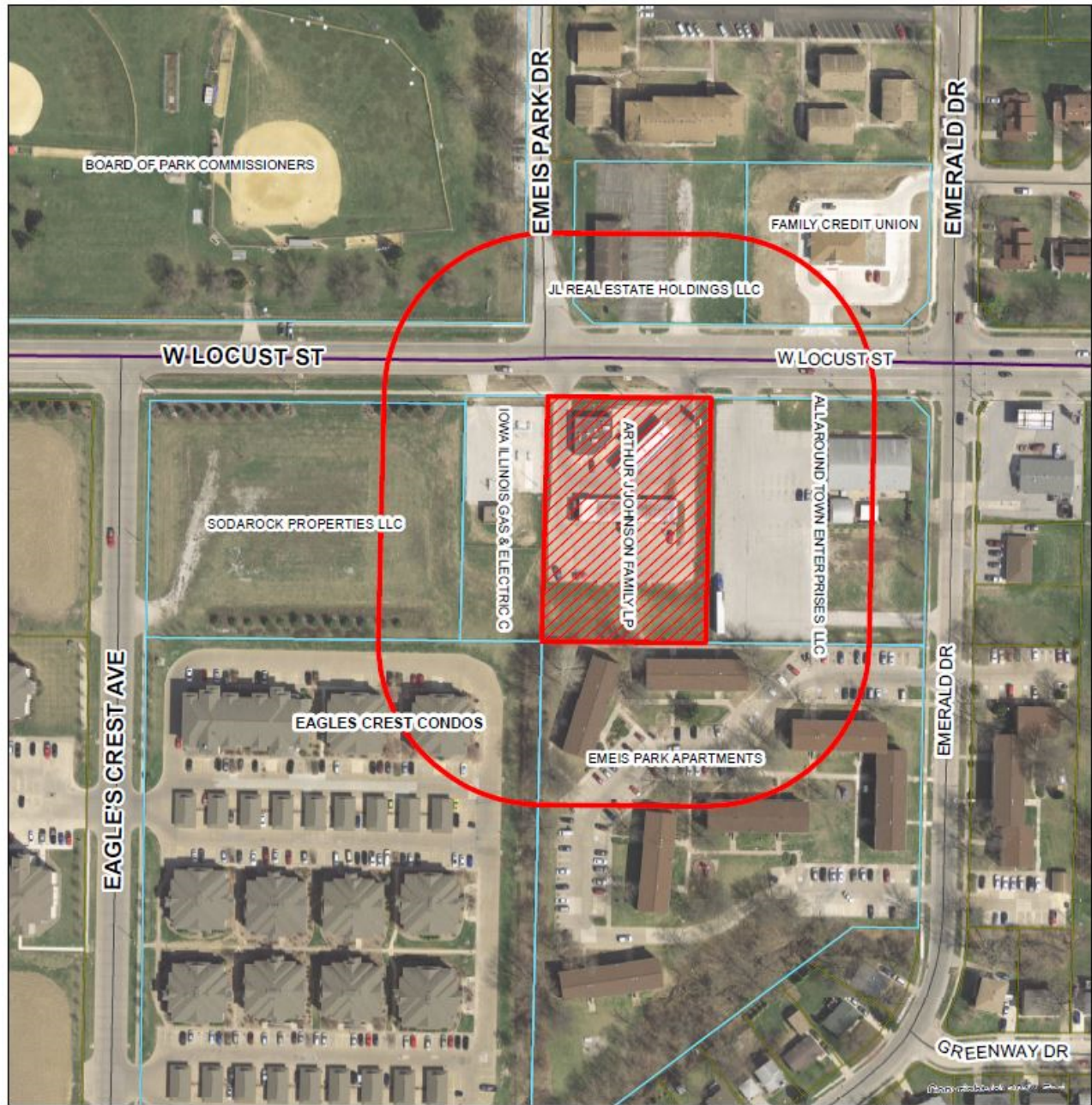
As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

Do You Have Any Questions?





If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Laura Berkley) at Laura.Berkley@davenportiowa.com or 563-888-3553. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145


Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Request for a Zoning Map Amendment (Rezoning)
REZ20-06 - 4425 W Locust Street C-1 to C-2
Adjacent Property Owner Notice Area



Legend

-  Subject Property
-  200' Notice Area
-  Adjacent Properties
-  Parcels

 Feet
 0 130 260 390



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

Properties Notified

PARCEL #	PROPERTY ADDRESS	Owner Name	OWNER ADDRESS	OWNERCITY/STATE/ZIP
S2903-15		IOWA ILLINOIS GAS & ELECTRIC C	\% MID AMER CORP TAX -- DMR7	DES MOINES IA 50303-0657
S2903-25		SODAROCK PROPERTIES LLC	10523 RT 52 N	DUBUQUE IA 52001
S2905A01	1712 EMERALD DR	EMEIS PARK APARTMENTS	2930 BELL AV	DES MOINES IA 50321
S2905A01E	4401 W LOCUST ST	ALL AROUND TOWN ENTERPRISES LLC	3730 W LOCUST ST	DAVENPORT IA 52804
T2001-01	3007 WISCONSIN AV	BOARD OF PARK COMMISSIONERS	1757 W 12TH ST	DAVENPORT IA 52804
T2053-01B	4422 W LOCUST ST	JL REAL ESTATE HOLDINGS LLC	4811 BRADY ST UNIT 2	DAVENPORT IA 52806
T2053D01B	4402 W LOCUST ST	FAMILY CREDIT UNION	1530 W 53RD ST	DAVENPORT IA 52806-2440

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Trishna R Pradhan 563-888-2264
Wards:

Action / Date
9/9/2020

Subject:
Third Consideration: Ordinance amending Chapter 15.08.300 of the Davenport Municipal Code entitled "Permits." [All Wards]

Recommendation:
Adopt the Ordinance.

Background:
Amend Chapter 15.08.300 of the 2000 Davenport Municipal Code by modifying section B(1)(k) to be in alignment with 2015 International Building Code.

15.08.300 Permits

B. Exempted Work

1. Building Permit. A building permit will not be required for the following:

k. Prefabricated swimming pools accessory to a Group R-3 Occupancy that are less than 24 inches in depth and not over 5,000 gallons, provided such swimming pools shall meet the fencing and enclosure requirements contained elsewhere in the technical codes

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	7/29/2020 - 2:03 PM
Public Works Committee	Lechvar, Gina	Approved	7/29/2020 - 2:03 PM
City Clerk	Admin, Default	Approved	7/31/2020 - 9:56 AM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 15.08.300 OF THE DAVENPORT MUNICIPAL CODE ENTITLED "PERMITS."

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

Section 1. That Chapter 15.08.300(B)(1)(k) of the Municipal Code of Davenport Iowa, be and the same is hereby modified as follows:

15.08.300 Permits.

B. Exempted Work. A permit shall not be required for the types of work in each of the separate classes of permit as listed below. Exemption from the permit requirements of the administrative code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction.

1. Building Permits. A building permit will not be required for the following:

k. Prefabricated swimming pools accessory to a Group R-3 Occupancy that are less than 24 inches in depth and not over 5,000 gallons, provided such swimming pools shall meet the fencing and enclosure requirements contained elsewhere in the technical codes.

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

Attest: _____
Brian Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Trishna R Pradhan 563-888-2264
Wards:

Action / Date
9/9/2020

Subject:
Third Consideration: Ordinance amending Chapter 15.16 of the Davenport Municipal Code entitled "Electrical Code." [All Wards]

Recommendation:
Adopt the Ordinance.

Background:
This Ordinance will amend Chapter 15.16 of the 2000 Davenport Municipal Code by deleting sections 15.16.020 through 15.16.070 and replacing with the following paragraph to be in alignment with the National Electrical Code adopted by the State of Iowa:

Chapter 1, modified.

- A. Add a new paragraph "Wiring" as follows:
1. Minimum line Voltage wire size shall be 12 AWG copper.
 2. Feeder conductors within dwellings shall be installed within an approved raceway. Type AC and Type MC Cable is not approved for this application. Exception: This is inapplicable where feeder conductors originate and terminate within a dwelling unit.
 3. Non-Metallic Sheathed cable shall be permitted within one & two family dwellings and their garages and storage buildings; and multi- family dwelling in accordance with National Electrical Code.
 4. Exposed Non-Metallic Sheathed cable shall be protected to a height or eight (8) feet above the floor by approved materials and methods.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	7/29/2020 - 2:01 PM
Public Works Committee	Lechvar, Gina	Approved	7/29/2020 - 2:02 PM
City Clerk	Admin, Default	Approved	7/31/2020 - 9:57 AM

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL CHAPTERS 15.16.030-15.16.070 OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, AND ENACT AS A REPLACEMENT A NEW CHAPTER 15.16.030, MODIFIED.

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

Section 1. That Chapter 15.16.030- 15.16.070 of the Municipal Code of Davenport Iowa, be and the same is hereby repealed in its entirety and replaced by a new Chapter 15.16.030 as follows:

Chapter 15.16.030

15.16.030 Chapter 1, modified.

A. Add a new paragraph "Wiring" as follows:

1. Minimum line Voltage wire size shall be 12 AWG copper.
2. Feeder conductors within dwellings shall be installed within an approved raceway. Type AC and Type MC Cable is not approved for this application. Exception: This is inapplicable where feeder conductors originate and terminate within a dwelling unit.
3. Non- Metallic Sheathed cable shall be permitted within one & two family dwellings and their garages and storage buildings; and multi- family dwelling in accordance with National Electrical Code.
4. Exposed Non-Metallic Sheathed cable shall be protected to a height or eight (8) feet above the floor by approved materials and methods.

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

Attest: _____
Brian Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Amy Kay 563-327-5160
Wards:

Action / Date
9/9/2020

Subject:

Second Consideration: Ordinance amending Chapter 13.38.100 entitled "Construction Site Erosion and Sediment Control - Enforcement" of the Davenport Municipal Code to allow City Council to set the schedule of fines by Resolution. [All Wards]

Recommendation:
Adopt the Ordinance.

Background:

Currently the schedule of fines for construction site erosion and sediment control enforcement are set by amending the Ordinance. This amendment will allow the Council to set the fine schedule by Resolution.

ATTACHMENTS:

Type	Description
▢ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	8/13/2020 - 9:32 AM
Public Works Committee	Lechvar, Gina	Approved	8/13/2020 - 9:32 AM
City Clerk	Admin, Default	Approved	8/13/2020 - 1:45 PM

ORDINANCE NO. _____

Ordinance amending Chapter 13.38.100 entitled "Construction Site Erosion and Sediment Control – Enforcement" of the Davenport Municipal Code to allow City Council to set the schedule of fines by Resolution.

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

That Chapter 13.38.100 entitled "Construction Site Erosion and Sediment Control – Enforcement" is hereby amended to read as follows:

13.38.100 Enforcement

- A. Violation of any provision of this chapter may be enforced by civil action including an action for injunctive relief. In any civil enforcement action, administrative or judicial, the City shall be entitled to recover its attorneys' fees and costs from a person who is determined by a court of competent jurisdiction to have violated this chapter.
- B. Violation of any provision of this chapter may also be enforced as a municipal infraction within Chapter 1.30, pursuant to the City's municipal infraction ordinance. Fees for these fines shall be set from time to time by City Council resolution.

