

Scott County Board of Supervisors
March 7, 2019 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Beck, Knobbe, Croken, Kinzer and Maxwell present. The Board recited the Pledge of Allegiance.

Moved by Beck, seconded by Maxwell a motion to approve the minutes of the February 21, 2019 Regular Board Meeting and the minutes of the March 5, 2019 Committee of the Whole Meeting.

Supervisor Kinzer stated that the Board did not have minutes from the March 5th meeting to approve.

Moved by Beck, seconded by Maxwell a motion to approve the minutes of the February 21, 2019 Regular Board Meeting. All Ayes.

Moved by Beck, seconded by Maxwell a motion to open a public hearing relative to the Planning and Zoning Commission's recommendation on the application of Dale Grunwald, DBA Grunwald Land Development, to rezone a 60-acre tract, more or less, from "Commercial-Light Industrial (C-2)" to "Single-Family Residential (R-1)" in Blue Grass Township. All Ayes.

Tim Huey, Planning and Development Director, reviewed an email the Board received from Bob Inghram regarding his concerns with the rezoning. Huey said that he is chairman of the Davenport Planning and Zoning Commission. Huey said he talked to Inghram regarding the email and told him that the statement that the Lake Canyada mobile home park was on septic systems was not correct. He said he also discussed with Inghram his other concerns.

Huey said this rezoning comes to the Board with a unanimous recommendation to approve from the Scott County Planning and Zoning Commission.

Supervisor Croken asked if Inghram was withdrawing his objection.

Huey responded that he just had a discussion with him and is not reporting one way or the other in regards to Inghram's concerns.

Supervisor Maxwell said it sounds like Inghram was confused about the septic system.

Huey said he just wanted to correct and clarify for Inghram regarding the septic systems and that Inghram also had valid concerns and points in regards to drainage and run-off and emergency services.

Dale Grunwald, 409 S Schultz Drive, Long Grove, applicant, said he has considered all of the factors expressed in the email and believes rezoning is the best solution for the property. He said the property is currently zoned commercial and the application down

zones the property, and that the run-off does not go to the park. He said his plan calls for septic systems designed with two fields and that the property will be divided into one acre lots. He said he performed due diligence in considering connecting to the Davenport sewer system or possibly putting in a public sanitary system but the cost of \$1.5 to \$2.0 million for a treatment plant would be prohibitive. He said there is a need in the County for residential lots such as these.

Supervisor Kinzer asked Grunwald if he would be maintaining the roads in the development.

Grunwald said the homeowners association would take care of both the road and the two planned green spaces. He said he would install fence between West Lake Park and the development, especially around the water detention area.

Croken asked Grunwald if financially his plan could work with two acre lots resulting in less development and reduce the amount of water run-off.

Grunwald said he started this plan with 70 lots and then went to 50 lots and is now at 47. He said larger lots would cost more money to the purchaser. He said the street must be installed no matter the number of lots. He said that looking at the numbers, 47 lots is best for the space and he believes there is not a demand for two acre lots.

Grunwald said the development is required to hold the first inch and a half of rain water and will work with the park to use some of its retaining area to make that work. He said the water will all go across Interstate 280 and down to the creek.

Supervisor Beck asked if the home owners association would be required to maintain the berms and pond for water detention.

Grunwald answered that the berms and pond area of 4.66 acres would be donated to West Lake Park and maintained by the Park.

Beck said that he is concerned about the water detention plan and that he wants to check with Conservation about the detention plan and the Health Department regarding the septic systems, especially in light of the work to restore West Lake.

Grunwald said the run-off does not go into the lake system, and that he is going to be doing a water retention area in conjunction with West Lake and will be maintained by West Lake. He said there would be less run-off with one acre residential lots than from commercial development which could involve large buildings and parking lots.

Maxwell asked Grunwald who he talked to about donating the land for the retention pond.

Grunwald answered that he spoke with Roger Kean and Marc Miller from the Scott County Conservation Department.

Maxwell asked if they have approved the plan.

Grunwald said they have approved the plan.

Huey said that the rezoning application and preliminary plat came to the Planning and Zoning Commission at the same time, but are considered by the Board of Supervisors at different times. He said the Commission received comments from both the Conservation and Health Departments. He said that the Commission also unanimously approved the preliminary plat with various conditions.

Beck asked Huey who would be responsible for maintaining the pond.

Huey said the Conservation Department would be responsible for maintenance, and that the Conservation Director required controlled access from the subdivision. He said that although title would not be transferred to Conservation, there would be a fence along the portion that is County Conservation land to keep people out and that the pond would not be for recreation.

Croken asked Huey where the run-off would be going.

Huey showed slides from Tuesday's Committee of the Whole presentation and pointed out where the low areas of the property are and to where the increased water run-off would flow to Black Hawk Creek and then to the Mississippi River.

Croken asked if there would be more run-off due to the development and if Black Hawk Creek can handle the run-off.

Huey said there would be more run-off due to the development that metering is required to limit the water flow and potential for flash flooding.

Croken asked what the potential for downstream problems is.

Huey said the Planning Department relies on civil engineers to make the calculations and that he agrees with Grunwald that co-efficient for run-off from commercial light industrial development is greater than the co-efficient for residential development because there is considerably more open space with residential development.

Croken asked if there is an assurance of no downstream issues.

Huey said that development regulations are set up to address run-off issues. He said he believes there is sufficient capacity in the Black Hawk Creek basin to handle the flow of water from all the land. He said that the City of Davenport will also review the plat under the City's regulations.

Kevin Engelbrecht, 717 S 9th Street Court, Eldridge, property co-owner, said they tried to develop the land as commercial and get sewer out to the property but it was not

feasible. He said they then decided to go with residential development. He said that there will be detention first on the developed side of the property and then flow into the new ponds being built. He said there will be some water flow towards the Park, but by developing the area as residential and planting grass the amount of flow going down to the Park will be less. He said they do not want to cause any problems for West Lake Park and that is why they opened conversations with the Conservation Department. He said that two acres lots are not readily marketable.

Knobbe said that there would likely be far less siltation run-off from the residential development than from the tilled farmland.

Moved by Beck, seconded by Maxwell a motion to close the public hearing. All Ayes.

Moved by Beck, seconded by Maxwell the third and final reading of an ordinance to amend Chapter 13-34 of the Scott County Code relative to designated speed limits on Scott County Secondary Roads. (Section 13-34 Walcott). Roll Call: All Ayes.

AN ORDINANCE TO AMEND CHAPTER 13-34 OF THE SCOTT COUNTY CODE RELATIVE TO DESIGNATED SPEED LIMITS ON SCOTT COUNTY SECONDARY ROADS.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY, IOWA:

SECTION 1.

Add Sec. 13-34O, Replace Item No. 3 and add Item No. 4 to read:

O. Walcott

3. 30 MPH - On 60th Ave (Y40) North from just south of 220th St to just north of Sterling Dr. and

4. 45 MPH – on 60th Ave (Y40) from just North of Sterling Dr North to the Walcott City Limits.

SECTION 2. The County Auditor is directed to keep and maintain a copy of the Ordinance in the County Auditor's office.

SECTION 3. SEVERABILITY CLAUSE

If any of the provisions of the Ordinance are for any reason illegal or void, then the lawful provisions of this Ordinance shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

SECTION 4. REPEALER

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE

This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Moved by Beck, seconded by Maxwell that the following resolution be approved.
All Ayes.

BE IT RESOLVED: 1) That Scott County enters into a contract with Calhoun-Burns and Associates, Inc. for professional structural design services to perform preliminary and final design of bridge replacement projects L-223--73-82, L-520--73-82, BRS-SWAP-C082(820)--FF-82 and LFM-321--7X-82. 2) That the County Engineer be authorized to sign the contract document on behalf of the Board. 3) This resolution shall take effect immediately.