1. Schedule of violations

Type 1

- First offense
- Second offense
- Third offense
- Fourth and subsequent

Type 2

- First offense
- Second and subsequent

2. Definition of offenses

Type 1

- a. Failure to control off-site tracking of silt, sediment, or mud.
- b. Failure to implement stormwater pollution prevention controls as designated in SWPPP or grading, erosion and sediment control plan.
- c. Failure to maintain stormwater pollution prevention controls.
- d. Failure to document any stormwater discharge that is a violation of water quality standards, or in a manner inconsistent with the permittee's SWPPP, General Permit #2 and/or COSESCO permit.

Type 2

- a. Operating without a COSECO permit.
- b. Discharging silt/sediment to the City of Davenport's storm or sanitary sewers.
- c. Failure to comply with a written directive issued by the City Engineer, Public Works Director or the enforcement officer designated by the City.

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 not 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* _____

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Gary Statz 563-326-7754
Wards:

Action / Date
9/9/2020

Subject:

First Consideration: Ordinance amending Schedule VI of Chapter 10.96 entitled "Speed Limits" by adding Utica Ridge Rd from Crow Creek Rd to Veterans Memorial Parkway as a 35 mph street. [Ward 6]

Recommendation:
Adopt the Ordinance.

Background:

Traffic Engineering analyzed the traffic data on Utica Ridge Rd from Crow Creek Rd to Veterans Memorial Parkway and recommends the current 40 mph speed limit be reduced to 35 mph.

If this ordinance is enacted, the speed limit will be consistent from Spruce Hills Dr to Veterans Memorial Parkway.

ATTACHMENTS:

Type	Description
▢ Ordinance	PS_ORD_Utica Ridge Speed Limit

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/27/2020 - 3:08 PM
Public Works Committee	Lechvar, Gina	Approved	8/27/2020 - 3:08 PM
City Clerk	Admin, Default	Approved	8/27/2020 - 3:59 PM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VI SPEED LIMITS THERETO BY ADDING UTICA RIDGE RD FROM CROW CREEK RD TO VETERANS MEMORIAL PARKWAY AS A 35 MPH STREET.

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

Section 1. That Schedule VI Speed Limits of the Municipal Code of Davenport Iowa, be and the same is hereby amended by adding the following:

Utica Ridge Rd from Crow Creek Rd to Veterans Memorial Parkway as a 35 mph street.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *QC Times* on _____

Attest: _____

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
9/9/2020

Subject:
Resolution approving the following street closure on the listed date and time to hold an outdoor event.

St. Paul Lutheran Church; Donut Driveup; 2136 Brady St; Sunday, September 13, 2020 7:00 a.m. - 12:00 p.m.; **Closure:** W High St between N Main St and Brady St; north-south alley between W High St and W Pleasant St and N Main St and Brady St. [Ward 5]

Recommendation:
Adopt the Resolution.

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

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Donut Driveup Map

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/25/2020 - 4:19 PM

Resolution No. _____

Resolution offered by Alderman Ambrose.

Resolution approving the following street closure on the listed date and time to hold an outdoor event.

RESOLVED by the City Council of the City of Davenport.

WHEREAS, the City, through its Special Events Policy, has accepted the following applications to hold outdoor events on the following dates; and

WHEREAS, upon review of the applications it has been determined that the streets, lanes, or public grounds on the dates and times listed below will need to be closed.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves and directs staff to proceed with the temporary closure of the following streets, lanes, or public grounds on the following dates and times:

*St. Paul Lutheran Church; Donut Driveup; 2136 Brady St; Sunday, September 13, 2020 7:00 a.m. - 12:00 p.m.; **Closure:** W High St between N Main St and Brady St; north-south alley between W High St and W Pleasant St and N Main St and Brady St. [Ward 5]*

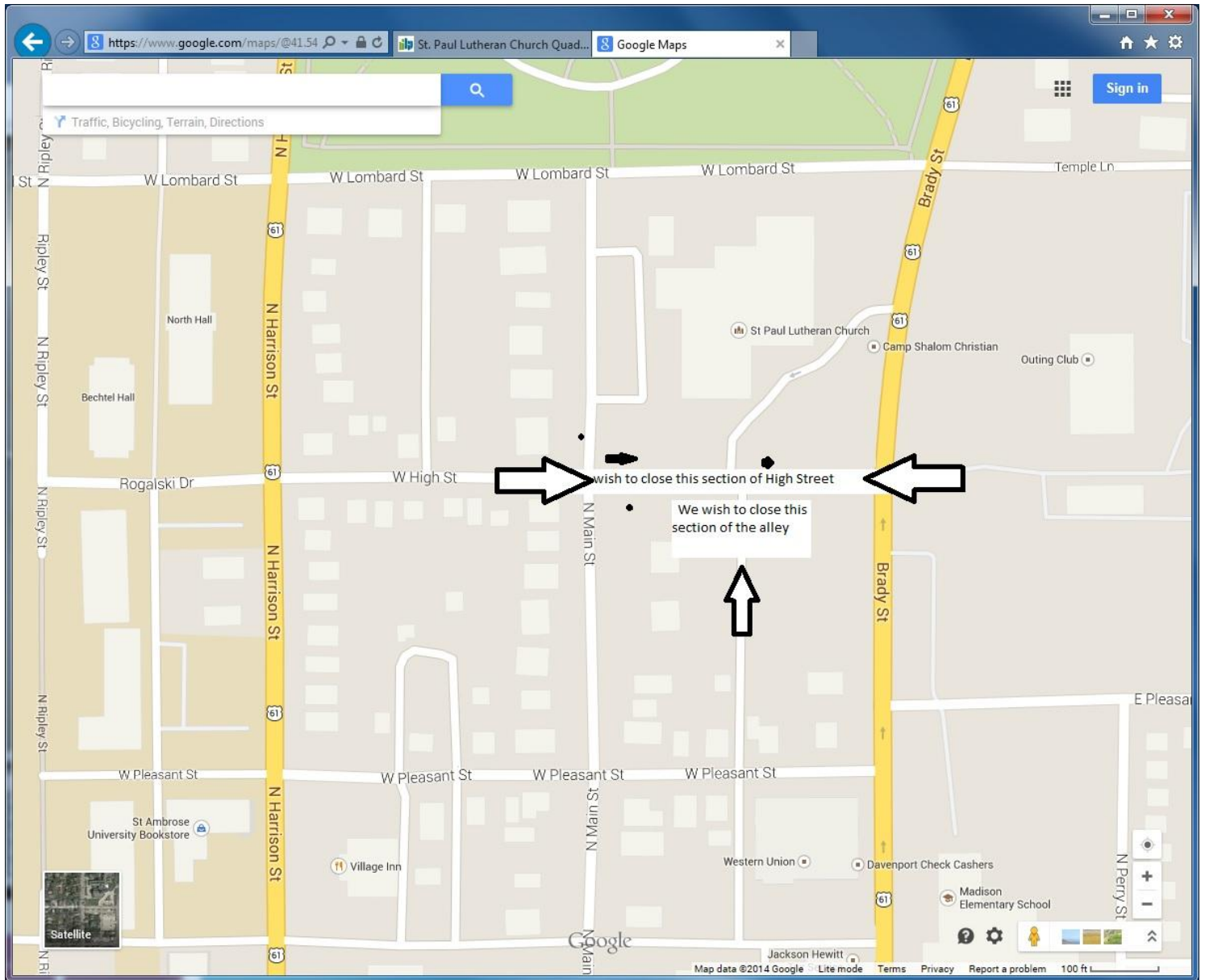
Passed and approved this 9th day of September, 2020.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



City of Davenport

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

Action / Date
9/9/2020

Subject:
Resolution of endorsement for the use of Transportation Alternatives Program (TAP) funding for the Veterans Memorial Parkway (VMP) Trail Extension Project, CIP #28027. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
An application has been submitted and approved for the use of Transportation Alternatives Program (TAP) Federal Aid grant funding for the Veterans Memorial Parkway (VMP) Trail Extension Project. This project will extend the current trail from 727 Veterans Memorial Parkway, south on Brady to 59th St. The approved grant amount is \$530,917 and the estimated City match funding is \$240,000 budgeted in CIP #28027.

The grant requires that a Resolution of endorsement be provided by City Council prior to a project agreement being written by the IA DOT. Once the agreement is received it will be submitted to Council for approval.

The Resolution must provide assurance that the City will adequately maintain the completed project for its intended public use for a minimum of 20 years and commit to providing local matching funds.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Illustration

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/24/2020 - 2:16 PM
Public Works Committee	Lechvar, Gina	Approved	8/26/2020 - 9:53 AM
City Clerk	Admin, Default	Approved	8/26/2020 - 11:30 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION of endorsement for the use of Transportation Alternatives Program (TAP) funding for the Veterans Memorial Parkway (VMP) Trail Extension Project, CIP #28027.

WHEREAS, the City of Davenport has applied for and has been accepted as a recipient of a Transportation Alternatives Program grant; and

WHEREAS, the City of Davenport assures the State of Iowa that the completed trail will be under the jurisdiction of the City to own and maintain for a period of at least 20 years; and

WHEREAS, the City of Davenport assures the State of Iowa that the City will provide the additional funds required for construction of the project from the sale of General Obligation Bonds.

NOW, THEREFORE, BE IT RESOLVED, that the City Of Davenport endorses said trail project and authorizes and supports the use of TAP funding, and further agrees that the City will contribute resources to the extent necessary to supplement TAP funding, and further agrees to maintain the completed trail for its intended public use for a minimum of 20 years.

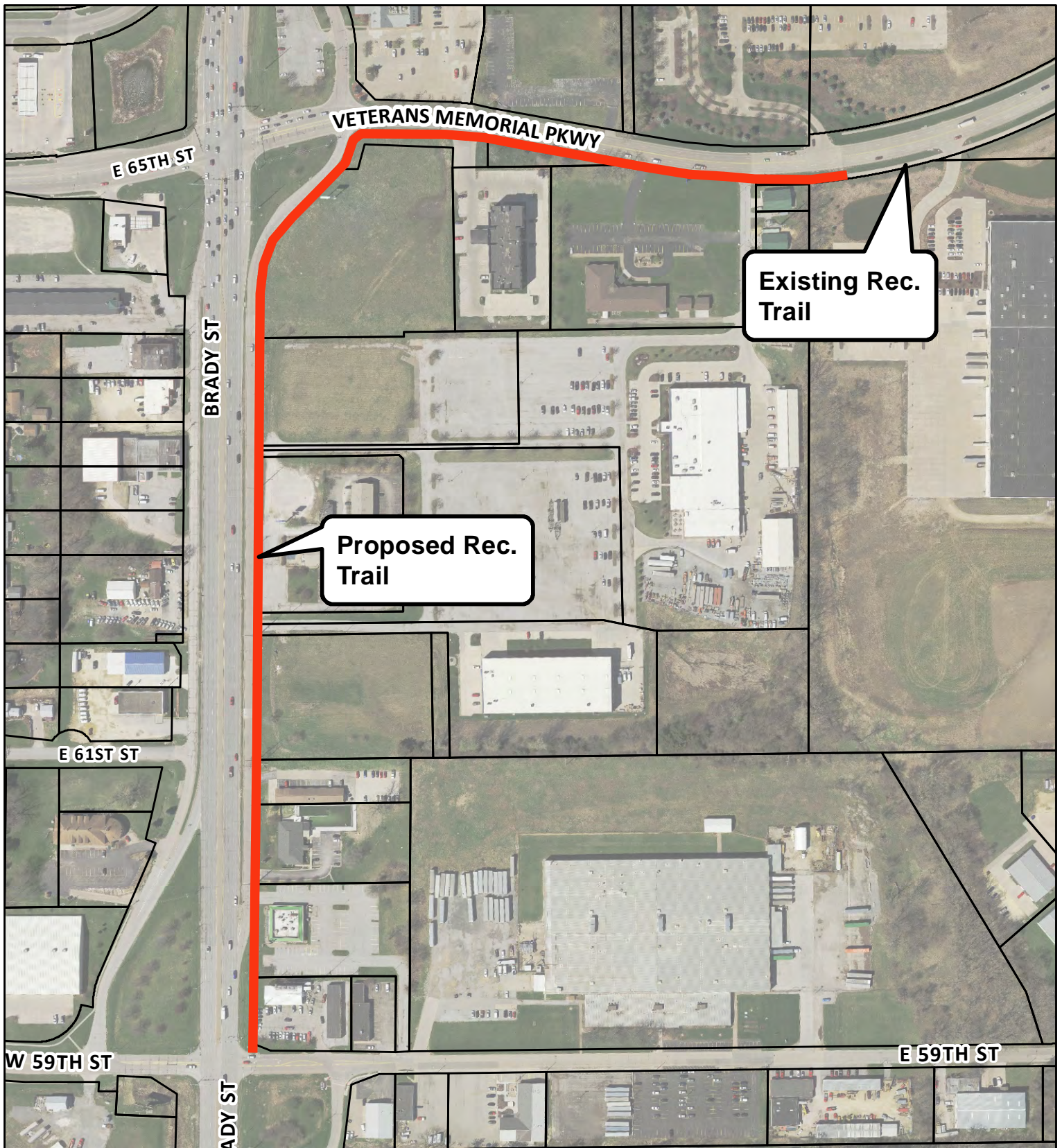
Passed and approved this 9th day of September, 2020.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



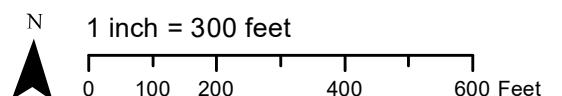
Veterans Memorial Parkway Trail Extension

Transportation Alternatives Program
Project No. TAP-T-1827(688)—8V-82

Map Date: 8/17/2020

Legend

- Parcel Lines
- Proposed Trail



City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Jen Walker 563-326-6168
Wards:

Action / Date
9/9/2020

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Union Arcade Building subsurface vault fill and support, CIP #35022. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
A streetscaping project on the south side of E 3rd St between Brady St and the River Center parking ramp's entrance was started in 2019. Unexpected structural issues with the basement ceiling of the Union Arcade building stopped work. Portions of this building's basement extends beneath the sidewalk. A structural engineer has recommended and designed a permanent solution that will enable streetscaping work and sidewalk replacement to safely continue. The estimated cost is \$100,870, which includes a project contingency.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Exhibit	plans

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/27/2020 - 3:11 PM
Public Works Committee	Lechvar, Gina	Approved	8/27/2020 - 3:12 PM
City Clerk	Admin, Default	Approved	8/27/2020 - 4:47 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Union Arcade Building subsurface vault fill and support, CIP #35022.

WHEREAS, plans, specifications, form of contract, and an estimate of cost were filed with the City Clerk of Davenport, IA for the Union Arcade Building subsurface vault fill and support; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that said plans, specifications, form of contract, and estimate of cost are hereby approved for the Union Arcade Building subsurface vault fill and support.

Passed and approved this 9th day of September, 2020.

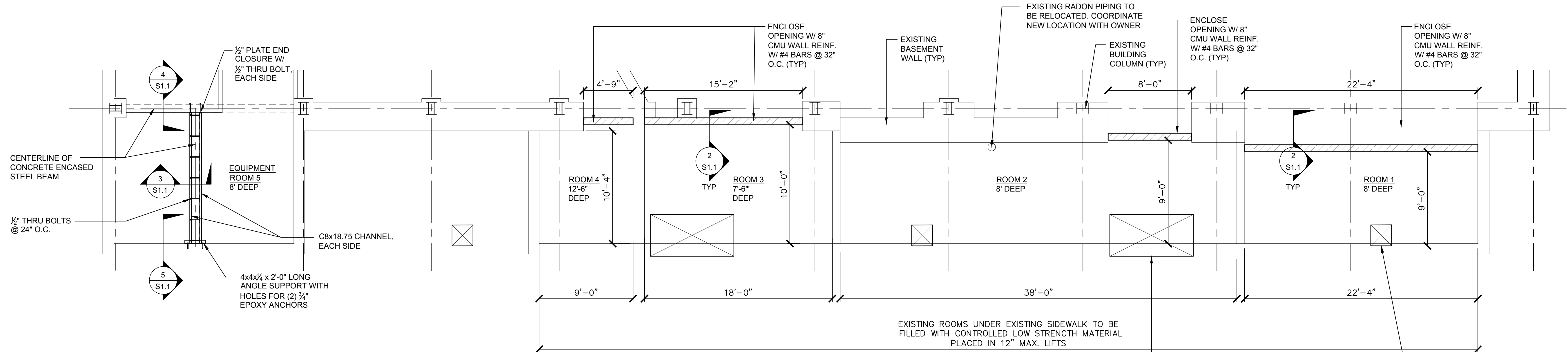
Approved:

Attest:

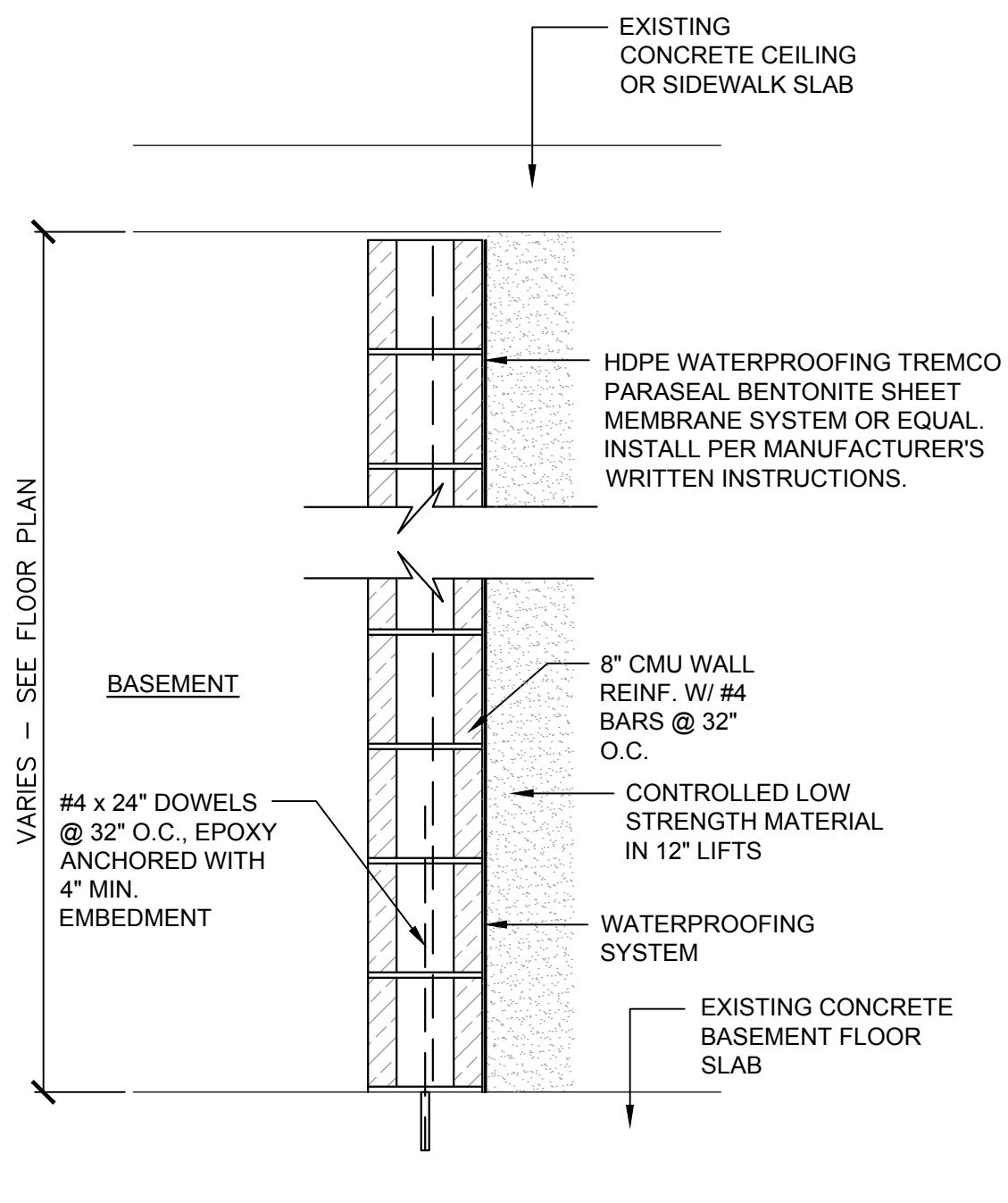
Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Thursday, February 13, 2020 4:52:13 PM
C:\2019\19022875\00\DESIGN\STRUCTURAL\DRAWINGS\19022875-ARCADE BLDG STRUCT.DWG



1 BASEMENT FLOOR PLAN
3/16" = 1'-0"



2 CMU WALL SECTION
1" = 1'-0"

SUMMARY OF QUANTITIES		
ITEM	QUANTITY	UNIT
Clearing Contents from Vault Area	1	LS
Abandon & Relocate Radon Pipe from Central Area	1	LS
Abandon Water Spigot Water Line	1	LS
Truncate & Remove Fire Sprinkler in Multiple Vaults	1	LS
Supports in Active Mechanical Room	1	LS
Construction CMU Wall	420	SF
Sidewalk Removal	1550	SF
Sawcut Reinforced Vault Ceiling, 4" Thick	72	LF
Flowable Fill	255	CY
Water-Proofing Membrane	420	SF
Mobilization	1	LS
Traffic Control	1	LS

CONTROLLED LOW STRENGTH MATERIAL (BACKFILL)

- THE MIX SHALL NOT BE PLACED ON FROZEN GROUND, IN STANDING WATER, OR DURING WET WEATHER CONDITIONS. MIXING AND PLACING SHALL BEGIN ONLY WHEN THE AIR TEMPERATURE IS AT LEAST 35° F (2° C) AND RISING. AT THE TIME OF PLACEMENT, THE MATERIAL TEMPERATURE SHALL BE AT LEAST 40° F (5° C). MIXING AND PLACING SHALL STOP WHEN THE AIR TEMPERATURE IS 40° F (5° C) AND FALLING.
- THE MIX SHALL NOT BE EXPOSED TO FREEZING TEMPERATURES OR WET WEATHER CONDITIONS DURING THE FIRST 24 HOURS AFTER PLACEMENT.
- THE MIX SHALL BE PLACED DIRECTLY FROM THE CHUTE INTO THE SPACE TO BE FILLED. OTHER PLACEMENT METHODS MAY BE APPROVED BY THE ENGINEER IF THE MIX DESIGN IS APPROPRIATE. PLACE CLSM IN 2'-0" LIFTS. EACH LIFT SHALL BE ALLOWED TO HARDEN BEFORE PLACING THE NEXT LIFT.

MIX DESIGN CRITERIA

FLOW	≥ 7 IN. (178 MM)
AIR CONTENT	0 - 25%
DYNAMIC CONE PENETRATION (DCP) AT 3 DAYS	≤ 1.5 IN./BLOW (38 MM/BLOW)
COMPRESSIVE STRENGTH AT 28 AND 180 DAYS	≥ 30 PSI (207 KPA) TO < 150 PSI (1034 KPA)

MIX 3

PORTLAND CEMENT	40 LB (24 KG)
FLY ASH - CLASS C OR F	125 LB (74 KG)
FINE AGGREGATE - SATURATED SURFACE DRY	2500 LB (1483 KG)
WATER	35-50 GAL (179-248 L)
AIR CONTENT	15-25%

THE MIX DESIGN SHALL INCLUDE THE FOLLOWING INFORMATION:

- SOURCE OF MATERIALS.
- GRADATION OF FINE AGGREGATE.
- SPECIFIC GRAVITIES, MATERIAL PROPORTIONS, AND ANY OTHER PARAMETERS USED IN THE MIX DESIGN PROCESS.
- TYPE AND PROPOSED DOSAGE OF ADMIXTURES.
- TARGET FLOW AND AIR CONTENT.
- TEST DATA INDICATING COMPRESSIVE STRENGTH AT 28 AND 180 DAYS.

IF THE CONTRACTOR SUBMITS A MIX DESIGN WHICH HAS NOT BEEN PREVIOUSLY VERIFIED, A TRIAL BATCH SHALL BE PERFORMED. THE TRIAL BATCH SHALL BE SCHEDULED A MINIMUM OF 30 CALENDAR DAYS PRIOR TO ANTICIPATED USE AND SHALL BE PERFORMED IN THE PRESENCE OF THE ENGINEER. A MINIMUM OF 1 CU YD (0.75 CU M) TRIAL BATCH SHALL BE PRODUCED AND PLACED OFFSITE. THE TRIAL BATCH SHALL BE PRODUCED WITH THE EQUIPMENT AND METHODS INTENDED FOR CONSTRUCTION. THE TRIAL BATCH WILL BE EVALUATED FOR TEMPERATURE, FLOW, AIR CONTENT, DYNAMIC CONE PENETRATION (DCP), AND 28-DAY COMPRESSIVE STRENGTH BY THE ENGINEER. THE ENGINEER RESERVES THE RIGHT TO REQUIRE A 180-DAY COMPRESSIVE STRENGTH TEST.

VERIFICATION OF THE MIX DESIGN WILL INCLUDE THE TRIAL BATCH TEST RESULTS, FIELD OBSERVATIONS (I.E. FLOWABILITY AND SOLID SUSPENSION), AND OTHER CRITERIA AS DETERMINED BY THE ENGINEER. THE CONTRACTOR WILL BE NOTIFIED IN WRITING OF VERIFICATION. VERIFICATION OF A MIX DESIGN BY THE ENGINEER SHALL IN NO MANNER BE CONSTRUED AS ACCEPTANCE OF ANY CLSM PRODUCED. THE DEPARTMENT WILL MAINTAIN A QUALIFIED PRODUCT LIST.

BLOCKOUT NOTE

PROVIDE 2x4 STUDS AT 24" O.C. AND 1/2" PLYWOOD FORMING FOR PLANTER AND LIGHT FOUNDATION BLOCKOUTS, TYPICAL. FASTEN WOOD STUDS TO THE EXISTING FLOOR AND BOTTOM OF EXISTING CEILING SLAB. PLYWOOD DOES NOT HAVE TO EXTEND MORE THAN 4'-6" BELOW GRADE FOR THE LIGHT POLE LOCATIONS. PLYWOOD DOES NOT HAVE TO EXTEND MORE THAN 2'-6" BELOW GRADE FOR THE PLANTERS. PLYWOOD AT THE BOTTOM OF THE BLOCKOUTS IS NOT REQUIRED.

GENERAL NOTES

- EXISTING CONDITIONS:
 - ALL INFORMATION SHOWN ON THE DRAWINGS RELATIVE TO EXISTING CONDITIONS IS GIVEN AS THE BEST PRESENT KNOWLEDGE. CONTRACTOR TO VERIFY EXISTING INFORMATION, DIMENSIONS AND SIZES AS REQUIRED TO COMPLETE THEIR WORK. WHERE ACTUAL CONDITIONS CONFLICT WITH THE DRAWINGS, THEY SHALL BE REPORTED TO THE SEOR SO PROPER CLARIFICATION MAY BE MADE. MODIFICATION OF CONSTRUCTION DETAILS SHALL NOT BE MADE WITHOUT WRITTEN APPROVAL OF THE AOR OR SEOR.
 - ALL DIMENSIONS AND SITE CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR AT THE JOBSITE PRIOR TO CONSTRUCTION, START OF SHOP DRAWINGS, START OF CONSTRUCTION, AND/OR FABRICATION OF MATERIALS. IF DISCREPANCIES ARE ENCOUNTERED, OR CONDITIONS DEVELOP THAT ARE NOT COVERED BY THE CONTRACT DOCUMENTS, THE SEOR SHALL BE NOTIFIED FOR CLARIFICATION.
 - CONTRACTOR SHALL PROVIDE AND BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ADJACENT EXISTING SURFACES AND AREAS WHICH MAY BE DAMAGED AS A RESULT OF NEW WORK.
- BEFORE SUBMITTING A PROPOSAL FOR THIS WORK, EACH BIDDER SHALL VISIT THE PREMISES AND BECOME FULLY ACQUAINTED WITH THE EXISTING CONDITIONS, TEMPORARY CONSTRUCTION REQUIRED, QUANTITIES AND TYPE OF EQUIPMENT, ETC. THE BID SHALL INCLUDE ALL SUMS REQUIRED TO DO THE WORK WITHIN THE EXISTING CONDITIONS.
- LOCATIONS OF NEW PLANTERS AND LIGHT POLES IN RELATION TO THE EXISTING BASEMENT WALLS ARE APPROXIMATE. CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL ITEMS IN THE FIELD AND COORDINATE PLACEMENT OF THE PLANTERS AND LIGHTS WITH THE CITY. FORMING FOR THE PLANTER AND LIGHT POLE OPENINGS SHALL BE DESIGNED BY THE CONTRACTOR WITH THE ENGINEERS APPROVAL.

MASONRY NOTES

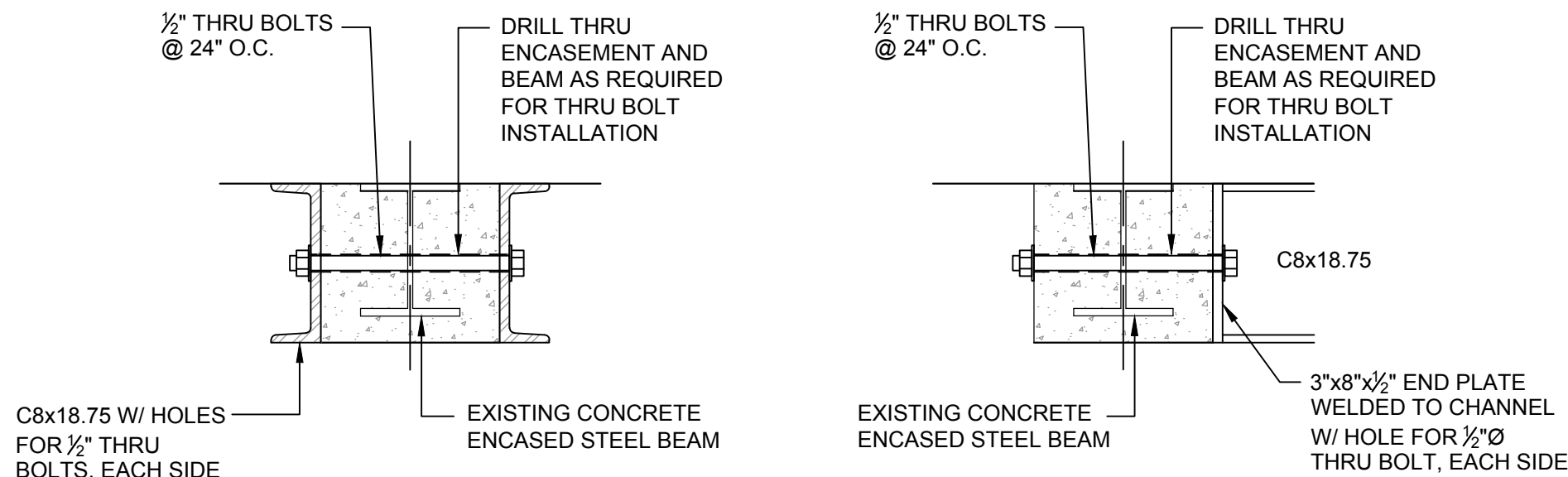
- MINIMUM 28-DAY COMPRESSIVE STRENGTHS FOR MASONRY CONSTRUCTION SHALL BE:

DESIGN ASSEMBLY STRENGTH, f _m	2000 PSI
INDIVIDUAL CONCRETE MASONRY UNITS	2800 PSI
MORTAR	1800 PSI
GROUT	2000 PSI
- MASONRY MATERIALS SHALL CONFORM TO THE FOLLOWING STANDARDS:

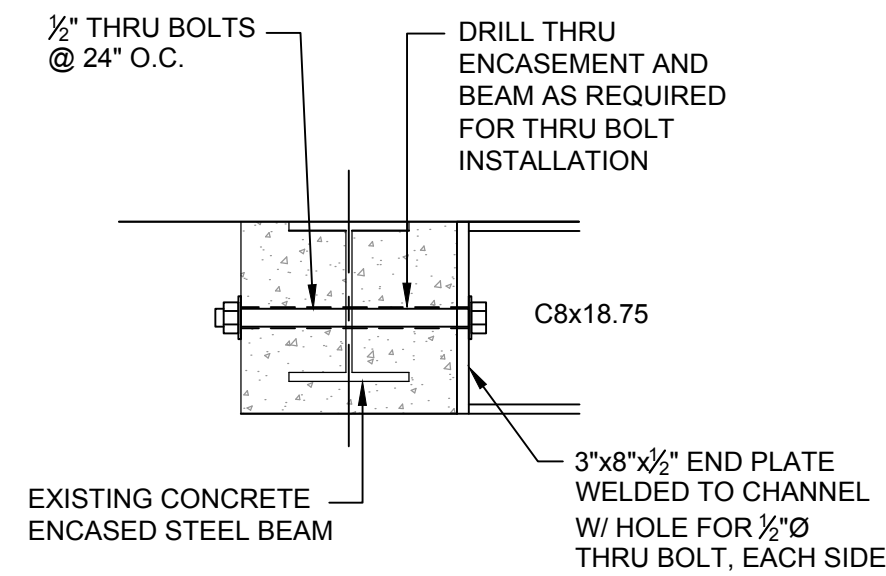
CONCRETE MASONRY UNITS (CMU)	ASTM C90, GRADE N-1
MORTAR	ASTM C270, TYPE S
GROUT	ASTM C476
REINFORCING STEEL	ASTM A615, GR 60
- CELLS SHALL BE IN VERTICAL ALIGNMENT. DOWELS IN FOOTINGS SHALL BE SET TO ALIGN WITH CORES CONTAINING REINFORCING STEEL.
- ALL CELLS CONTAINING REINFORCING SHALL BE FILLED SOLID WITH GROUT, AND ALSO WHERE NOTED ON THE DRAWINGS.
- THE MASONRY CONTRACTOR SHALL FURNISH SHOP DRAWINGS OF PRODUCT DATA, REINFORCEMENT DETAILS, AND MIX DESIGNS SEOR'S REVIEW BEFORE FABRICATION.

DEMOLITION NOTES

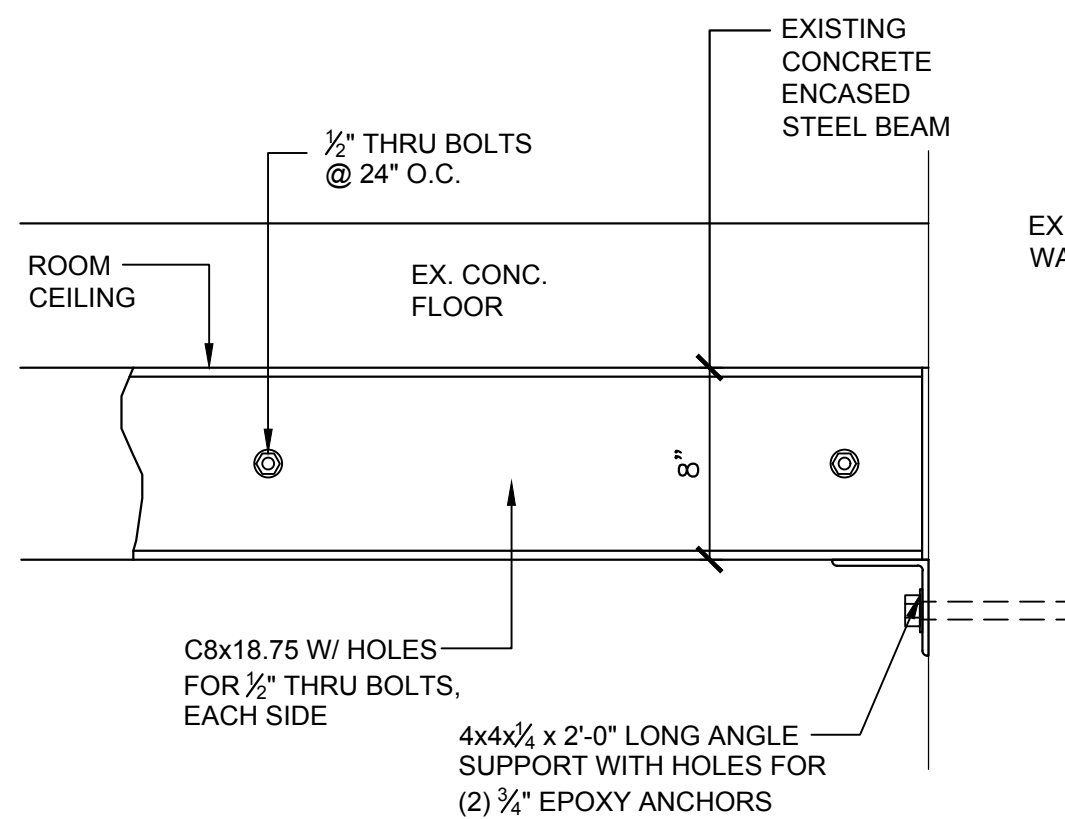
- ALL DEMOLITION SHALL BE CARRIED OUT IN SUCH A WAY AS TO NOT DAMAGE EXISTING ELEMENTS WHICH ARE TO REMAIN. ALL ELEMENTS WHICH ARE TO REMAIN AND WHICH ARE DAMAGED DURING DEMOLITION WORK SHALL BE REPLACED AT NO ADDED COST. EXISTING ELEMENTS ARE TO BE PROTECTED TO THE FULLEST EXTENT POSSIBLE TO REDUCE SUCH DAMAGE TO A MINIMUM.
- THE CONTRACTOR SHALL REMOVE ALL STORED MATERIALS FROM THE EXISTING ROOMS TO BE FILLED W/ CLSM AND DISPOSE OF THE MATERIALS OFF SITE.
- THE CONTRACTOR SHALL TRUNCATE AND REMOVE FIRE SPRINKLER PIPING IN THE ROOMS TO BE FILLED WITH CLSM.
- THE CONTRACTOR SHALL REMOVE AND RELOCATE THE EXISTING RADON PIPING IN THE AREAS TO BE FILLED WITH CLSM.
- ALL DEMOLISHED MATERIAL SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE REMOVED OFFSITE. IN A LAWFUL MANNER IN A LOCATION APPROVED BY ALL GOVERNING AUTHORITIES. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS REQUIRED FOR DEMOLITION AND DISPOSAL.



3 BEAM REINFORCEMENT SECTION
1 1/2" = 1'-0"

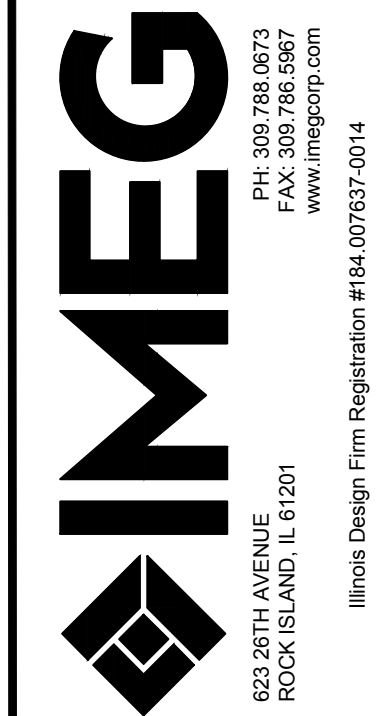


4 BEAM REINFORCEMENT CONNECTION
1 1/2" = 1'-0"



5 BEAM REINFORCEMENT ELEVATION
1 1/2" = 1'-0"

REVISIONS		DATE
No.	DESCRIPTION	



UNION ARCADE BUILDING
229 BRADY STREET - DAVENPORT, IOWA
BASEMENT PLAN AND DETAILS

IMEG Project No: 19002875.00
File Name: 19002875-ARCADE BLDG STRUCT.dwg
© COPYRIGHT 2020 ALL RIGHTS RESERVED
Field Book No: N/A
Drawn By: TAB
Checked By: AAG
Date: 01-14-2020
S1.1
Sheet 1 of 1

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Marla Miller 563-888-2099
Wards:

Action / Date
9/2/2020

Subject:

Resolution approving a cooperative agreement with the U.S. Environmental Protection Agency in an amount up to \$116,250 for the Clean Diesel Emission Reduction through Vehicle Replacement Program for the purchase of three new tandem axle dump trucks. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

On July 31, 2020, the City was awarded a grant from the U.S. Environmental Protection Agency for the National Clean Diesel Funding Assistance Program. The grant will provide 24.24% reimbursement of eligible equipment up to \$116,250 for the purchase of three tandem axle dump trucks with an estimated replacement value for \$380,000. The remaining funds needed for the purchase will come from Capital and Road-Use-Tax funds.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES_EPA
▣ Backup Material	EPA Cooperative Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Public Works Committee	Miller, Marla	Approved	8/26/2020 - 12:20 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving a cooperative agreement with U.S. Environmental Protection Agency in an amount up to \$116,250 for the Clean Diesel Emission Reduction Through Vehicle Replacement Program for the purchase of three new tandem axle dump trucks.

WHEREAS, the U.S. Environmental Protection Agency for Clean Diesel Emission Reduction through Vehicle Replacement Program is offering a 24.24% cooperative agreement to the City which will cover eligible cost related to the purchase of three new tandem axle dump trucks up to \$116,250; and

WHEREAS, the City approves the agreement with the U.S. Environmental Protection Agency.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that appropriate personnel are authorized to sign the funding agreement on behalf of the City and that City staff will executive the agreement during all project stages.


Passed and approved this 9th day of September, 2020.

Attest:

Approved:

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

	U.S. ENVIRONMENTAL PROTECTION AGENCY Cooperative Agreement	GRANT NUMBER (FAIN): 97784401		DATE OF AWARD 07/31/2020	
		MODIFICATION NUMBER: 0 PROGRAM CODE: DE			
		TYPE OF ACTION New		MAILING DATE 08/07/2020	
		PAYMENT METHOD: ASAP		ACH# 77648	
RECIPIENT TYPE: Municipal		Send Payment Request to: US Environmental Protection Agency RTP Finance Center (Mail Code AA216-01) 4930 Page Rd. Durham, NC 27703 919-541-1550 RTPFC-grants@epa.gov			
RECIPIENT: City of Davenport IA 226 West Fourth Street Davenport, IA 52801 EIN: 42-6004463		PAYEE: Same as Recipient 226 West Fourth Street Davenport, IA 52801			
PROJECT MANAGER Marla Miller 226 West Fourth Street Davenport, IA 52801 E-Mail: marla.miller@davenportiowa.com Phone: 563-888-2099		EPA PROJECT OFFICER Gregory Crable 11201 Renner Boulevard, ARD/AQPB/CPPS Lenexa, KS 66219 E-Mail: crable.gregory@epa.gov Phone: 913-551-7391		EPA GRANT SPECIALIST Diann Sandridge Grants Management Office, MSD/RFMB/GMO E-Mail: sandridge.diann@epa.gov Phone: 913-551-7153	
PROJECT TITLE AND DESCRIPTION Clean Diesel Emission Reduction Through Vehicle Replacement Implement varied control strategies and involvement of national, state and local partners to reduce pollution emitted from diesel engines.					
BUDGET PERIOD 10/01/2020 - 09/30/2022		PROJECT PERIOD 10/01/2020 - 09/30/2022		TOTAL BUDGET PERIOD COST \$479,641.00	
				TOTAL PROJECT PERIOD COST \$479,641.00	
NOTICE OF AWARD					
Based on your Application dated 06/09/2020 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$116,250. EPA agrees to cost-share <u>24.24%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$116,250. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE			
ORGANIZATION / ADDRESS Grants Management Office 11201 Renner Boulevard Lenexa, KS 66219		ORGANIZATION / ADDRESS U.S. EPA, Region 7 Air and Radiation Division 11201 Renner Boulevard Lenexa, KS 66219			
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY					
Digital signature applied by EPA Award Official Deboraha K. Titus - Grants Management Officer				DATE 07/31/2020	

DE - 97784401 - 0 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 116,250	\$ 116,250
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 363,391	\$ 363,391
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 479,641	\$ 479,641

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.039 - National Clean Diesel Funding Assistance Program (B)	Diesel Emissions Reduction Act of 2010 codified at 42 U.S.C. 16131 et seq Further Consolidated Appropriations Act 2020 (P.L. 116-94)	2 CFR 200 2 CFR 1500 and 40 CFR 33

[illegible]

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$9,244
2. Fringe Benefits	\$4,992
3. Travel	\$0
4. Equipment	\$0
5. Supplies	\$405
6. Contractual	\$0
7. Construction	\$0
8. Other	\$465,000
9. Total Direct Charges	\$479,641
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient <u>75.76</u> % Federal <u>24.24</u> %.)	\$479,641
12. Total Approved Assistance Amount	\$116,250
13. Program Income	\$2,000
14. Total EPA Amount Awarded This Action	\$116,250
15. Total EPA Amount Awarded To Date	\$116,250

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 02/28/2022

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Federal Funds Replace 3 - Class 7 city trucks	66.039	\$ <input type="text"/>	\$ <input type="text"/>	\$ 116,250.00	\$ <input type="text"/>	\$ 116,250.00
2. Mandatory Match City of Davenport	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	348,750.00	348,750.00
3. Voluntary Match City of Davenport	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	14,641.00	14,641.00
4. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
5. Totals		\$ <input type="text"/>	\$ <input type="text"/>	\$ 116,250.00	\$ 363,391.00	\$ 479,641.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
	Federal Funds Replace 3 - Class 7 city trucks	Mandatory Match City of Davenport	Voluntary Match City of Davenport		
a. Personnel	\$	\$	\$ 9,244.00	\$	\$ 9,244.00
b. Fringe Benefits			4,992.00		4,992.00
c. Travel					
d. Equipment					
e. Supplies			405.00		405.00
f. Contractual					
g. Construction					
h. Other	116,250.00	348,750.00			465,000.00
i. Total Direct Charges (sum of 6a-6h)	116,250.00	348,750.00	14,641.00		\$ 479,641.00
j. Indirect Charges					\$
k. TOTALS (sum of 6i and 6j)	\$ 116,250.00	\$ 348,750.00	\$ 14,641.00	\$	\$ 479,641.00
7. Program Income	\$	\$ 2,000.00	\$	\$	\$ 2,000.00

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Prescribed by OMB (Circular A -102) Page 1A

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8.	Federal Funds Replace 3 - Class 7 city trucks	\$ 116,250.00	\$	\$	\$ 116,250.00
9.	Mandatory Match City of Davenport	348,750.00			348,750.00
10.	Voluntary Match City of Davenport	14,461.00			14,461.00
11.					
12. TOTAL (sum of lines 8-11)		\$ 479,461.00	\$	\$	\$ 479,461.00

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
14. Non-Federal	\$ 7,230.50	1,807.62	1,807.63	1,807.62	1,807.63
15. TOTAL (sum of lines 13 and 14)	\$ 7,230.50	\$ 1,807.62	\$ 1,807.63	\$ 1,807.62	\$ 1,807.63

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program		FUTURE FUNDING PERIODS (YEARS)			
		(b)First	(c) Second	(d) Third	(e) Fourth
16.	Federal Funds Replace 3 - Class 7 city trucks	\$ 0.00	\$ 116,250.00	\$	\$
17.	Mandatory Match City of Davenport	0.00	348,750.00		
18.	Voluntary Match City of Davenport	7,230.50	7,230.50		
19.					
20. TOTAL (sum of lines 16 - 19)		\$ 7,230.50	\$ 472,230.50	\$	\$

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges:	22. Indirect Charges:
23. Remarks:	

City of Davenport

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

Action / Date
9/9/2020

Subject:
Resolution awarding the contract for the Kaiserslautern Square Upgrade project to Tricon General Construction of Dubuque, IA in the amount of \$770,450, CIP #64049. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
Resolution approving the contract for the Kaiserslautern Square Upgrade project to Tricon General Construction of Dubuque, IA in the amount of \$770,450, CIP #64049. [Ward 3]

On July 7, 2020, and Invitation to Bid was issued and sent to contractors. The Purchasing Division opened and read two responsive and responsible bids on July 28, 2020. See bid tab attached.

This project includes major site improvements to Kaiserslautern Square by performing the following: Conversion of fountain hardware into an interactive feature, regrading of the site for ADA accessibility, integration of green stormwater best management practices and gabion wall structures along with new lighting fixtures, flagpoles, electric service, decomposed granite paving and pavers. Tricon General Construction has successfully completed contracts for the City in the past.

Funding for this project is from CIP #64049. Five separate community organizations and partners have approved or raised funding to assist the City of Davenport with this project. Listed below is the funding breakdown:

Downtown Davenport Partnership | \$59,000
Bechtel Trust Grant | \$50,000
Regional Development Authority (RDA) | \$50,000
Scott County Regional Authority (SCRA) | \$25,000
Duck City Bistro Fundraiser | \$4,500
City of Davenport (15 Year General Obligation Bond) | \$581,950

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES_Kaiserslautern Square Upgrades
▣ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	8/27/2020 - 9:48 AM
Public Works Committee	Lechvar, Gina	Approved	8/27/2020 - 9:49 AM
City Clerk	Admin, Default	Approved	8/27/2020 - 12:34 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Kaiserslautern Square Upgrade project to Tricon General Construction of Dubuque, IA and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Kaiserslautern Square Upgrade project; and

WHEREAS, Tricon General Construction of Dubuque, IA submitted the lowest responsive and responsible bid.

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

1. the contract for the Kaiserslautern Square Upgrade project to Tricon General Construction Dubuque, IA is approved; and
2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements.

Passed and approved this 9th day of September, 2020.

Attest:

Approved:

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: KAISERSLAUTERN SQUARE UPGRADE

BID NUMBER: 21-04

OPENING DATE: JULY 28, 2020

FUNDING: CIP 64049

RECOMMENDATION: AWARD THE CONTRACT TO TRICON GENERAL
CONSTRUCTION OF DUBUQUE IA

<u>VENDOR NAME</u>	<u>BID AMOUNT</u>
Tricon General Construction of Dubuque IA	\$770,450.00
Emery Construction Group Inc of Moline IL	\$994,880.75

Approved By Kristi Keller 8-24-2020
Purchasing Date

Approved By Nicole Gleason 8-24-2020
Dept. Director Date

Approved By Braech Coy 8-24-2020
Budget/CIP Date

Approved By Maulony S. Yernitt 8/25/2020
Assist. City Administrator/Finance Director Date

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Kevan Oliver 563-327-5199
Wards:

Action / Date
9/9/2020

Subject:
Resolution awarding the contract for the FY21 Contract Milling Program to Tri City Blacktop Inc of Bettendorf, IA in the amount of \$158,472.80, CIP #35041. [Wards 1-7]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on July 23, 2020 and was sent to 43 contractors. On August 13, 2020, the Purchasing Division received and opened two bids. See attached bid tabulation.

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

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

Funding for this project is from the FY21 CIP budget, account #35041.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES_FY21 Contract Milling Program
▣ Backup Material	PW_RES_FY21 Contract Milling signed bid tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	8/27/2020 - 10:51 AM
Public Works Committee	Lechvar, Gina	Approved	8/27/2020 - 10:51 AM
City Clerk	Admin, Default	Approved	8/27/2020 - 12:36 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the FY21 Contract Milling Program to Tri City Blacktop Inc of Bettendorf, IA in the amount of \$158,472.80, CIP #35041.

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

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

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

1. the contract for the FY21 Contract Milling Program to Tri City Blacktop Inc of Bettendorf, IA is approved; and
2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements.

Passed and approved this 9th day of September, 2020.

Attest:

Approved:

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

**CITY OF DAVENPORT, IOWA
BID TABULATION**

DESCRIPTION: FY2021 CONTRACT MILLING PROGRAM

BID NUMBER: 21-05

OPENING DATE: JULY 23, 2020

GL ACCOUNT NUMBER: CIP 35041

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

<u>VENDOR NAME</u>	<u>PRICE</u>
Tri City Blacktop Inc. of Bettendorf, IA	\$158,472.80
Manatts, Inc. (Eastern Iowa Division) of Davenport, IA	\$253,999.50

Approved By Caitlyn Jarmer 8-26-2020
Purchasing

Approved By Nicole McLean 8-26-2020
PW Director

Approved By Brandi Coy 8-26-2020
Budget/CIP

Approved By Mallory J. Merritt 8/26/2020
Chief Financial Officer

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Chief Mike Carlsten 563-326-7942
Wards:

Action / Date
9/9/2020

Subject:

Resolution approving a contract and conditionally approving the contract and bond for the fabrication of one modified pumper fire truck to Sutphen Corp of Amlin, OH and authorizing Mayor Mike Matson or designee to sign and manage any related agreements. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This purchase is for one fire pumper to replace Engine 6, which is a 2006 model. The current apparatus will remain with the department as a reserve pumper. The reserve apparatus that the 2006 is replacing is a 1997 model that has reached end of life per the National Fire Protection Agency (NFPA) standards. The manufacturer is Sutphen Corporation, which is the same company that built our new 100 ft aerial apparatus. The new pumper will be configured in a similar manner to all other pumpers in the fleet. That standardization of the fleet is important to control maintenance costs, and streamline fire ground operations.

At no cost, the City of Davenport joined the Houston-Galveston Area Council (HGAC) in 2018, a cooperative group that bids public safety items for members. Because of the volume created by purchases from several communities, the advantage is lower contracted prices. Sutphen was awarded the contract for aerial apparatus vehicles.

The approximate total for this purchase is \$583,194.51. Funding for this purchase is from CIP #24024. These funds are from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
▯ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	8/26/2020 - 10:45 AM
Finance Committee	Merritt, Mallory	Approved	8/26/2020 - 10:45 AM
City Clerk	Admin, Default	Approved	8/26/2020 - 12:13 PM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving a contract and conditionally approving the contract and bond for the fabrication of one modified pumper fire truck to Sutphen Corp of Amlin, OH and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the Fire Department needs to replace the current Engine 6, which is a 2006 model; and

WHEREAS, Sutphen Corp of Amlin, OH was awarded a contract by Houston-Galveston Area Council (HGAC); and

WHEREAS, the applicable purchasing process was followed by HGAC resulting in a contract to Sutphen Corp of Amlin, OH with the recommendation to award to Sutphen Corp as a responsive and responsible bidder.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, IA that the contract for the above said procurement be awarded to Sutphen Corp of Amlin, OH.

BE IT FURTHER RESOLVED that expenditures of the full budgeted amount of \$583,194.51 is hereby authorized; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to sign and contract for and on behalf of the City of Davenport, IA; and

BE IT FURTHER RESOLVED that upon approval by City staff, the executed contract and bond are hereby approved.

Passed and approved this 9th day of September, 2020.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Mallory Merritt 563-326-7792
Wards:

Action / Date
9/9/2020

Subject:
Resolution adopting the FY22 Budget Policies. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The Government Finance Officers Association (GFOA) of the United States and Canada recommends that governmental entities include budget guidelines in the budget document that serve as a coherent statement of organization-wide financial and programmatic policies and goals that address both long- and short-term concerns and issues. These policies serve as parameters for staff and the City Council in the preparation of the annual budget. They also provide a framework for staff to link goals and objectives with resources in the budget document.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	FY 2022 Budget Policies

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	8/26/2020 - 10:48 AM
Finance Committee	Merritt, Mallory	Approved	8/26/2020 - 10:49 AM
City Clerk	Admin, Default	Approved	8/26/2020 - 11:31 AM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION adopting the FY22 Budget Policies.

WHEREAS, the Government Finance Officers Association of the United States and Canada recommends that governmental entities include budget guidelines in the budget document to serve as a coherent statement of organization-wide financial and programmatic policies and goals that address long-term concerns and issues; and

WHEREAS, these policies serve as parameters for staff and Council in the preparation of the annual budget; and

WHEREAS, these policies provide a framework for staff to link goals and objectives with resources in the budget document.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the attached document entitled FY22 Budget Policies is hereby adopted.

Passed and approved this 9th day of September, 2020.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



Budget Policies 2022 Budget

The City's annual budget process is part of an overall policy framework that guides service delivery decisions and determines core functions and priorities of the City of Davenport. The budget serves an important role in the policy framework by allocating financial resources to implement the City's overall policies and to execute the City's core competencies. The budget document serves as a financial plan, an operating guide, a communications device, a statement of values, and a policy document to guide future decision-making.

As the City continues to face unprecedented times caused by a global pandemic, the City is committed to maintaining priorities set forth by the City Council while also maintaining an overall positive financial condition and outlook. As staff continues to develop the FY 2022 Budget, the following principles and assumptions will apply:

- Budget development will be framed by the 2020 community survey results, various forms of public input, City Council goals, and the City Administrator's workplan. As in prior years, departmental strategies will align with the overall workplan.
- Two-year budget plans will continue, with the FY 2022 Budget being the first year of a two-year budget plan adopted for FY 2022 and looking ahead to FY 2023.
- Budgeted expenditures will be linked to goals and performance-related results. Performance measures will continue to be utilized, monitored, and reported in department budgets.
- The goal of the City's budgeting process is to minimize the tax burden on Davenport citizens, while meeting demand for city services. To this end, the City will first address budgetary gaps through strategic departmental reductions in expenditures that minimize reductions in service levels. If necessary to provide for a structurally balanced budget, revenue options will be explored after expenditure reductions.
- Cities are greatly affected by state and federal codes and regulations, property tax rollbacks, and state-mandated employee pension contributions. Certain property tax levies are appropriately not limited by statute, therefore levy rate increases are rarely necessary given this environment.
- User fee increases will be enacted when necessary to maintain cost recovery rates or to diversify revenue. Where possible, fees will be reviewed with the goal of diversifying General Fund revenues.
- The budget will be balanced with projected expenditures not to exceed recurring revenues. The FY 2022 Budget will be structured such that actual results are realistically anticipated to meet financial policies set forth by the City Council.
- The budget shall provide a basis for revenue and expenditure projections and shall consider long-range operating implications.
- The capital improvement budget and the six-year capital improvement plan (CIP) will include projects that are funded within projected available resources. This program of projects is based on the City's comprehensive planning process, community needs, and the individual proposals of departments, boards, and commissions of local government. The CIP technical committee shall include representatives from all direct-service and necessary support departments.
- Due to the state legislature's adoption of SF 295, cities in Iowa are likely to continue to experience revenue reductions through FY 2024. To this end, the City of Davenport will be continue reducing its reliance on the backfill for operating expenses by modernizing operations and exploring cost-saving and revenue-enhancing options to mitigate the impact on service levels. Potential areas of organizational review include the exploration of department/division consolidations, intergovernmental service agreements, new revenue sources, and tax levy adjustments if necessary.

City of Davenport

Agenda Group:

Department: Finance

Contact Info: Chief Paul Sikorski 563-326-7778

Wards:

Action / Date

9/9/2020

Subject:

Resolution accepting the annual Byrne Justice Assistance Grant (JAG) from the Federal Government for 2020-2021 in the amount of \$81,074. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This is an annual grant that is submitted as a joint grant by the Scott County Attorney's Office for the cities of Davenport and Bettendorf and the Scott County Sheriff's Office. This grant supports the Scott County Special Operations Task Force providing drug trafficking enforcement in Scott County. This grant is separate from the Recovery Grant. The amount of \$81,074 is the total awarded for all three jurisdictions.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	JAG Application

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	8/26/2020 - 9:57 AM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION accepting the annual Byrne Justice Assistance Grant (JAG) from the Federal Government for 2020-2021 in the amount of \$81,074.

WHEREAS, the Edward Byrne Memorial Formula Grant Program was created by the Anti-Drug Abuse Act of 1988 and was renamed as the Byrne Justice Assistance Grant in 2004 by Congress; and

WHEREAS, the Byrne JAG Program is a partnership of federal, state, and local governments to create safer communities; and

WHEREAS, grants may be used to provide personnel, equipment, training, technical assistance, and information systems for more widespread apprehension, prosecution, adjudication, detention and rehabilitation of offenders who violate state and local laws; and

WHEREAS, the City of Davenport has received funding from this grant program for several years to augment salary and benefits for officers to work specialized drug interaction operations, and desires to continue such funding.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the annual Byrne Justice Assistance Grant for 2020-2021 is hereby accepted.

Passed and approved this 9th day of September, 2020.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

TIM LANE
Scott County Sheriff



SHAWN ROTH
Chief Deputy Sheriff

EMERGENCY 9-1-1
(563) 326-8625
(563) 326-8689 (FAX)

400 West 4th Street
Davenport, Iowa 52801-1104

BRYCE SCHMIDT
Chief Deputy Sheriff

www.scottcountyiowa.com/sheriff
sheriff@scottcountyiowa.com

DATE: August 04, 2020
TO: Board of Supervisors
SUBJECT: FY21 JAG Grant Application

The Scott County Sheriff's Office will be submitting a grant on or before August 19, 2020 to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2020 Local Solicitation. Scott County is eligible for \$81,074 which is a joint allocation between Scott County, Bettendorf and Davenport.

This grant supports the Scott County Special Operations Task Force providing drug trafficking enforcement in Scott County. Officers assigned to the Scott County Special Operations Task Force are a combination from the Bettendorf and Davenport Police Departments and the Scott County Sheriff's Office. Currently, the Davenport Police Department does not have an officer assigned. Each agency submits documentation of officer's salaries, benefits and partial overtime to the County for reimbursement. The County submits quarterly and annual reports to the Office of Justice Programs.

The Scott County Sheriff's Office serves as the multi-agency fiscal officer. JAG awards are based on a formula between population and reported crime statistics.

The grant requires notification to the governing body, Board of Supervisors, in a public format as well as a Memorandum of Understanding for the joint application which is signed by an authorized representative from each jurisdiction. This is to ensure that only one application is submitted. If the grant is denied, then the application will be withdrawn.

Upon your resolution to accept the applicable award from JAG, the Scott County Sheriff's Office will continue with the grant management process.

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Paul Sikorski 563-326-6133
Wards:

Action / Date
9/9/2020

Subject:
Resolution approving the purchase of protective equipment from a State of Iowa Department of Administrative Services (DAS) bid contract with Safeware Inc in the amount of \$196,966.24 for the Davenport Police Department. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The Police Department is requesting approval to purchase protective equipment from a State of Iowa Department of Administrative Services Master Contract. The State of Iowa processed a full Invitation to Bid in the proper manner. Safeware Inc was awarded the contract #44000008468.

This purchase is from the Police Department's General Budget, Forfeiture & Seizure #50102580 520201, and the Police Department Local Option Sales Tax account #54912510 530303.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	8/27/2020 - 2:25 PM
Finance Committee	Merritt, Mallory	Approved	8/27/2020 - 2:25 PM
City Clerk	Admin, Default	Approved	8/27/2020 - 2:35 PM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the purchase of protective equipment from a State of Iowa Department of Administrative Services (DAS) bid contract with Safeware Inc, and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the Police Department needs to purchase protective equipment; and

WHEREAS, Safeware Inc was awarded a contract with the State of Iowa Department of Administrative Services; and

WHEREAS, the applicable purchasing process was followed by State of Iowa DAS resulting in a contract to Safeware Inc and the recommendation to award to Safeware Inc as a responsive and responsible bidder.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that the purchase for the above said procurement from Safeware Inc is approved; and

BE IT FURTHER RESOLVED that expenditures of the full budgeted amount of \$196,966.24 is hereby authorized; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to sign and contract for and on behalf of the City of Davenport, Iowa; and

BE IT FURTHER RESOLVED that upon approval by City staff, the executed contract and bond are hereby approved.

Passed and approved this 9th day of September, 2020.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Bruce Berger 326-7769

Wards:

Action / Date

9/2/2020

Subject:

Motion approving the amended Annual Action Plan for Year 46 (July 1, 2020 - June 30, 2021) for the CDBG and HOME Programs (City of Davenport, petitioner). [All Wards]

Recommendation:

Pass the Motion.

Background:

Each year, the City must submit an Annual Action Plan (AAP) to the Department of Housing and Urban Development (HUD). This plan is required to receive Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds. The plan for Program Year 46 (Federal FY20/City FY21) covers the period from July 1, 2020 through June 30, 2021. The plan was submitted to HUD, and was approved on July 8, 2020.

The AAP identifies the goals and needs for the CDBG and HOME programs, including the objectives to be addressed, which were approved by Council at the November 13, 2019 meeting; and the allocations of the federal entitlement funds which were approved by Council at the March 25, 2020 meeting.

In light of the unprecedented impacts of COVID-19, HUD has instructed communities receiving the CDBG and HOME grants to amend their current Annual Action Plans to incorporate COVID-19 response funding and activities. HUD published suspensions, waivers and guidance on March 31, April 9, and April 10, 2020; and issued a Federal Register Notice with additional guidance, waivers, and flexibilities on August 10, 2020, which directed that the Annual Action Plan should be amended as soon as possible, without need for amending the associated Consolidated Plan, and with the public comment period reduced from 30 days to 5 days along with a virtual public hearing. Previous amendments resulted in the amendment of the Citizen Participation Plan on April 22, 2020 to incorporate the 5 day comment period and virtual public hearings. Notice of the public comment period was published in the Quad City Times on August 28, 2020 and the required 5 day comment period will run from August 29-September 2, 2020.

This substantial amendment to the 2020 Annual Action Plan the Citizen Participation Plan will enable the City to do the following:

- Receive and administer \$939,776 in Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD) made available through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).
- Increase the administration percentage for HOME funding to 25%, as allowed by HUD waivers dated 04/10/20.
- Add Tenant Based Rental Assistance (TBRA) as an eligible HOME funded activity under both the Housing Goal and Housing Project in the 2020 Annual Action Plan.
- At HUD's direction, add to the plan an additional \$525,000 in replenished CDBG funds for use towards infrastructure projects in Davenport.

If additional CDBG funding is made available to the City by HUD through ongoing implementation of the CARES Act it will be used for the same purpose of the initial allocations indicated above which is to prepare, prevent and respond to the spread of coronavirus 19 (COVID-19) and facilitate assistance to eligible households and persons economically impacted by COVID-19. In addition, the City may utilize FY19-FY20 and FY20-FY21 CDBG and HOME funding currently on hand as needed to respond to COVID-19. Specific proposed activities to respond to COVID-19 utilizing CDBG-CV include the assistance of small businesses and microenterprises in preparing for, preventing, and responding to COVID-19. Additional proposed activities, if any, will be made available through future public notices which will provide the public 5-days to comment on the proposed activities. These notices will be printed in the local newspapers and posted online on the City of Davenport's website at www.davenportiowa.com

Approval of this motion will approve the amended Year 46 Annual Action Plan and the amended Citizen Participation Plan, subject to completion of the required 5-day comment period. Approval also authorizes the City Administrator or her designees to submit the amendment to HUD and to sign necessary documents and agreements.

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berger, Bruce	Approved	8/27/2020 - 2:48 PM

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
9/9/2020

Subject:
Motion approving the following noise variance request for the listed event on the listed dates and times.

Sacred City Church; Outdoor Worship Gatherings; 2822 Eastern Ave; Every Sunday morning that weather permits the remainder of 2020, 10:00 a.m. - 11:30 a.m.; Outdoor music, over 50 dBa.
[Ward 5]

Recommendation:
Pass the Motion.

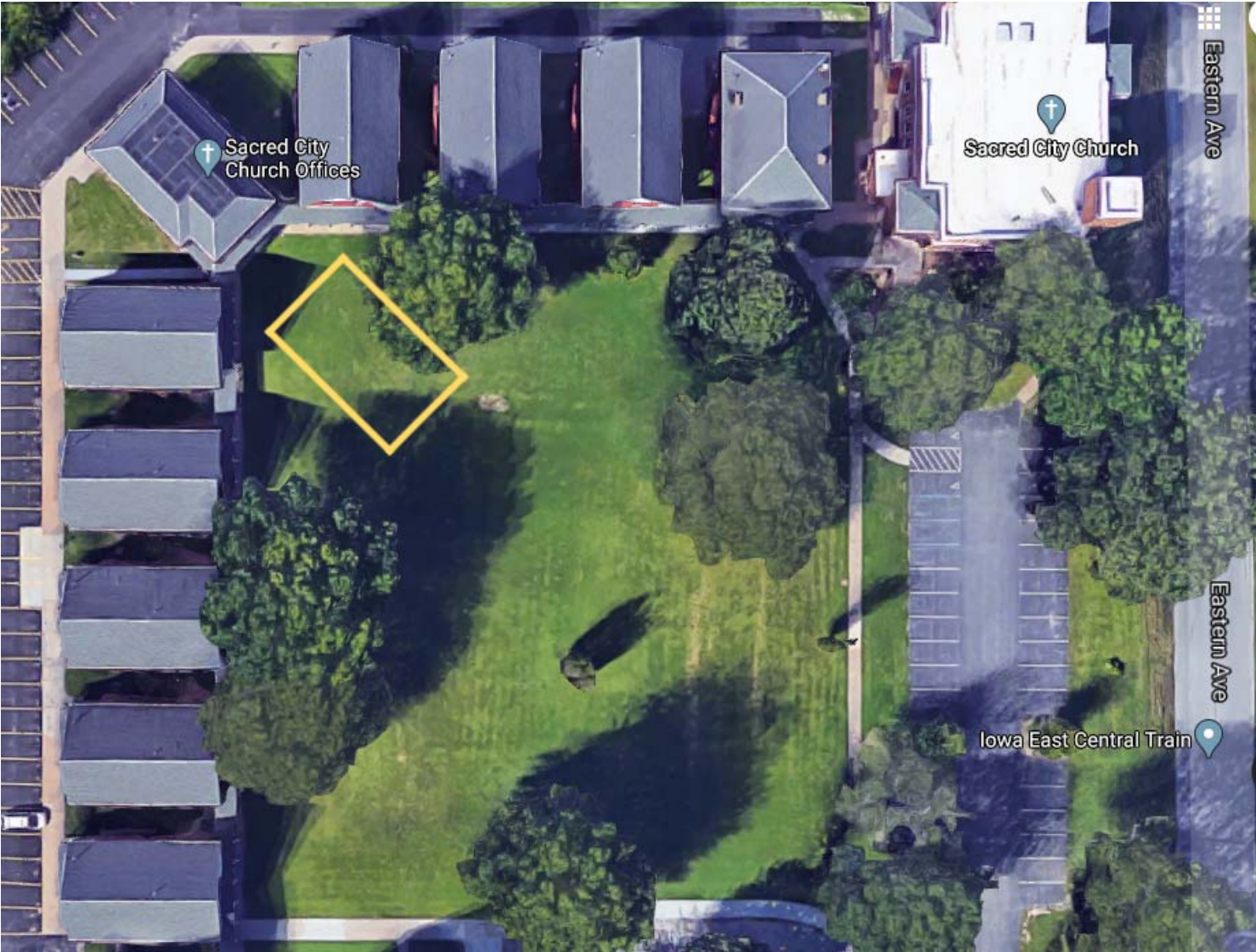
Background:
The following request for a noise variance has been received pursuant to the Davenport Municipal Code Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

ATTACHMENTS:

Type	Description
Backup Material	Sacred City Site Map

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/19/2020 - 1:36 PM



City of Davenport

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

Action / Date
9/9/2020

Subject:
Motion approving beer and liquor license applications.

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

Ward 1

Gunchies (Conrad Holdings, LLC) - 2905 Telegraph Rd - Outdoor Area - New License/Owner - License Type: C Liquor

Ward 3

Super Saver Liquor (Malwa, LLC) - 1610 Rockingham Rd - New License/Owner - License Type: E Liquor

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

Ward 1

Rockingham Liquor (Lila LLC) - 2423 Rockingham Rd - License Type: E Liquor

Ward 3

La Flama Restaurant (Jam Brothers, Inc) - 114 Myrtle St, Ste F - License Type: C Liquor

Raw Bar (RAWBAR) - 136 E 3rd St - Outdoor Area - License Type: C Liquor

West Side Grocery (Rams S LLC) - 1802 W 7th St - License Type: E Liquor

Ward 4

Hy-Vee #5 (Hy-Vee, Inc) - 2351 W Locust St - License Type: E Liquor

MC's Happy Hallow (D.M.C. Corporation) - 1502 W 14th St - License Type: C Liquor

Q C Mart (Bethany Enterprises, Inc) - 1556 W Locust St - License Type: C Beer

Riverside Liquor 2 (Two Brother's Locust, LLC) - 1528 W Locust St - License Type: E Liquor

Ward 5

The Outing Club (The Outing Club, Inc) - 2109 Brady St - Outdoor Area - License Type: C Liquor

Ward 6

Costco Wholesale #1325 (Costco Wholesale Corporation) - 2790 E 53rd St - License Type: E Liquor

Lindsay Park Yacht Club (Lindsay Park Yacht Club, Inc) - 2101 E River Dr - Outdoor Area - License Type: A Liquor

Texas Roadhouse (Texas Roadhouse Holdings LLC) - 4005 E 53rd St - License Type: C Liquor

Recommendation:
Pass the Motion.

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

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	8/27/2020 - 2:26 PM
Finance Committee	Merritt, Mallory	Approved	8/27/2020 - 2:26 PM
City Clerk	Admin, Default	Approved	8/27/2020 - 2:42 PM

City of Davenport

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

Action / Date
9/9/2020

Subject:
Motion awarding the contract for the 6th & Vine Traffic Circle to Centennial Contractors of the Quad Cities of Moline, IL in the amount of \$86,305, CIP #38012. [Ward 3]

Recommendation:
Pass the Motion.

Background:
On August 3, 2020, an Invitation to Bid was issued and sent to contractors. The Purchasing Division opened and read five (5) responsible and responsive bids on August 24, 2020. See bid tab attached.

This project involves the installation of a traffic circle at the intersection of Ash St, W 6th St, and Vine St with work including pavement removal & replacement, storm sewer intake and pipe removal & replacement, ADA ramps and sidewalk improvements, topsoil and seeding.

Funding for this project is from CIP #38012. This funding is from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	8/27/2020 - 3:08 PM
Public Works Committee	Lechvar, Gina	Approved	8/27/2020 - 3:08 PM
City Clerk	Admin, Default	Approved	8/27/2020 - 3:58 PM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: 6th ST & VINE TRAFFIC CIRCLE

BID NUMBER: 21-16

OPENING DATE: AUGUST 24, 2020

FUNDING: CIP 38012

RECOMMENDATION: AWARD THE CONTRACT TO CENTENNIAL
CONTRACTORS OF THE QUAD CITIES OF MOLINE IL

<u>VENDOR NAME</u>	<u>BID AMOUNT</u>
Centennial Contractors of the Quad Cities of Moline IL	\$86,305.00
Emery Construction Group Inc of Moline IL	\$92,274.00
Five Cities Construction Company of Coal Valley IL	\$97,582.00
Langman Construction Inc of Rock Island IL	\$129,099.75
Valley Construction Company of Rock Island IL	\$129,559.00

Approved By Kristi Keller 8-26-2020
Purchasing Date

Approved By Mark W. Pearson 8/26/2020
Dept. Director Date

Approved By Brauli Coy 8-26-2020
Budget/CIP Date

Approved By Mallory P. Merritt 8/26/2020
Assist. City Administrator/Finance Director Date

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Mallory Merritt 563-326-7792
Wards:

Action / Date
9/9/2020

Subject:
Motion approving a five-year contract for employee benefit brokerage consulting services to Assured Partners, Inc of Davenport, IA in an amount not-to-exceed \$70,000 which includes an annual payment to Milliman, Inc for benefit actuarial services. [All Wards]

Recommendation:
Pass the Motion.

Background:
A Request for Proposals was issued on July 22, 2020 and sent to vendors. On August 14, 2020, the Purchasing Division opened and read eight proposals. See tabulation attached.

An evaluation committee of Finance Department staff evaluated the proposals on the following criteria - 1) Proposed Pricing - 20%, 2) Business Process - 25%, 3) Ability, Experience, Qualifications, Expertise of personnel assigned to the City's account - 25%, 4) Scope of Services, understanding of required service and methodology - 10%, 5) Quality and Thoroughness of Proposal - 20%.

The City of Davenport utilizes a Benefits Consulting Service to help with long-term planning, specifically focusing on cost-saving strategies related to the City's group insurance plan. Additionally, this service helps with drafting, organizing, and evaluating RFPs for stop-loss providers and voluntary benefit vendors, as well as facilitating Third Party Administrator and Pharmacy Benefit Manager evaluations, selections, and transitions. The top three scoring firms from the RFP process were asked to interview on August, 26, 2020; each firm was asked to provide cost-savings strategies specific to the City. Through this exercise, it was determined that Assured Partners, formerly Molyneaux Insurance, Inc, best fit the needs of the City and is recommended for the contract.

Funding for this service is from the Employee Health Fund, and specifically from account: 50460700 520217 (professional services).

ATTACHMENTS:

Type	Description
□ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	8/27/2020 - 2:24 PM
Finance Committee	Merritt, Mallory	Approved	8/27/2020 - 2:24 PM
City Clerk	Admin, Default	Approved	8/27/2020 - 2:26 PM

CITY OF DAVENPORT, IOWA
RFP TABULATION

DESCRIPTION: BENEFITS CONSULTING SERVICES

BID NUMBER: 21-12

OPENING DATE: AUGUST 14, 2020

FUNDING: 50460700 520217 BENFITS CONSULTING

RECOMMENDATION: AWARD THE CONTRACT TO MOLYNEAUX
INSURANCE INC OF DAVENPORT IA

<u>VENDOR NAME</u>	<u>LOCATION</u>
Molyneaux Insurance Inc	Davenport IA
Mercer	Iowa City IA
Group Services Inc	Bettendorf IA
TrueNorth Companies	Cedar Rapids IA
Bernie Lowe Associates Inc	Grinnell IA
Benefit Staff LLC	Bettendorf IA
Gallagher	Rolling Meadows IL
Cottingham & Butler Insurance	Dubuque IA

Approved By Krista Keller 8-27-2020
Purchasing Date

Approved By Mallory J. Menitt 8/26/2020
Dept. Director Date

Approved By Mallory J. Menitt 8/27/2020
Budget/CIP Date

Approved By Mallory J. Menitt 8/26/2020
Assist. City Administrator/Finance Director Date

City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Brian Krup 563-326-6163

Wards:

Action / Date

9/9/2020

Subject:

To discuss a real estate transaction pursuant to Iowa Code Section 21.5(1)(j).

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	9/1/2020 - 8:27 AM