Moved by Beck, seconded by Croken a motion to table consideration of an ordinance to amend the Zoning Map by rezoning approximately 60 acres in Section 25, Blue Grass Township from Commercial-Light Industrial (C-2) to Residential Single-Family (R-1), all within unincorporated Scott County until the next Board cycle. All Ayes.

Moved by Croken, seconded by Kinzer that the following resolution be approved.
All Ayes.

BE IT RESOLVED: 1) The 2017 property taxes and interest accrued for John Jones, 124 South 9th Street, LeClaire, Iowa in the amount of \$2,341.00 including interest are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes and utility fees thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Beck that the following resolution be approved.
All Ayes.

BE IT RESOLVED: 1) That the annual maintenance renewal for GIS software suite with ESRI, Inc. in the amount of \$23,500.00 is hereby approved. 2) That a purchase order shall be issued for said amount for the annual maintenance renewal for GIS software suite in the amount of 23,500.00 (further described in ESRI, Inc. quote # 25886016). 3) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Beck that the following resolution be approved.
All Ayes.

BE IT RESOLVED: 1) That the contract in the amount of \$62,100 with the Surdex Corporation for acquisition of 3" countywide orthophotography products and services is hereby approved. 2) That the Chairman is hereby authorized to sign said agreement. 3) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Beck that the following resolution be approved.
All Ayes.

BE IT RESOLVED: 1) The authority of the County Recorder to sign a contract for record scanning services with US Imaging in an amount not to exceed \$240,000 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Beck that the following resolution be approved.
All Ayes.

Croken said ten years is plenty of time with a single audit firm and that even though audit staff will change, he wants to express his concern that the County start looking now for another audit partner when this contract expires.

BE IT RESOLVED: 1) That the engagement letter from Baker Tilly Virchow Krause, LLP for, Fiscal Year 2019, in the amount of \$70,000; Fiscal Year 2020, in the amount of \$70,000; Fiscal Year 2021, in the amount of \$72,500; Fiscal Year 2022, in the amount of \$75,000; and Fiscal Year 2023, in the amount of \$77,500 for financial statement audit services is hereby accepted and approved. Contract years are for one year increments. 2) That the Director of Budget and Administrative Services is hereby authorized to sign the audit engagement letter on behalf of the Board. 3) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Beck a motion to approve filing of second quarter FY19 quarterly financial reports from various county offices. All Ayes.

Moved by Maxwell, seconded by Beck a motion approving a beer/liquor license renewal for Casey's General Store #1068. All Ayes.

Moved by Maxwell, seconded by Beck that the following resolution be approved.
Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 296991 through 297213 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,722,691.43. 2) This resolution shall take effect immediately.

Under other items of interest, Croken reported that he is currently working with the Scott County Mental Health Court Pilot Program Board to make a presentation to the Supervisors on March 19th.

Croken also said that Tammy Speidel had contacted him about clarity on audiovisual transcripts of County meetings, what other counties are doing and vendors and said that work is underway right now. He said he cannot tell when it will come to the Board but he is optimistic that it will be the next cycle or the cycle to follow.

Mahesh Sharma, County Administrator, said there is a probability that the Wapsi and Mississippi Rivers are going to reach very significant flood levels in the mid to late April timeframe. He said the County is in contact with the various agencies and just wanted to bring the issue to the Board's attention to be prepared for the possible fiscal impact.

Kinzer said he attended the Lower Cedar Watershed Board meeting and will distribute the PowerPoint presentation to the Supervisors that addresses the flooding issue. He said they are looking at the hazard mitigation plans of the counties involved.

Kinzer also reported that the Partners of Scott County Watersheds Board has adopted a strategic plan and that they are doing some outreach to share information.

Kinzer noted an article in the newspaper regarding Senator Tinsman and the Davenport ordinance involving massage businesses.

Mary Thee said Tinsman conversed with Huey after her presentation to the Supervisors regarding the County's current ordinance on the subject and if changes would need to be made.

Kinzer asked staff to follow up on this issue.

Moved by Beck, seconded by Kinzer at 5:47 p.m. a motion to adjourn. All Ayes.

Tony Knobbe, Chairman of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor