



CITY COUNCIL MEETING AGENDA
Monday, November 4th, 2024, 7:00 PM
Eldridge Community Center · 400 S 16th Ave · Eldridge, IA

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Approval of Agenda
4. Public Comment

5. Mayor's Agenda
 - A. Consideration to Approve City Council Minutes from October 21st, 2024
 - B. Consideration to Approve Bills Payable

6. Old Business
 - A. Consideration of Third and Final Reading of Ordinance 2024-13 Amending Title C, Chapter Two, Section 8.04 of Eldridge City Code for Residential and Commercial/Industrial Sewer Rental Unit billing
 - B. Consideration of Second Reading of Ordinance 2024-14 Amending Chapter 8, Title C of the Eldridge City Code by adopting new building codes

7. New Business
 - A. Review of the policies related to the responsibility for and maintenance of detention ponds throughout the City

8. Board/Staff Activity Reports
 - A. City Administrator
 - B. Assistant City Administrator
 - C. City Clerk
 - D. Police Chief

9. Adjournment

Next Regular City Council Meeting: Monday, November 18th, at 7:00pm at Eldridge Community Center

City of Eldridge City Council Meeting Minutes

The City of Eldridge, Iowa, City Council met in an open session at Eldridge Community Center at 7:00 pm on October 21, 2024.

Council Members Present: Dan Collins, Brian Dockery, Scott Campbell, Ryan Iossi, Adrian Blackwell (absent)

Presiding: Mayor Frank King

Also Present: Marty O'Boyle, Ivory Butler, Henry Rieck, Ayden Tschopp, Davis Hoyer, Cole Green, Jackson Stevenson, Ray Nees, Erin Gentz, Dale Grunwald, Tony Cavanaugh, Haily Sanders, & Zach Howell

Motion by Dockery to approve the agenda. Second by Collins. Motion was approved unanimously by voice vote.

Public Comment

Students that were present introduced themselves.

Mayor's Agenda

Motion by Iossi to approve City Council Minutes from October 7, 2024. Second by Campbell. Motion was approved unanimously by voice vote.

Motion by Campbell to approve the Committee of the Whole Meeting from October 7, 2024. Second by Iossi. Motion was approved unanimously by voice vote.

Motion by Campbell to approve the bills payable in the amount of \$449,690.18. Second by Collins. Motion was approved unanimously by voice vote.

Motion by Campbell to approve a Liquor License Renewal for Tasty Cafe. Second by Iossi. Motion was approved unanimously by voice vote.

Old Business

Motion by Dockery to approve the Second Reading of Ordinance 2024-13 Amending Title C, Chapter Two, Section 8.04 of Eldridge City Code for Residential and Commercial/Industrial Sewer Rental Unit billing. Second by Collins. Roll call vote indicated, Campbell (Aye) , Collins (Aye), Dockery (Aye), and Iossi (Aye)

Motion by Dockery to approve Change Order #1 to the 2024 Eldridge Street Improvements contract in the amount of \$17,144.40 for a pavement patch on W LeClaire Rd and an additional contingency amount of \$25,252.50 for potential curb and gutter replacement along N 7th and N 8th Street only at the direction of field engineer and City staff . Second by Dockery. Motion was approved unanimously by voice vote.

Motion by lossi to approve a proposal from Shive Hattery in the amount of \$35,750 for the 4th Ave Traffic Signal project . Second by Collins. Roll call vote indicated, Campbell (Nay), Collins (Aye), Dockery (Aye), and lossi (Aye)

New Business

Motion by Campbell to approve an estimate from Flenker Land Architecture Consultants, LLC, in the amount of \$4,850 to perform wetlands delineation of Sheridan Meadows Park pond with options to include additional areas in the delineation. Second by lossi. Motion was approved unanimously by voice vote.

Motion by lossi to approve the First Reading of Ordinance 2024-14 Amending Chapter 8, Title C of the Eldridge City Code by adopting new building codes. Second by Collins. Roll call vote indicated, Campbell (Aye) , Collins (Aye), Dockery (Aye), and lossi (Aye)

Motion by Campbell to approve Resolution 2024-27 Approving the FY24 Street Finance Report. Second by Dockery. Roll call vote indicated, Campbell (Aye), Collins (Aye), Dockery (Aye), and lossi (Aye).

Motion by Campbell to approve Resolution 2024-26 Approving Stone Brook 3rd Addition Outlot Replat. Second by Dockery. Roll call vote indicated, Campbell (Aye), Collins (Aye), Dockery (Aye), and lossi (Aye).

Motion by Campbell to approve Change Orders #1 and #2 for the Triple B Construction Contract for Iowa DOT Project #TAP-T-2290(616)—8V-82 Townsend Farms Trail in the amounts of -\$6,750 and \$5,527.50 respectively. Second by lossi. Motion was approved unanimously by voice vote.

Board/Staff Activity Reports

City Administrator

Updated the Council on the outcome of the TEAP kickoff meeting and the City's Update Breakfast. Also updated the Council on the City's Health Insurance renewal.

Fiber will be installed in all city facilities.

Proposal to have the Joint Utility Board and Council Meeting on November 4th.

Lincoln Road traffic counts were submitted to Bi-State.

Assistant City Administrator

Planning & Zoning reviewed the Solar Ordinance revisions will be forthcoming.

City Clerk

Shared with Council that the auditors were onsite last week and were very complimentary of Staff's response and record keeping.

Police Chief

Officer Cavanaugh shared with the Council that Officer Sander's training is going as planned.

Motion by Dockery to move into Closed Session per Iowa Code 21.5(1)j "To discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price

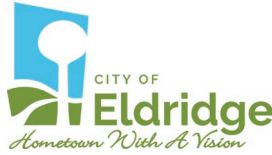
the governmental body would receive for that property” . Second by Campbell. Roll call vote indicated, Campbell (Aye) , Collins (Aye), Dockery (Aye), and Iossi (Aye)

Motion by Dockery to adjourn at 8:27 pm Second by Collins. Motion was approved unanimously by voice vote.

BILLS PAYABLE

CHECK #	DEPARTMENT	FUND	VENDOR	DESCRIPTION	AMOUNT
1040	INS REIMB	820 5-001-6183	EBS - EMPLOYEE BENEFIT SYSTMS	PSF - INS CLAIM FUNDING	\$ 5,775.36
1040	INS COBRA	820 5-820-6151	EBS - EMPLOYEE BENEFIT SYSTMS	PSF/COBRA INS CLAIM FUNDING	\$ 393.40
155073	POLICE	001 5-110-6150	DELTA DENTAL	DENTAL/VISION INS PREMIUMS	\$ 490.48
155073	POLICE	001 5-110-6150	DELTA DENTAL	BASIC LIFE INS PREMIUMS	\$ 44.00
155073	POLICE	001 5-110-6150	DELTA DENTAL	LTD INSURANCE PREMIUMS	\$ 204.78
155073	INSPECTIONS	001 5-170-6150	DELTA DENTAL	DENTAL/VISION INS PREMIUMS	\$ 52.06
155073	INSPECTIONS	001 5-170-6150	DELTA DENTAL	BASIC LIFE INS PREMIUMS	\$ 4.00
155073	INSPECTIONS	001 5-170-6150	DELTA DENTAL	LTD INSURANCE PREMIUMS	\$ 26.23
155073	STREETS	001 5-210-6150	DELTA DENTAL	DENTAL/VISION INS PREMIUMS	\$ 410.88
155073	STREETS	001 5-210-6150	DELTA DENTAL	BASIC LIFE INS PREMIUMS	\$ 24.00
155073	STREETS	001 5-210-6150	DELTA DENTAL	LTD INSURANCE PREMIUMS	\$ 111.55
155073	VEH MAINT	001 5-299-6150	DELTA DENTAL	DENTAL/VISION INS PREMIUMS	\$ 26.03
155073	VEH MAINT	001 5-299-6150	DELTA DENTAL	BASIC LIFE INS PREMIUMS	\$ 2.00
155073	VEH MAINT	001 5-299-6150	DELTA DENTAL	LTD INSURANCE PREMIUMS	\$ 9.85
155073	COMM DEV	001 5-599-6150	DELTA DENTAL	DENTAL/VISION INS PREMIUMS	\$ 86.94
155073	COMM DEV	001 5-599-6150	DELTA DENTAL	BASIC LIFE INS PREMIUMS	\$ 4.00
155073	COMM DEV	001 5-599-6150	DELTA DENTAL	LTD INSURANCE PREMIUMS	\$ 22.64
155073	ADMIN	001 5-611-6150	DELTA DENTAL	DENTAL/VISION INS PREMIUMS	\$ 60.86
155073	ADMIN	001 5-611-6150	DELTA DENTAL	BASIC LIFE INS PREMIUMS	\$ 2.80
155073	ADMIN	001 5-611-6150	DELTA DENTAL	LTD INSURANCE PREMIUMS	\$ 22.08
155073	FINANCE	001 5-620-6150	DELTA DENTAL	DENTAL/VISION INS PREMIUMS	\$ 55.70
155073	FINANCE	001 5-620-6150	DELTA DENTAL	BASIC LIFE INS PREMIUMS	\$ 4.00
155073	FINANCE	001 5-620-6150	DELTA DENTAL	LTD INSURANCE PREMIUMS	\$ 17.57
155073	SEWER	610 5-815-6150	DELTA DENTAL	DENTAL/VISION INS PREMIUMS	\$ 450.46
155073	SEWER	610 5-815-6150	DELTA DENTAL	BASIC LIFE INS PREMIUMS	\$ 17.20
155073	SEWER	610 5-815-6150	DELTA DENTAL	LTD INSURANCE PREMIUMS	\$ 90.80
155073	INS COBRA	820 5-820-6151	DELTA DENTAL	DENTAL/VISION INS PREMIUMS	\$ 119.58
155074	POLICE	001 5-110-6150	WELLMARK BLUE CROSS	HEALTH INS PREMIUMS	\$ 8,336.40
155074	INSPECTIONS	001 5-170-6150	WELLMARK BLUE CROSS	HEALTH INS PREMIUMS	\$ 478.13
155074	STREETS	001 5-210-6150	WELLMARK BLUE CROSS	HEALTH INS PREMIUMS	\$ 5,819.18
155074	VEH MAINT	001 5-299-6150	WELLMARK BLUE CROSS	HEALTH INS PREMIUMS	\$ 538.33
155074	COMM DEV	001 5-599-6150	WELLMARK BLUE CROSS	HEALTH INS PREMIUMS	\$ 1,076.65
155074	ADMIN	001 5-611-6150	WELLMARK BLUE CROSS	HEALTH INS PREMIUMS	\$ 753.66
155074	FINANCE	001 5-620-6150	WELLMARK BLUE CROSS	HEALTH INS PREMIUMS	\$ 239.07
155074	SEWER	610 5-815-6150	WELLMARK BLUE CROSS	HEALTH INS PREMIUMS	\$ 3,792.01
155074	INS COBRA	820 5-820-6151	WELLMARK BLUE CROSS	HEALTH INS PREMIUMS	\$ 1,266.65
155075	STREETS	001 5-210-6373	ACCESS SYSTEMS LEASING	CITY SHOP PRINTER	\$ 94.59
155075	FINANCE	001 5-620-6340	ACCESS SYSTEMS LEASING	CITY HALL PRINTER	\$ 175.88
155076	POLICE	001 5-110-6599	ALWAYS CLEAN LLC	JANITORIAL SVCS	\$ 300.00
155076	STREETS	001 5-210-6310	ALWAYS CLEAN LLC	JANITORIAL SVCS	\$ 300.00
155076	ADMIN	001 5-611-6310	ALWAYS CLEAN LLC	JANITORIAL SVCS	\$ 300.00
155077	POLICE	001 5-110-6181	AMAZON CAPITAL SERVICES	SPATARU - TACTICAL PANTS	\$ 170.00
155077	POLICE	001 5-110-6181	AMAZON CAPITAL SERVICES	SCHWERTMAN - TACTICAL PANTS	\$ 90.00
155077	ADMIN	001 5-611-6310	AMAZON CAPITAL SERVICES	NIETO - FILE ORGANIZER	\$ 11.82
155077	FINANCE	001 5-620-6506	AMAZON CAPITAL SERVICES	LETTER TRAY	\$ (9.02)
155077	FINANCE	001 5-620-6506	AMAZON CAPITAL SERVICES	FLASHDRIVES- CLOSED SESSIONS	\$ 55.00
155077	SEWER	610 5-815-6506	AMAZON CAPITAL SERVICES	USB CHARGERS	\$ 37.98
155078	ROAD USE	110 5-210-6727	ANDY SCHWARZ LLC	2020 DUMP TRUCK	\$ 140,000.00
155079	SALES TAX	121 5-750-64071	BENDER JEFF	SQR REIMBURSEMENT	\$ 1,000.00
155080	FINANCE	001 5-620-6401	BOHNSACK & FROMMELT LLP	YEAR END AUDIT 6/30/24	\$ 14,437.50
155082	POLICE	001 5-110-6506	COMMERCIAL PRINTERS	GOLF CART STICKERS	\$ 22.50
155082	FINANCE	001 5-620-6506	COMMERCIAL PRINTERS	GOSLOWSKY - BUSINESS CARDS	\$ 55.00
155084	SALES TAX	121 5-750-64071	HARMS RYAN	SQR REIMBURSEMENT	\$ 960.00
155085	POLICE	001 5-110-6470	HUMANE SOCIETY OF	BOARDING FEES	\$ 150.00
155087	SALES TAX	121 5-750-64071	LAZIO SAM	SQR REIMBURSEMENT	\$ 1,000.00
155088	ROAD USE	110 5-210-6530	MANATTS INC	POTHOLE PATCHING	\$ 288.00
155089	SEWER	610 5-815-6310	MENARDS	WINTER HEAT CABLE	\$ 51.96
155090	POLICE	001 5-110-6727	MERSCHMAN HARDWARE	PD - SPEED TRAILER	\$ 31.98

155090	STREETS	001 5-210-6310	MERSCHMAN HARDWARE	LIGHTER FOR GRILL	\$ 9.59
155090	STREETS	001 5-210-6310	MERSCHMAN HARDWARE	PROPANE FOR FORKLIFT	\$ 29.99
155090	STREETS	001 5-210-6310	MERSCHMAN HARDWARE	LP TANKS FOR GRILL	\$ 39.98
155090	STREETS	001 5-210-6310	MERSCHMAN HARDWARE	BATTERIES	\$ 35.98
155090	STREETS	001 5-210-6512	MERSCHMAN HARDWARE	CHAIN SAW FILE	\$ 6.59
155091	STREETS	001 5-210-6371	MIDAMERICAN ENERGY CO	105 E LECLAIRE SIGN SHOP	\$ 35.27
155091	STREETS	001 5-210-6371	MIDAMERICAN ENERGY CO	105 E LECLAIRE	\$ 14.54
155091	STREETS	001 5-210-6371	MIDAMERICAN ENERGY CO	105 E LECLAIRE OFFICE	\$ 37.43
155091	ST LIGHTING	001 5-230-6371	MIDAMERICAN ENERGY CO	305 N 3RD LIGHT	\$ 541.55
155091	ST LIGHTING	001 5-230-6371	MIDAMERICAN ENERGY CO	2951 S 9TH AVE SIREN	\$ 10.64
155091	FINANCE	001 5-620-6371	MIDAMERICAN ENERGY CO	313 N 3RD	\$ 17.13
155091	FINANCE	001 5-620-6371	MIDAMERICAN ENERGY CO	301 N 3RD	\$ 14.54
155091	FINANCE	001 5-620-6371	MIDAMERICAN ENERGY CO	309 N 3RD	\$ 14.54
155091	SEWER	610 5-815-6371	MIDAMERICAN ENERGY CO	601 TRAILS RD	\$ 5,533.73
155091	SEWER	610 5-815-6371	MIDAMERICAN ENERGY CO	601 TRAILS RD	\$ 71.68
155092	SEWER	610 5-815-6320	NEWARK CORPORATION	BACKUP FLOAT	\$ 64.39
155093	SALES TAX	121 5-750-64071	MARTIN O'BOYLE	SQR REIMBURSEMENT	\$ 465.00
155094	SALES TAX	121 5-750-64071	ODEGAARD MARC	SQR REIMBURSEMENT	\$ 740.00
155096	POLICE	001 5-110-6319	PER MAR SECURITY SERVICES	PD SERVICE AGREEMENT	\$ 41.67
155098	SEWER	610 5-815-6407	PFM FINANCIAL ADVISORS LLC	REVENUE REQUIREMENTS ANALYSIS	\$ 5,000.00
155099	STREETS	001 5-210-6373	QUAD CITIES TAS	ANSWERING SERVICES	\$ 31.79
155099	SEWER	610 5-815-6373	QUAD CITIES TAS	ANSWERING SERVICES	\$ 31.80
155100	STREETS	001 5-210-6181	QUAD CITY SAFETY INC.	SAFETY GLASSES AND GLOVES	\$ 108.00
155104	STREETS	001 5-210-6331	RIVER VALLEY COOPERATIVE	DIESEL	\$ 1,242.74
155105	POLICE	001 5-110-6506	RNJS DISTRIBUTION INC.	CITY HALL/PD WATER	\$ 5.75
155105	FINANCE	001 5-620-6506	RNJS DISTRIBUTION INC.	CITY HALL/PD WATER	\$ 5.75
155109	SEWER	610 5-815-6332	SCOTT COUNTY RECORDER	RANGER REGISTRATION	\$ 20.50
155110	POLICE	001 5-110-6413	SCOTT CO SHERIFFS DEPT.	BOOKING FEES	\$ 250.00
155111	ROAD USE	110 5-210-6407	SHIVE-HATTERY ENGINEERS	LECLAIRE RD CORR STUDY	\$ 3,260.00
155111	ROAD USE	110 5-210-6771	SHIVE-HATTERY ENGINEERS	2024 PROJECTS	\$ 14,900.47
155111	SALES TAX	121 5-750-6730	SHIVE-HATTERY ENGINEERS	TOWNSEND FARMS 12TH & 13TH	\$ 11,207.32
155112	POLICE	001 5-110-6506	SHRED-IT	SHRED FOR PD	\$ 123.63
155113	SEWER	610 5-815-6320	VEGA HOME OF VALUES	E6 BASIN LEVEL SENSOR	\$ 1,146.96
155114	INSPECTIONS	001 5-170-6373	VERIZON WIRELESS	CITY CELLULAR	\$ 41.47
155114	STREETS	001 5-210-6373	VERIZON WIRELESS	CITY CELLULAR	\$ 278.10
155114	FINANCE	001 5-620-6373	VERIZON WIRELESS	CITY CELLULAR	\$ 41.47
155114	SEWER	610 5-815-6373	VERIZON WIRELESS	CITY CELLULAR	\$ 144.43
155115	STREETS	001 5-210-6512	WHITE CAP LP	CONCRETE TOOLS	\$ 114.47
ACH	SPLIT	SPLIT	PAYROLL 10/26/2024	PAYROLL 10/26/2024	\$ 103,710.10
TOTAL:					\$ 339,741.51



ORDINANCE 2024-13

RESIDENTIAL AND COMMERCIAL/INDUSTRIAL SEWER RENTAL UNITS

AN ORDINANCE AMENDING TITLE C, CHAPTER TWO, SECTION 8.04 OF THE ELDRIDGE CITY CODE, REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

Section 1.00. Section 8.04, Chapter Two, Title C of the Eldridge City Code is amended by removing the following language.

§ 8.04. Residential sewer rentals shall be charged to the owner; commercial/industrial sewer rentals may be charged to the owner or tenant.

Section 2.00. All ordinances, or parts of ordinances, in conflict with this ordinance are hereby repealed.

Section 4.00. This ordinance shall take effect upon passage and publication according to law. Passed and approved this 4th day of November 2024.

Attest:

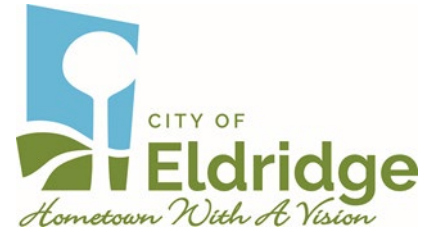
Mayor, Frank King

Martha Nieto, City Clerk

Blackwell	<input type="checkbox"/> Yea / <input type="checkbox"/> Nay / <input type="checkbox"/> _____
Campbell	<input type="checkbox"/> Yea / <input type="checkbox"/> Nay / <input type="checkbox"/> _____
Collins	<input type="checkbox"/> Yea / <input type="checkbox"/> Nay / <input type="checkbox"/> _____
Dockery	<input type="checkbox"/> Yea / <input type="checkbox"/> Nay / <input type="checkbox"/> _____
Iossi	<input type="checkbox"/> Yea / <input type="checkbox"/> Nay / <input type="checkbox"/> _____

City of Eldridge

MEMORANDIUM



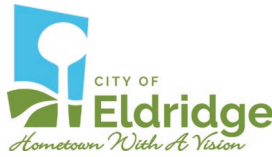
To: Mayor and City Council
From: Jeff Martens, Assistant City Administrator
Re: Sewer Billing Account Ordinance
Date: 10/7/2024

Mayor and City Council,

Title C, Chapter 2, Section 8.04 of the City Code currently contains confusing language requiring the sewer bills of residential rental units to be charged to the owner of the property.

This necessitates the creation of a third billing account for every residential, commercial and industrial rental unit resulting in a confusing system that is complicated to manage. Property owners have complained about this policy and questioned its relevance.

After consulting with the billing clerks on this issue the staff is requesting that this portion of the City Code be removed. The Sewer Superintendent is unaware of any reason why this request could not be granted.



ORDINANCE 2024-14

BUILDING CODES

AN ORDINANCE AMENDING CHAPTER EIGHT, TITLE C OF THE ELDRIDGE CITY CODE BY ADOPTING NEW BUILDING CODES, REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

Codes Adopted:

A. Adoption:

Pursuant to published notice and public hearing, as required by law:

International Building Code 2021

International Residential Code 2021

International Swimming Pool and Spa Code 2021

International Fire Code 2021

And their related codes as referenced, are hereby adopted in full except for such portions as may hereinafter be deleted, modified, or amended, and all subsequent supplements to the above-mentioned international codes as published.

B. An official copy of:

International Building Code 2021

International Residential Code 2021

International Swimming Pool and Spa Code 2021

International Fire Code 2021

An official copy of all referenced books is on file in the Building Safety Department Office, Eldridge City Hall for public inspections, and copies thereof are for sale at the cost to the public through the International Code Council online.

C. More Restrictive Requirements Apply:

If any conflict exists between the adopted International Codes, Uniform Codes, National Codes, and other City ordinances, the more restrictive code requirement applies.

Section One 1.00 TITLE AND ADOPTION: Delete text and replace with:

1.0 Title and Adoption

(A) The City Council does ordain as follows: that specific technical codes listed for adoption in this ordinance, two copies of each, which are on file in the office of the City Clerk, being marked and designated collectively as: “the City of Eldridge Building Code”, for the city, be and are hereby adopted in full, excluding their appendices (except as may herein be amended, modified, revised, changed or deleted) and further being

Mayor Frank King

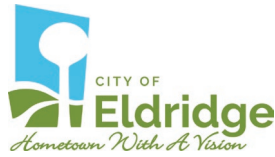
Councilman Adrian Blackwell

Councilman Scott Campbell

Councilman Daniel Collins

Councilman Ryan Iossi

Councilman Brian Dockery



placed in [Title C](#): Public Works, [Chapter Eight](#): **Adoption of Specific Codes**. This adoption repeals and supersedes all previous codes and ordinances or parts of codes and ordinances in conflict herewith and provides for an effective date. If any conflict exists between requirements in the specific technical codes, state codes or municipal codes adopted, the municipal code requirement shall apply.

(B) The City Clerk shall certify the adoption of these specific technical codes and this chapter and shall cause the same to be published as required by law. These specific technical codes and this chapter shall take effect and be in force, from and after its approval and publishing as required by law, with an enforcement date of January 1st, 2025.

(C) All buildings shall be required to comply with the code in force at the time the building permit was issued, and the City retains the right to prosecute owners of buildings for Code violations under those codes, even if the codes are amended or replaced by newer versions.

(D) Remodeling or reconstruction of buildings shall comply with the codes as prescribed therein.

Section Two The following language for the listed specific sections of Chapter Eight of the Eldridge City Code is hereby amended to read as follows:

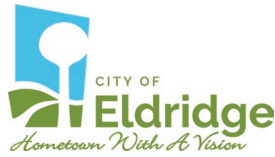
4.00 Specific Technical Codes Adopted

4.01 Delete and replace with: “4.01 The following codes are hereby adopted in full except for such portions as may be deleted, modified or amended and all subsequent supplements to the below mentioned international codes as published.

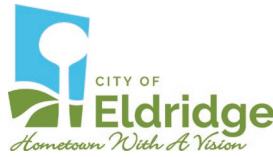
- (A) 2021 International Building Code
- (B) 2021 International Residential Code
- (C) 2015 International Property Maintenance Code
- (D) Uniform Plumbing Code, as adopted by the State of Iowa
- (E) 2020 National Electric Code
- (F) International Mechanical Code, as adopted by the State of Iowa
- (G) 2015 International Energy Conservation Code
- (H) 2015 International Existing Building Code
- (I) 2021 Swimming Pool and Spa Code
- (J) 2021 International Fire Code”

4.05 Delete text and replace with: “4.05 This code adoption shall take effect on January 1st, 2025. The city retains the right to prosecute code violations under previous codes. Remodeling or reconstruction of buildings shall comply with the codes as prescribed therein.”

5.00 Delete and replace with: “**5.00 Amendments to the 2021 International Building Code.**”



- 5.01 Delete in its entirety and replace with: “The International Building Code, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, is hereby adopted as the requirements for the design, construction, alteration, relocation, demolition, installation, use and occupancy of every building structure or appurtenances attached to such structures with the following amendments.”
- (A) **101.1 Title.** Insert “the City of Eldridge, Iowa” as [NAME OF JURISDICTION].
 - (B) **101.4.2 Mechanical.** Replace “International Mechanical Code” with “Iowa Mechanical Code.
 - (C) **101.4.3 Plumbing.** Replace “International Plumbing Code” with “Iowa Plumbing Code”.
 - (D) **103.1 Creation of Enforcement Agency.** Insert “Building Safety Department” in place of “insert name of department”.
 - (E) **105.2 Building.** Delete (2) Fences, in its entirety.
 - (F) **105.2 Building** Delete (6) Sidewalks and driveways, in its entirety and replace with the following: (6) Concrete flatwork on private property.
 - (G) **105.3.2 Time limitation of Application.** Change ‘180 days” and “90 days” to “30 days”.
 - (H) **105.5 Expiration.** Delete and replace with “**105.5 Expiration.** Every permit issued under the provisions of this Code shall expire twelve (12) months from the date of issue. Exception: a permit application that is accompanied by construction schedule of a longer specific duration may be issued for the term of the construction schedule with approval of the Building Official. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit has been renewed by the owner or owners agent and by payment of the renewal fee as established by Resolution of the City Council, and provided no changes have been made in plans or location.
 - (I) **Chapter 11 Accessibility.** Add “Where the provisions of this code conflict with the Iowa State Building Code, Division VII, Accessibility Rules and Regulations for the Physically Handicapped Section 661-16.700 (103A), the latter shall apply.
 - (J) **Chapter 29 Plumbing Systems.** Delete all references to the “International Plumbing Code” and replace with “Iowa State Plumbing Code”.
 - (K) **3303 Demolition.** Add “**3303.8 Site clearing.** The demolition site shall be cleared of all debris associated with the structures being removed. All mechanical groundwork shall be removed from the site of demolition. Foundation walls may be used as solid fill provided a site plan providing notice of the location and depth of the foundation is recorded on the parcel with the Scott County Recorder, and a recorded copy is filed with the Eldridge Building Safety Department. In all cases, concrete shall be removed or collapsed so as to allow burial 24” below final grade. Basement and on grade concrete slabs shall be removed or substantially pulverized to allow adequate drainage. Demolition work shall



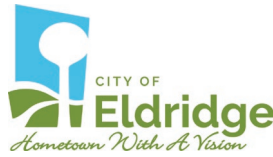
include site work as necessary to fill all excavations and to create a smooth and even finish grade capable of supporting vegetation.

Materials and specifications for filling and final site work are as follows: Only material that will not decompose in the ground shall be used for filling all excavations to within 24” of the top of the surrounding grade. The top 24” of fill material shall be tillable soil, of which the formed aggregate does not exceed 1-1/2 inches. An earthen crown shall be provided at the center of the demolition site to allow for proper site drainage. Final site work shall include stabilization with a vegetative cover of at least 70% over the entire site.”

6.00 Delete and replace with: “**6.00 Amendments to the 2021 International Residential Code**”

6.01 Delete text and replace with: The International Residential Code, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, is hereby adopted as the requirements for the design, construction, alteration, relocation, demolition, installation, use and occupancy of one- and two-family dwellings and townhouses and attached or unattached accessory structures with the following amendments.

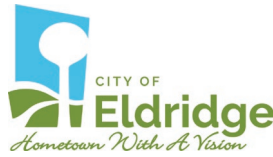
- (A) All references to building line and zoning are void, and the subject matter of the zoning ordinance (Title D, Chapter 2 of the City Code) shall be applicable.
- (B) **R101.1 Title.** Insert “City of Eldridge, Iowa” as [NAME OF JURISDICTION].
- (C) **R101.2 Scope.** Add “demolition projects will meet the requirements of Section **3303 Demolition** of the 2021 International Building Code as amended.
- (D) **R105.2 Building.** Delete (1) in its entirety and replace with the following: “(1) One-story detached accessory structures used as tool and garden sheds, playhouses and similar uses provided the floor area does not exceed 120 square feet.”
- (E) **R105.2 Building.** Delete (2) Fences, in its entirety.
- (F) **R105.2 Building.** Delete (5) in its entirety and replace with “(5) Concrete flatwork on private property.”
- (G) **105.3.2 Time limitation of Application.** Change ‘180 days’ and ‘90 days’ to ‘30 days’.
- (H) **R105.5 Expiration.** Delete and replace with “**105.5 Expiration.** Every permit issued under the provisions of this Code shall expire (12) months from the date of issue. Exception: a permit application that is accompanied by construction schedule of a longer specific duration may be issued for the term of the construction schedule with approval of the Building Official. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit has been renewed by the owner or owner’s agent and by payment of the renewal fee as established by Resolution of the City Council and provided no changes have been made in plans or location.
- (I) **Table R301.2 (1) Climate and geographical design criteria.**



Ground Snow Load	Wind Design				Seismic Design Category ^f	Subject to Damage From		
	Speed ^d (mph)	Topographic Effects ^k	Special Wind Region ⁱ	Wind-borne Debris Zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c
p _s = 30 psf, alcs for drift loads shall use a ground snow load p _g = 25 psf	115	NO	NO	NO	A	SEVERE	42"	Moderate to Heavy

Winter Design Temp ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temp ^j
-4° F	YES	a. Initial NFIP 03/01/1991 b. Community #190574 c. Panel date 3/23/2023 on panels 19163C0200G, 0215G, 0220G and 4/11/2024 on panels 0335H, 0355H and 0360H.	2000	50.5° F

- (J) **R302.13 Fire Protection of floors.** Delete in its entirety.
- (K) **R311.3.2 Floor elevations at other exterior doors. Exception.** Change “two” to “three”.
- (L) **R311.7.8.2 Continuity.** Add “Exception 3. Handrails within an individual dwelling unit or serving an individual dwelling unit that has one (1) offset or interruption per flight of stairs six inches (6”) in total length shall be considered, for the purpose of this code, to be continuous.”
- (M) **R313.1 Townhouse Automatic Fire Sprinkler Systems.** Exception, Add: “or have 4 or fewer units in a building.”
- (N) **R313.2** One and two family dwelling automatic sprinkler systems. Delete in its entirety.
- (O) **R320 Accessibility.** Delete and replace with “**R320 Accessibility.** Iowa Administrative Code 661, Chapter 302 shall apply.”



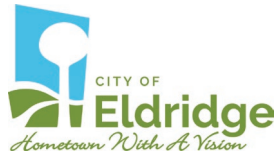
(P) **Table R403.1(1)** Delete and replace with the following table R403.1 (1)

Table R403.1 Number of Floors Supported	Thickness of Foundation Walls (inches)	Minimum Thickness Footing (inches)	Minimum width of Footing (inches)	Minimum Depth of Foundation Below Finish Grade (inches)
	Unit Concrete	Masonry		
1	8	8	16	42
2	8	8	16	42
3	10	12	18	42

1. Foundations may support a roof in addition to the stipulated number of floors. Foundations supporting roofs only shall be as required for supporting one floor. Footings shall be continuous and contain a minimum of two ½-inch reinforcement bars, and have a minimum compressive strength of 2,500 pounds per square inch at 28 days.
A one-story wood frame building used as a private garage detached, accessory to a single family dwelling and not over 720 square feet in floor area may be constructed on a floating slab-on-grade provided the following conditions are met: A concrete perimeter grade-beam, twelve inches deep and twelve inches wide and reinforced with two ½-inch reinforcement bars shall be installed to support the exterior walls. A minimum four-inch thick concrete floor slab reinforced with wire mesh or fiber mesh shall be installed within the perimeter beam and shall be formed to allow a continuous pour consisting of the required grade beam and floor.
2. Cast-in-place concrete foundation walls shall be concrete having a minimum compressive strength of 28 days of not less than 3,000 pounds per square inch. In addition, the following shall apply:
 - A. The minimum thickness of a wall shall be 7 ½ inches.
 - B. Walls shall be reinforced with no less than three half-inch diameter, deformed ASTM A615 grade 40 steel bars placed horizontally at the center of the wall, with one bar located near the top, one bar located near the bottom and one bar located near mid-height of the wall.

(Q) **R403.1.1 Minimum Size (Footings)**, Add “Exception 1. Deck footings not supporting a roof or overhead structure may be a minimum 12 inches in diameter and 42 inches below finished grade. Exception 2. All covered decks, screened porches, three season rooms, four season rooms, room additions and similar structures shall be supported on foundations compliant with Table R403.1 or conforming to one of the following methods:

1. Pier footings designed and stamped by a design professional.
2. 12 inch wide reinforced trench footing 42 inches in depth.
3. 16” wide spread footings 42 inches in depth with a minimum 8 inch masonry or concrete foundation wall as per Figure 403.1.1.



(R) **R403.1.4.1 Frost Protection** Exception 1, delete “600” and replace with “720”. After “(3048 mm) or less” add: “, and where wall lengths do not exceed 30’ long,”

(S) **R507.3.1** Delete table in its entirety and replace with "**507.3.1 Deck and Addition Footing Requirements.**"

"All decks without roof support shall have a minimum footing size of 12" in diameter and 42" in depth."

"All decks and additions (screened porches, 3 seasons rooms, 4 seasons rooms, etc) with roof and floor loads combined shall have one of the following.

- 1 Pier footings designed by a professional engineer.
- 2 12" wide trench footing 42" in depth extended out 12" past point load
- 3 Spread footings 42" in depth with a minimum 8" masonry wall or concrete foundation wall."

(T) **Chapter 11. Energy efficiency.** Delete in its entirety and replace with “**Chapter 11 Energy Efficiency.** The 2015 International Energy Conservation Code, Residential Provisions as amended, shall apply.”

(U) **M1601.1.1 Above ground duct systems.** Delete “7.3 Stud wall cavities shall not convey air from more than one floor.”

(V) **Chapters 25-32** (Plumbing requirements) Delete in their entirety and replace all references to these chapters with the Iowa State Plumbing Code.

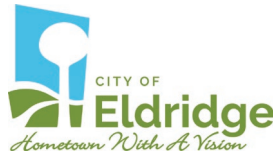
13.00. Delete and replace with “**13.00 Amendments to the 2021 International Swimming Pool and Spa Code.**”

13.01. Delete text and replace with: The provisions of the International Swimming Pool and Spa Code, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, are hereby adopted by reference as the requirements for the design, installation, maintenance, alteration, and inspection of aquatic recreational facilities, pools and spas with the following amendments:

(A) **101.1 Title.** Insert “City of Eldridge, Iowa” as [NAME OF JURISDICTION]

(B) **101.2 Scope.** Add “Exception: Residential, on ground, storable pools supplied by a single pool manufacturer as a kit that includes a pump and motor that is double insulated with a factory installed 25’ GFCI protected cord shall be installed per the manufacturers installation instructions and meet the barrier requirements of chapter 3. It shall be the owner/installers responsibility to ensure ongoing compliance with the installation for access, barriers and signage.

(C) **103.1 Creation of agency.** Insert “Eldridge Building Safety Department” as [Name of Department]

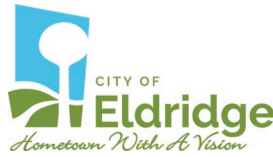


- (D) **105.5.3 Expiration.** Delete and replace with “**105.5.3 Expiration.** Every permit issued under the provisions of this Code shall expire twelve (12) months from the date of issue. Exception: a permit application that is accompanied by construction schedule of a longer specific duration may be issued for the term of the construction schedule with approval of the Building Official. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit has been renewed by the owner or owner’s agent and by payment of the renewal fee as established by Resolution of the City Council and provided no changes have been made in plans or location.
- (E) **108.6 Refunds.** Delete in its entirety and replace with: “The Building Official may authorize the refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code. Permit fees will not be refunded if \$50 or less.”
- (F) **107.4 Violation Penalties.** Insert “Simple Misdemeanor” as [SPECIFY OFFENSE], insert “\$650.00” as [AMOUNT], insert “30” as [NUMBER OF DAYS].
- (G) **303 Energy.** Delete in its entirety.
- (H) **306 Decks.** Delete 306.2 through 306.9.1 in their entirety.
- (I) **307.2.3 Freeze protection.** Delete in its entirety.
- (J) **701.1 Scope.** Add “Exception: Residential, on ground, storable pools supplied by a single pool manufacturer as a kit that includes a pump and/or filter and/or a motor that is double insulated with a factory installed 25’ GFCI protected cord shall be installed per the manufacturers installation instructions and meet the barrier requirements of chapter 3. It shall be the owner/installers responsibility to ensure ongoing compliance with the installation for access, barriers and signage.”

14.00. Delete and replace with “**14.00 Amendments to the 2021 International Fire Code.**”

14.01. The provisions of the International Fire Code, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, is hereby adopted regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous materials, and from conditions hazardous to life and property in the occupancy of buildings and premises with the following amendments:

- (A) **101.1 Title.** Insert “the City of Eldridge, Iowa” as [NAME OF JURISDICTION]
- (B) **101.2.1 Appendices.** The following appendices are adopted with this code:
1. Appendix B Fire Flow Requirements for Buildings.
 2. Appendix C Fire Hydrant Locations and Distribution.
 3. Appendix D Fire Apparatus Access Roads.
 4. Appendix H Hazardous materials management Plan and Hazardous Materials inventory Statement Instructions.
 5. Appendix I. Fire Protection Systems- Noncompliant Conditions.



- (C) **103.1 Creation of enforcement agency.** Insert “Eldridge Building Safety Department” as [Name of Department]. All references to the Fire Code Official shall mean the Building Official.
- (D) **105.3.1 Expiration.** Delete all EXCEPT the first sentence and replace with “Every construction permit issued under the provisions of this Code shall expire twelve (12) months from the date of issue. Exception: a permit application that is accompanied by construction schedule of a longer specific duration may be issued for the term of the construction schedule with approval of the Building Official. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit has been renewed by the owner or owner’s agent and by payment of the renewal fee as established by Resolution of the City Council, and provided no changes have been made in plans or location.
- (E) **112.4 Violation Penalties.** Insert “Simple Misdemeanor” as [SPECIFY OFFENSE], insert “\$650.00” as [AMOUNT], insert “30” as [NUMBER OF DAYS].
- (F) **107.2 Schedule of permit fees.** Insert “City of Eldridge Fee schedule” or “Eldridge Fire Fee schedule” as applicable.
- (G) **113.5 Fee Refunds.** Delete (2) in its entirety and replace with: (2) The Building Official may authorize the refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code. Permit fees will not be refunded if \$50 or less.
- (H) **503.2.4 Turning radius.** Add, “The turning radius for fire apparatus access shall be not less than twenty five feet (25’) inside and forty five feet (45’) outside.”
- (I) **507.5.1.1 Hydrant for standpipe systems.** Change “100 feet” to “150 feet”.
- (J) **Appendix D, D101.1 Scope.** Add “Specifications in Table D103.4 and Figure D103.1 may be reduced to those found in Eldridge Standard Design with the approval of the Fire Code official.
- (K) **Appendix D, 107.1 exception 2.** Add “**Appendix D, 107.1 exception 2.** Add “A City Council approved preliminary plat showing the proposed additional access shall be required for an increase of up to 30 additional homes, for a total of 60 homes maximum, for this approval.”

Section Four. All ordinances, or parts of ordinances, in conflict with this ordinance are hereby repealed.

Section Five This ordinance shall take effect on January 1st, 2025.

Passed and approved this 18th day of November, 2024.

Mayor Frank King
Councilman Adrian Blackwell

Councilman Scott Campbell
Councilman Daniel Collins

Councilman Ryan Iossi
Councilman Brian Dockery



Attest:

Mayor, Frank King

Martha Nieto, City Clerk

Blackwell	<input type="checkbox"/> Yea	/	<input type="checkbox"/> Nay	/	<input type="checkbox"/> _____
Campbell	<input type="checkbox"/> Yea	/	<input type="checkbox"/> Nay	/	<input type="checkbox"/> _____
Collins	<input type="checkbox"/> Yea	/	<input type="checkbox"/> Nay	/	<input type="checkbox"/> _____
Dockery	<input type="checkbox"/> Yea	/	<input type="checkbox"/> Nay	/	<input type="checkbox"/> _____
Iossi	<input type="checkbox"/> Yea	/	<input type="checkbox"/> Nay	/	<input type="checkbox"/> _____

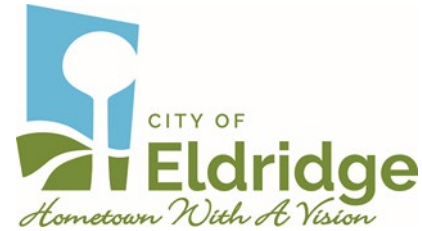
Mayor Frank King
Councilman Adrian Blackwell

Councilman Scott Campbell
Councilman Daniel Collins

Councilman Ryan Iossi
Councilman Brian Dockery

City of Eldridge

MEMORANDIUM



To: Mayor and City Council
From: Jeff Martens, Assistant City Administrator
Re: Townsend Farms Developers LC
Date: 11/04/24

A meeting took place on Monday, October 28 between residents of Townsend Farm 1st Addition and Ryan Fick of Mel Foster Co representing Townsend Farms Developers LC. The purpose of the meeting was to turn the detention pond located at S. 5th Street and Pinehurst Drive over to a Homeowners Association as noted on the plat and following the approved plan that is required by City Code. The residents of Townsend Farm 1st Addition that were in attendance, led by resident and attorney Ben Bekel, refused to set up a Homeowners Association at this meeting.

Attached is an email from Ryan Fick with his notes from this meeting, a sign in sheet and an HOA responsibility sheet he supplied.

The following is additional information on this issue from documents on file:

When Townsend Farm 1st Addition was originally plated on December 1, 1998 a note on the plat stated that Outlot A, which is the detention pond located on the corner of S. 5th Street and Pinehurst Drive, shall be maintained by a Homeowners Association. This parcel was never turned over to the Homeowners Association. Please see attached final plat and covenants for the Homeowners Association detailing maintenance of this detention pond that were signed by Robert Fick on November 2, 1998.

At the time of development Outlot A was, and still is, owned by Townsend Farms Developers LC. This LC was started on September 29, 1998 and lists Robert Fick as the registered agent with a mailing address of the Mel Foster Co in Davenport. See attached articles of incorporation. This LC filed their last Biennial Report in 2019 which still listed Robert Fick as the registered agent with the same mailing address, also attached. On September 7, 2021 a Declaration of Dissolution was issued by Secretary of State Paul Pate for failure to deliver the 2021 Biennial Report as required by Iowa Code, also attached.

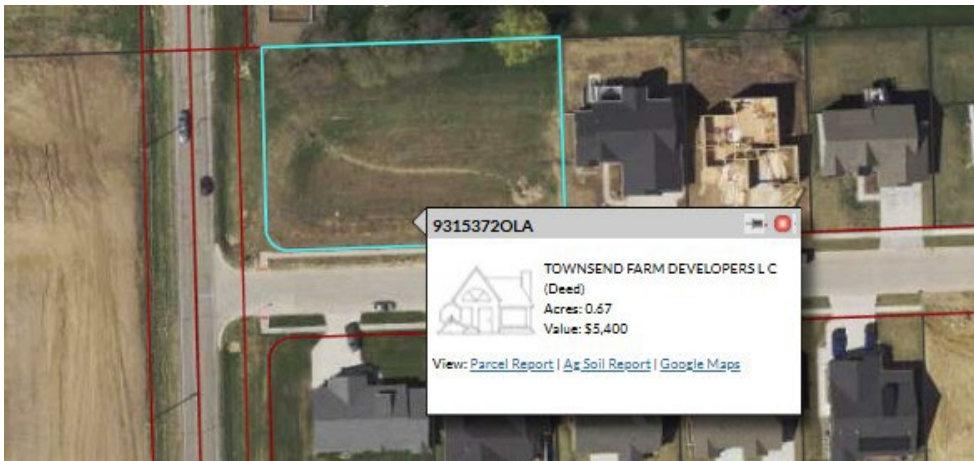
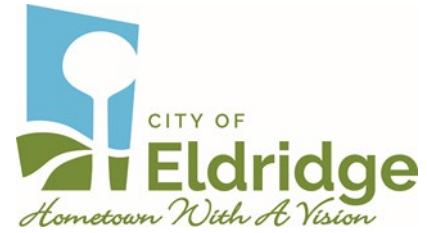
Townsend Farms Developers LC owns a total of three parcels in the City according to the Scott County Assessor's website. These parcels include the detention pond listed above (9314331OLA) along with a detention pond located on the corner of S. Buttermilk Road and Pinehurst (9315372OLA) and a detention/access lot (9314337OLM) located between 1040 S. 5th Street and 1100 S. 5th Street. Below are screenshots of these properties followed by information and documentation on the additional two parcels:

Mayor Frank King
Councilman Adrian Blackwell

Councilman Scott Campbell
Councilman Daniel Collins

Councilman Brian Dockery
Councilman Ryan Iossi

City of Eldridge MEMORANDIUM

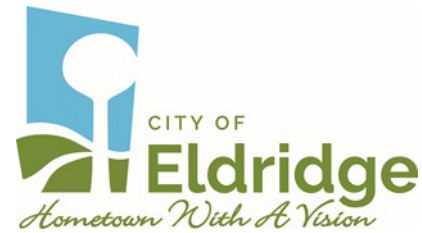


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City of Eldridge MEMORANDIUM

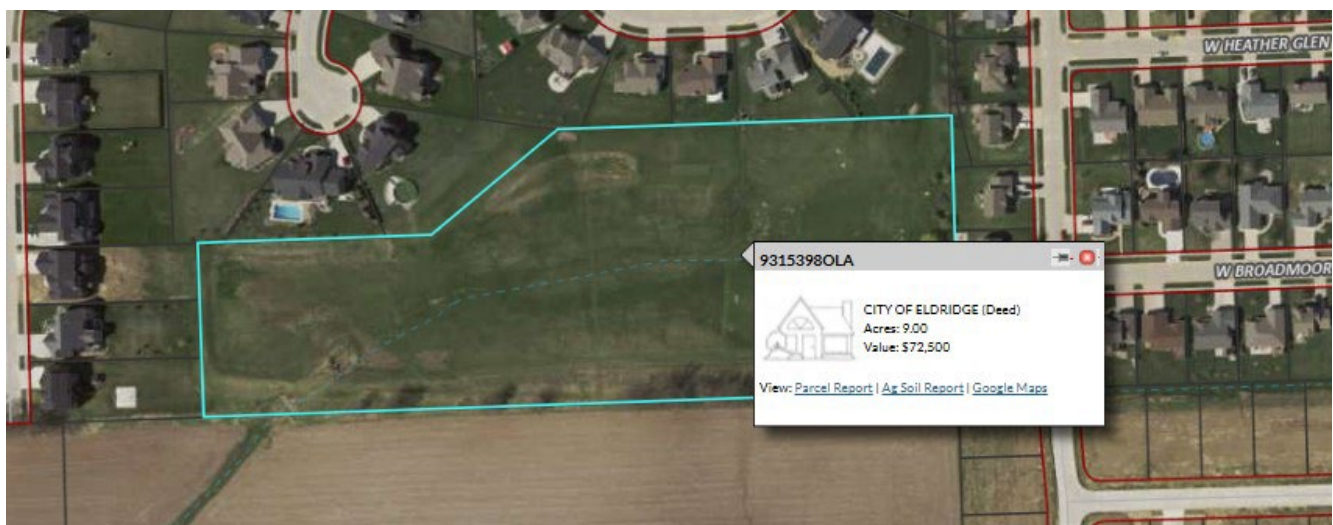


The detention pond located at S. Buttermilk Road and Pinehurst is labeled on the Final Plat for Townsend Farms 11th Addition as Outlot A. This plat is dated April 1, 2016. A note on the plat states, "Outlot A is intended for storm water detention and the entire outlot is designated as a blanket easement for inspection purposes by the City." As of this time I have found no other plan on file for this detention pond but City Code states, "The developer shall be responsible for providing a plan of ownership of the detention facilities involving a single owner, an association, or another plan of ownership approved by the city." The Final Plat is attached for your reference.

The detention/access lot located between 1040 S. 5th Street and 1100 S. 5th Street is labeled on the Final Plat for Townsend Farms 7th Addition as Outlot M. This plat is dated May 22, 2006. A note on that plat states, "Outlot M is designated as a sewer, drainage and utility easement and as an access easement for the regional detention basin located west of this addition." Ownership of this parcel is still Townsend Farms Developers LC. This seems to be an oversight on the part of the City and the developer as later documents would seem to indicate the parcel should have been transferred to the City along with the regional detention basin. The Final Plat is attached for your reference.

Now we will look at documentation pertaining to the Regional Detention Basin mentioned above on the Townsend Farm 7th Addition Final Plat.

Below is a screenshot of the Regional Detention Basin. According to County records this parcel was transferred to the City from Townsend Farm Developers LC on March 3, 2011. The City has been maintaining this parcel since at least that time. This parcel is almost entirely Zone A floodplain.



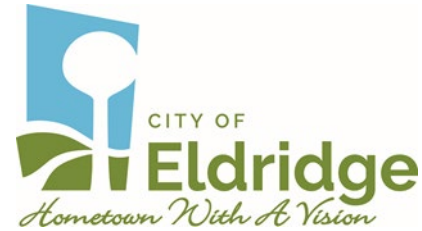
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City of Eldridge

MEMORANDIUM



Eldridge Resolution 04-31 dated October 11, 2004 establishes the creation of the Regional Detention Basin but refers to it as the storm water detention pond in the Townsend Farm Additions and provides that it be accepted as a public improvement. It further resolved that a storm water utility be created to collect fees to finance the costs of maintenance and improvements for the storm water detention pond. To my knowledge this was never done. Resolution 04-31 is also attached for your information.

The covenants of the Townsend Farm 7th Addition dated May 15, 2006 provide more information on the creation of the Regional Detention Basin, Outlot M and the involvement of Mel Foster Co and Townsend Farm Developers LC in the process that led to the City of Eldridge owning this property.

Some recommendations and questions the Zoning Official would like to have reviewed by the City Council:

1. Would the City be better off pursuing ownership of Outlot M in the Townsend Farm 7th Addition since it our only access to the Regional Detention Basin, or is the access easement enough even though the parcel is currently owned by an inactive business entity?
2. Review the current Storm Water Ordinance and discuss whether the ordinance lines up with the current Council's future vision of who should own and maintain these detention ponds. Amend City Code to reflect this vision if new. Even if the Ordinance reflects the current vision of the Council the Responsibilities section needs to be amended to provide clearer enforcement provisions and assessed cost splits. This discussion would hopefully lead to answers for the following questions and give staff direction in how to proceed:
 - a) Is the current system working?
 - b) Should a storm water utility be created to collect fees from the users of the regional detention basin or should Resolution 04-31 be amended or repealed?
 - c) Should a city-wide storm water fee be considered? This fee could be used for all aspects of storm water in addition to detention ponds: Intakes, outlets, wetlands, storm sewer mains, culverts, catch basins, manholes, easements, jetting, televising, repairs, slip lining/replacement, MS4 requirements, inspections, engineering, etc.
3. Please be aware that there are currently nine other residential detention ponds throughout the City and any decisions made about the four listed above should affect them all.

Finally, the City's Stormwater Ordinance is attached for your review.

From: Ryan J. Fick <rjfick@melfosterco.com>
Sent: Thursday, October 31, 2024 2:38 PM
To: Jeff Martens <jmartens@cityofeldridgeia.org>
Cc: Monique Gorsline <monique@vb-law.com>
Subject: Townsend Farm 1st HOA Meeting

Jeff:

I wanted to send an email from the HOA meeting we had on October 28th, at 5:15 PM to thank you for attending as well as to document the response and feedback. Please let me know if you have any questions or comments or any guidance moving forward. Thank you.

We had 14 of the 28 lot owner(s) there in attendance. See attached the sign in sheet.

I opened the meeting introducing myself and our attorney, Mo Gorsline. When we are at the stage of transferring outlots to an HOA, as required by the plat of the subdivision and applicable city codes, I give a brief background and introduction. Then Mo presents on the structure and responsibilities of the HOA. We will always leave time for the homeowners to ask Mo and me questions, but we limit those to questions specifically about the HOA formation and maintenance. We end these HOA meetings with a vote for the HOA officers and directors. Our company handles all the costs for our attorney's attendance, the recording of the HOA bylaws, the deeding of any common properties into the HOA, and any additional initial costs for establishing the HOA. Once the property is transferred to the HOA, we generally do not have any further involvement with the HOA because it is designed to be an entity governed and maintained by homeowners.

At the meeting on October 28, 2024, there were a lot of questions outside the scope of the regular HOA issues, particularly regarding the detention pond, including why the detention pond was placed in this subdivision and who receives the benefit from the detention pond. In addition, the homeowners wanted to know what would happen if they refused to participate in the establishment and running of the HOA and other questions that we felt were outside the scope of this meeting. We explained that the detention pond is part of the initial approval of the subdivision and so having a detention pond was required by the City of Eldridge ("City") at the time the City approved the plat for Townsend Farms First Addition. In addition, we discussed the City Code requirements that require detention ponds in subdivisions. I brought large drawings of the plat to the meeting and pointed out that the plat requires that the outlot detention area be placed in an HOA. As we discussed with the homeowners, although the outlot was not originally placed in an HOA, the adjoining homeowner took care of the outlot for _____ years and so all the homeowners in the subdivision received the benefit of having the outlot maintained without having to pay for the maintenance all these years.

The homeowners were also concerned that they never received notice that an HOA is required for this subdivision. Monique reminded them that when they purchased the property, the plat showing the detention area and HOA requirements would have been in their abstract and, therefore, they all were on notice for the HOA requirement. Ben Bekel, a local attorney, was also in attendance and was representing Jennifer Bekel, who we believe is his wife. Multiple times during the meeting Ben attempted to argue about legal issues relating to whether the HOA could be formed and whether the detention area was necessary. We continued to cite the plat requirement for an HOA to maintain the detention area as well as the City Code requirements for detention areas. We made one last attempt to start the presentation of the HOA responsibilities. The homeowners attending the meeting decided the maintenance of the detention area and the HOA were not their responsibility and should be the responsibility of the developer or the City. We then concluded the meeting.

It is our position that we have gone above and beyond what is required by developer to establish the HOA to maintain the detention area. per the city code and no longer feel the detention is our responsibility. Please advise if there is anything further you need from us at this time. Thank you.

Ryan J. Fick, CCIM

| Mel Foster Co. | 3211 E. 35th St. Ct. |

| Davenport, IA 52807 |

| O: (563)823-2274 | C: (563)508-0224 |

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Townsend Farm 1st Addition Homeowner's Association
 Sign In Sheet- 10/28/2024

First and Last Name	Address	Phone Number	Email Address
Bruce Storey	315 Pinehurst Dr	563-940-2209	bts2@cstedridge.com
DAMIAN BRENN	333 PINEHURST DR	223-365-2461	DAMIAN.BEESNAVA@YAHOO.COM
Amy Wilming (Doris Kimball)	404 Pinehurst Dr.	563-940-5132	wilmington@gmail.com
Jill Dewulf	238 Pinehurst D	563-940-0799	
Neal + Helen Ketrone	302 Pinehurst	563-449-6997	NEAL.G.KETRON@gmail
Jen + Chris Duncan	329 Pinehurst Dr.	563-340-9319	jennifer.duncan70@gmail.com
Bent Jennifer Babel	301 Pinehurst Dr.	309-764-2577	bentofclifeplanning.com
Collin + Chelsea Ellis	309 Pinehurst Dr.	563-570-2266	ellis61916@gmail.com
Dale R. Morrow	808 Sawgrass Ct.	563-726-1655	MorrowDaleR@medivacombb.net
Barbara Hansen	308 Pinehurst Dr.	563-579-2399	beehaven@gmail.com
ADAM THAVEOET	330 W. PINEHURST DR.	563-370-1184	ATHAVEOET@YAHOO.COM
Terry + Deb Jurisic	316 Pinehurst Dr.	563-650-2634	tjurisic@msn.com
MARLENGE HERRINGTON	322 Pinehurst Dr.	563-505-9983	mamm4322@gmail.com
LUIS + SAM CENZ	336 PINEHURST DR.	920-327-1027	

TOWNSEND FARMS 1ST ADDITION Homeowners Association

Formation of the HOA

- File Articles with the Secretary of State—this makes the HOA a legal entity
- Bylaws-How to run the HOA
- Need to set up a bank account

Information Needed to Establish the HOA

- Registered agent
- Principal office of the HOA
- Date of annual meeting-can set it each year
- Elect board of directors
- Elect officers: possible officers include President, Vice-President, Secretary and Treasurer.

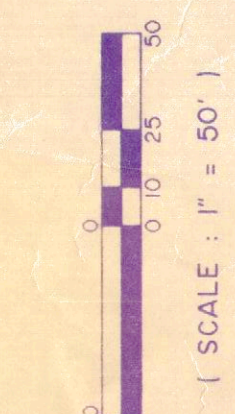
HOA Responsibilities

The HOA responsibilities-covenants

- Maintain Outlot A-drainage detention area

Additional HOA Responsibilities:

- Obtain liability insurance for Outlot A
- Obtain errors and omissions insurance for the Directors and Officers
- Establish and maintain a bank account for the assessments
- Decide if third party should manage

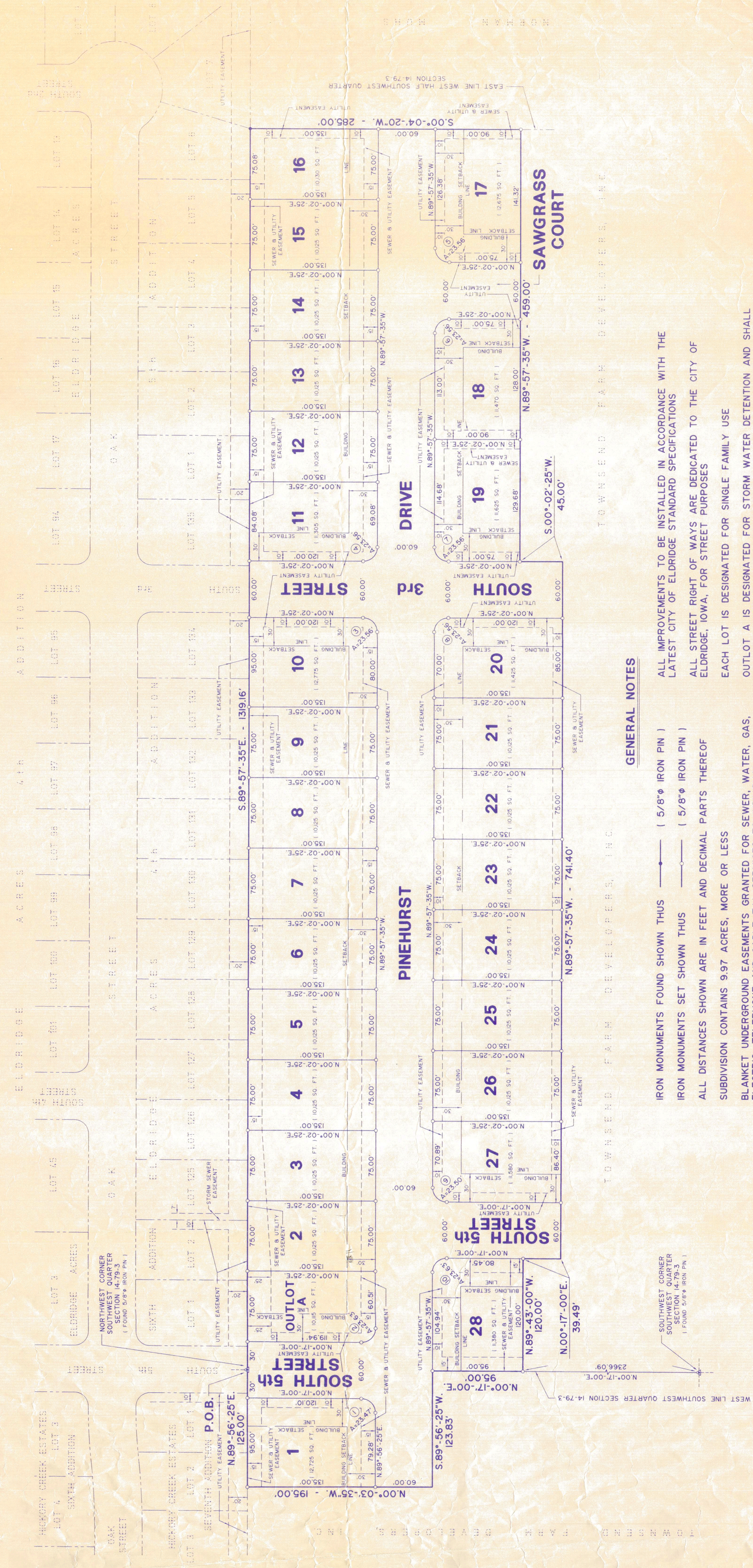


FINAL PLAT OF TOWNSEND FARM FIRST ADDITION TO THE CITY OF ELDRIDGE, IOWA

OWNER - DEVELOPER
TOWNSEND FARM DEVELOPERS, INC.
3211 EAST 35th STREET COURT
DAVENPORT, IOWA
ATTN: ROB FICK
ATTN: DAN SCHNECKLOTH

BEING PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 14
AND PART OF THE SOUTHEAST QUARTER OF SECTION 15
TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE 5th P.M.

CURVE NUMBER	RADIUS	DELTA	ARC	CHORD	CHORD BEARING	TANGENT
1	15.00'	89°-39'-25"	23.47'	21.15'	N45°-06'-45"E	6.34'
2	15.00'	90°-14'-35"	23.63'	21.26'	N44°-50'-20"W	5.00'
3	15.00'	90°-00'-00"	23.56'	21.21'	N45°-02'-25"E	5.00'
4	15.00'	90°-00'-00"	23.56'	21.21'	N44°-57'-35"W	5.00'
5	15.00'	90°-00'-00"	23.56'	21.21'	N45°-02'-25"E	5.00'
6	15.00'	90°-00'-00"	23.56'	21.21'	N44°-57'-35"W	5.00'
7	15.00'	90°-00'-00"	23.56'	21.21'	N45°-02'-25"E	5.00'
8	15.00'	90°-00'-00"	23.56'	21.21'	N44°-57'-35"W	5.00'
9	15.00'	89°-49'-25"	23.50'	21.17'	N45°-09'-40"E	14.94'
10	15.00'	90°-14'-35"	23.63'	21.26'	N44°-50'-20"W	15.06'



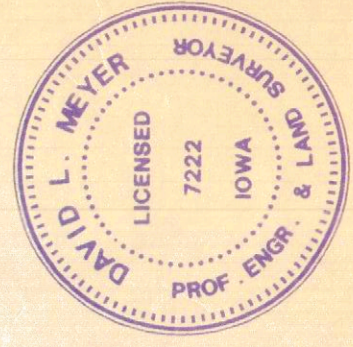
GENERAL NOTES

- IRON MONUMENTS FOUND SHOWN THUS \bullet (5/8" ϕ IRON PIN)
- IRON MONUMENTS SET SHOWN THUS \circ (5/8" ϕ IRON PIN)
- ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF
- SUBDIVISION CONTAINS 9.97 ACRES, MORE OR LESS
- BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED AND FOR STREET LIGHT WIRES
- FOR THIS SURVEY THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 14-79-3 WAS ASSUMED TO BEAR N.00°-17'-00"E.
- ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST CITY OF ELDRIDGE STANDARD SPECIFICATIONS
- ALL STREET RIGHT OF WAYS ARE DEDICATED TO THE CITY OF ELDRIDGE, IOWA, FOR STREET PURPOSES
- EACH LOT IS DESIGNATED FOR SINGLE FAMILY USE
- OUTLOT A IS DESIGNATED FOR STORM WATER DETENTION AND SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION

PLAN & ZONE COMMISSION CITY OF ELDRIDGE, IOWA

BY Russie Swain ATTEST Jana Schilling
DATE Dec 1, 1998 DATE 12-02-98

I hereby certify that this land surveying project was prepared by me under my personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.
Signature: David L. Meyer
Date: OCTOBER 22, 1998
My license expires December 31, 1998



PREPARED BY
VERBEKE - MEYER
CONSULTING ENGINEERS, P.C.
DAVENPORT, IOWA
VMCE 98234

CERTIFICATE OF OWNER

The undersigned, Townsend Farm Developers, L.C., does hereby certify that we have laid off, platted and subdivided said real estate in accordance with the attached plat. We do further certify that this plat is made and submitted with our free consent and desire.

This subdivision shall be known and designated as Townsend Farm First Addition to the City of Eldridge, Iowa. All streets and alleys shown and not heretofore dedicated, are hereby dedicated to the public.

Front yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street there shall be erected or maintained no buildings or structures.

A perpetual easement is hereby granted to any local public utility or municipal department, their successors and assigns, within the area shown on the plat and marked as an Easement, to install, lay, construct, renew, operate, maintain and remove conduits, cables, pipes, poles and wires with all necessary braces, guys, anchors, manholes and other equipment for the purpose of serving the subdivision and other property with the underground telephone, storm sewer, cable television, electric, gas, sanitary sewer, water or other service as a part of the respective utility systems; (Further, an overhead easement is hereby granted for those overhead utilities in existence at the time of this platting); also is granted, subject to the prior rights of the public therein, the right to use the streets and lots with the underground service lines to serve adjacent lots and street lights, the right to cut down and remove or trim and keep trimmed any trees or shrubs that interfere or threaten to interfere with any of the said public utility equipment, and the right is hereby granted to enter upon the lots at all times for all of the purposes aforesaid. No.

permanent buildings or trees shall be placed on said area as shown on the plat and marked "Easement", but same may be used for gardens, shrubs, landscaping and other purposes that does not then or later interfere with the aforesaid uses or the rights herein granted.

The undersigned proprietors further adopt and make applicable to Townsend Farm First Addition to the City of Eldridge the following conditions, restrictions, reservations and covenants which shall run with the land and shall be binding upon and inure to the benefit of each lot in said addition and each and every owner thereof from time to time according to the terms and conditions hereof.

1. All lots described herein shall be known, described and used solely as residential lots, and no residence shall be erected on any residential building lot other than one detached single-family dwelling not to exceed two and one-half stories in height.

2. No residence shall be erected on any residential building lot nearer than 30 feet to the front lot line, nor nearer than twenty feet to any rear lot line. The rear line restriction shall not apply to a garage located on the rear one-quarter of a lot.

3. No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the tract shall at any time be used as a residence, temporarily or permanently nor shall any residence of a temporary character be permitted.

4. No building shall be erected on any lot unless the design and location is in harmony with existing structures and locations in the tract and does not violate any protective covenants. In any case, no single-family dwelling shall be permitted on any lot in this Addition having a ground floor square foot area of less than 1,200 square feet in the case of a one-story structure, nor less than a total of 1500 square feet in the case of a one and one-half or two-story structure. In the case of a split level or split foyer, the main floor space shall not be less than 1,200 square feet. The calculation of said square footage shall be exclusive of garages and breezeways.

5. Titleholder of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris.

6. No obnoxious or offensive trade shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

7. A perpetual easement is reserved over the rear of each lot as shown on said plat for utility installation and maintenance, and drainage, where applicable.

8. No parking of trailers, boats, campers or commercial vehicles shall be allowed outside residences in the subdivision, except for commercial vehicles in the area on normal business deliveries, or commercial vehicles involved in the construction of a house during regular working hours.

9. No antenna shall extend over ten feet beyond the roof line. No free standing antenna or satellite reception dishes shall be allowed in said Addition.

10. There shall be formed an Iowa non-profit corporation to be known as Townsend Farm Homeowners' Association (hereinafter referred to as the "Association"), whose purposes, among other things, shall be to insure and provide for the maintenance of Outlot A as shown on the Final Plat of Townsend Farm First Addition to the City of Eldridge, Iowa, all as provided hereinafter: The Association, through its Board of Directors, shall establish, levy and collect from all lot owners in Townsend Farm First Addition an annual assessment reasonably calculated to pay for the maintenance and upkeep of the grounds referred to hereinabove and which is described as Outlot A. Payment of the assessment shall be the personal continuing obligation of the lot owners and shall survive his or her transfer of title and shall be a lien upon the lot when placed of record until paid.

11. These covenants are to run with the land and shall be binding on all parties claiming under them until twenty years, at which time said covenants shall be automatically extended for successive periods of ten years, unless by vote of the majority of

the then owners of the lots, it is agreed to change said covenants in whole or in part.

12. If the parties hereto, or any of them, or their heirs or assigns shall violate or attempt to violate any of the covenants or restrictions herein within twenty years from the date hereof, it shall be lawful for any other person or persons owning any other lots in said Addition to prosecute and bring proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant or restriction, to prevent him or them from so doing or to recover damages or other dues for such violation.

13. Installation of city sidewalks, should they be required, shall be paid for by the then owners of said lot or lots at the time building permits are taken out with the City of Eldridge, Iowa.

14. Invalidation of any one of these covenants by judgment or Court order shall in no way affect any of the other provisions which shall remain in full force and effect.

15. The right to enforce these covenants by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected or maintained in violation hereof, is reserved to the several owners of the several lots in this subdivision and to their heirs and assigns and to the City of Eldridge if specifically noted as a provision of a covenant.

16. Townsend Farm Developers, L.C., as subdivider of this Addition, in order that there is harmony in design of the exterior of any residential building or buildings, incidental to such residential use as may be erected in said Addition, the exterior design of any such building, or buildings, incidental to such residential use shall be approved by Townsend Farm Developers, L.C. and unless such exterior design be so approved such residential building or buildings incidental thereto, shall not be erected. Sloping or pitched roofs are desired, and flat roofs, except for occasional decks, are to be avoided. Flat-roof, low modern houses, butterfly or excessive shed roofs, exotic designs of any nature,

extremes in architecture and experiments in design are not deemed in keeping with the residential community, and consequently might not be approved. This approval must be in writing.

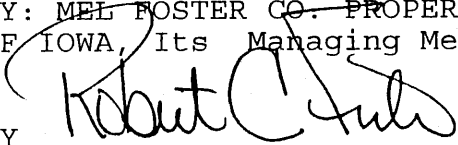
17. Townsend Farm Developers, L.C. shall also have absolute and final approval on the erection and construction of any outbuildings, sheds or appurtenant structures as far as their location, style, design or size. This approval must be in writing.

Dated this 2ND day of NOVEMBER, 1998.

TOWNSEND FARM DEVELOPERS, L.C.

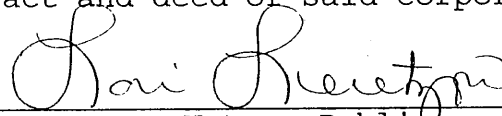
BY: MEL FOSTER CO. PROPERTIES, INC.
OF IOWA, Its Managing Member

BY


Robert C. Fick, President

STATE OF IOWA, SCOTT COUNTY, SS:

On this 2nd day of November, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT C. FICK, to me personally known, who being by me duly sworn, did say that he is the President of Mel Foster Co. Properties, Inc. of Iowa, the Managing Member of Townsend Farm Developers, L.C., and that the instrument was signed on behalf of said corporation by authority of the Board of Directors; and that the Board of Directors acknowledges the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.


Notary Public



222625

**ARTICLES OF ORGANIZATION
OF
TOWNSEND FARM DEVELOPERS, L.C.**

TO: THE IOWA SECRETARY OF STATE

Pursuant to Section 301 of the Iowa Limited Liability Company Act, the undersigned hereby adopts the following Articles of Organization for the limited liability company:

ARTICLE I

Name

The name of the limited liability company is:

TOWNSEND FARM DEVELOPERS, L.C.

ARTICLE II

Initial Registered Agent and Registered Office

The name of the limited liability company's initial registered agent and the street address of the limited liability company's initial registered office are:

Robert C. Fick
c/o Mel Foster Co. Properties, Inc. of Iowa
3211 E. 35th Street Court
Davenport, Iowa 52807

ARTICLE III

Principal Office

The street address of the limited liability company's principal office is 3211 E. 35th Street Court, Davenport, Iowa 52807.

ARTICLE IV

Period of Duration

The limited liability company's existence shall commence upon the acceptance of these Articles of Organization by the Iowa Secretary of State under the Iowa Limited Liability Company Act and shall continue, unless dissolved sooner in accordance with the terms of the Operating Agreement or by operation of law, for a period of thirty (30) years.

3

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516046 ART030 \$50.00 KDD 2

ARTICLE V Liability

No Member or Manager shall be personally liable for the acts or debts of the limited liability company except those specifically agreed to in writing by the Member.

ARTICLE VI

Manager

The business affairs of the limited liability company shall be conducted by a Manager as provided in the Operating Agreement. No Member shall have any authority to bind the limited liability company except as authorized by the Manager. The Manager of the limited liability company shall not be personally liable to the Company or its Members for any monetary damages, for breach of fiduciary duties as Manager, except liability: (i) for any breach of the Manager's duty of loyalty to the Company or its Members; (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law; or (iii) for a transaction from which the Manager derives an improper personal benefit or a wrongful distribution in violation of Iowa code S490A.807.

ARTICLE VII

Indemnification

1. Each person who is or has been Manager of the Company (and the agents, employees, successors, and assigns of such person) who was or is made party to or is involved in any threatened, pending, or completed action, suit or proceeding, whether civil, criminal, administrative, investigative, or otherwise, by reason of the fact that such person is or has been Manager of the Company or is or was serving at the request of the Company as a manager, director, officer, partner, trustee, employee, or agent of another limited liability company, corporation, partnership, joint venture, trust, employee benefit plan, or other enterprise (the "Indemnitee"), shall be indemnified and held harmless by the Company to the fullest extent permitted by applicable law. In addition to the indemnification conferred in this Article, the indemnitee shall also be entitled to have paid directly by the Company, the expenses reasonably incurred in defending any such proceeding against the Indemnitee in advance of its final disposition, to the fullest extent authorized by applicable law.

2. The Company may, by action of its Manager, provide indemnification to such officers, employees, and agents of the Company to such extent and to such effect as the Manager shall determine to be appropriate and authorize by applicable law. This is not to be construed to include suppliers and/or sub-contractors.

3. The rights conferred in this Article shall not be exclusive of any other rights under any statute, provision of the Articles of Organization, or Operating Agreement of the Company, agreement, vote of the Members of the Company, or otherwise.

4. Any repeal or amendment of this Article by the Company shall not adversely affect any right to indemnification existing at the time of such repeal or amendment.

Dated this 29th day of September, 1998, by the Company's Manager, Mel Foster Co. Properties, Inc. of Iowa.

MEL FOSTER CO. PROPERTIES, INC.
OF IOWA

By: Robert C. Fick
Robert C. Fick, President

STATE OF IOWA)
) SS:
COUNTY OF SCOTT)

On this 29th day of September, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Robert C. Fick, President of Mel Foster Co. Properties, Inc. of Iowa, to me personally known, who, being by me duly sworn, did say that Mel Foster Co. Properties, Inc. of Iowa is the Manager of Townsend Farm Developers, L.C.; that said instrument was signed on behalf of said limited liability company by authority of its Manager; and that the said Manager acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company, by it and by him voluntarily executed.

Ravi R. Levetzow
Notary Public in and for said
County and State



FILED
IOWA
SECRETARY OF STATE

11-13-98
2:55 pm

W198236

00499



PAUL D. PATE



SERVICE · PARTICIPATION · INTEGRITY

IOWA 2019 BIENNIAL REPORT
for an IOWA
LIMITED LIABILITY COMPANY
Required by Iowa Code
Chapter 489

PAUL D. PATE
Secretary of State

FILED

Date: **2/25/2019 11:15 AM**
Corp No: **222625**
Cert No: **A19222625**

1. Name of the limited liability company, its registered agent and office.

TOWNSEND FARM DEVELOPERS, L.C.
ROBERT C FICK
C/O MEL FOSTER CO, INC.
3211 E. 35TH STREET COURT
DAVENPORT IA 52807

2. Street address of the principal office of the limited liability company:

Name

Address

3211 E 35TH ST CT

Address

City

DAVENPORT

State

IA

Zip

52807

Country

USA

3. Does the limited liability company hold an interest in agricultural land in Iowa? Yes

4. Is the limited liability company a "family farm limited liability company"? No

5. Signed: ROBERT C FICK Capacity: MANAGING MEMBER

PAUL D. PATE
IOWA SECRETARY OF STATE



LUCAS BUILDING, FIRST FLOOR
DES MOINES, IOWA 50319

No: W01308828
489DLC-222625

TOWNSEND FARM DEVELOPERS, L.C.
ROBERT C FICK
C/O MEL FOSTER CO, INC.
3211 E. 35TH STREET COURT
DAVENPORT, IA 52807

Date: September 7, 2021

DECLARATION OF DISSOLUTION

The limited liability company named above is hereby administratively dissolved pursuant to Iowa Code section 489.705 effective September 7, 2021 for failure to deliver the 2021 Biennial Report as required by Iowa Code section 489.209.



PAUL D. PATE SECRETARY OF STATE

FINAL PLAT OF TOWNSEND FARM ELEVENTH ADDITION TO THE CITY OF ELDRIDGE, IOWA

BEING PART OF THE NORTH HALF OF THE
SOUTHEAST QUARTER OF SECTION 15
TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE 5th P.M.

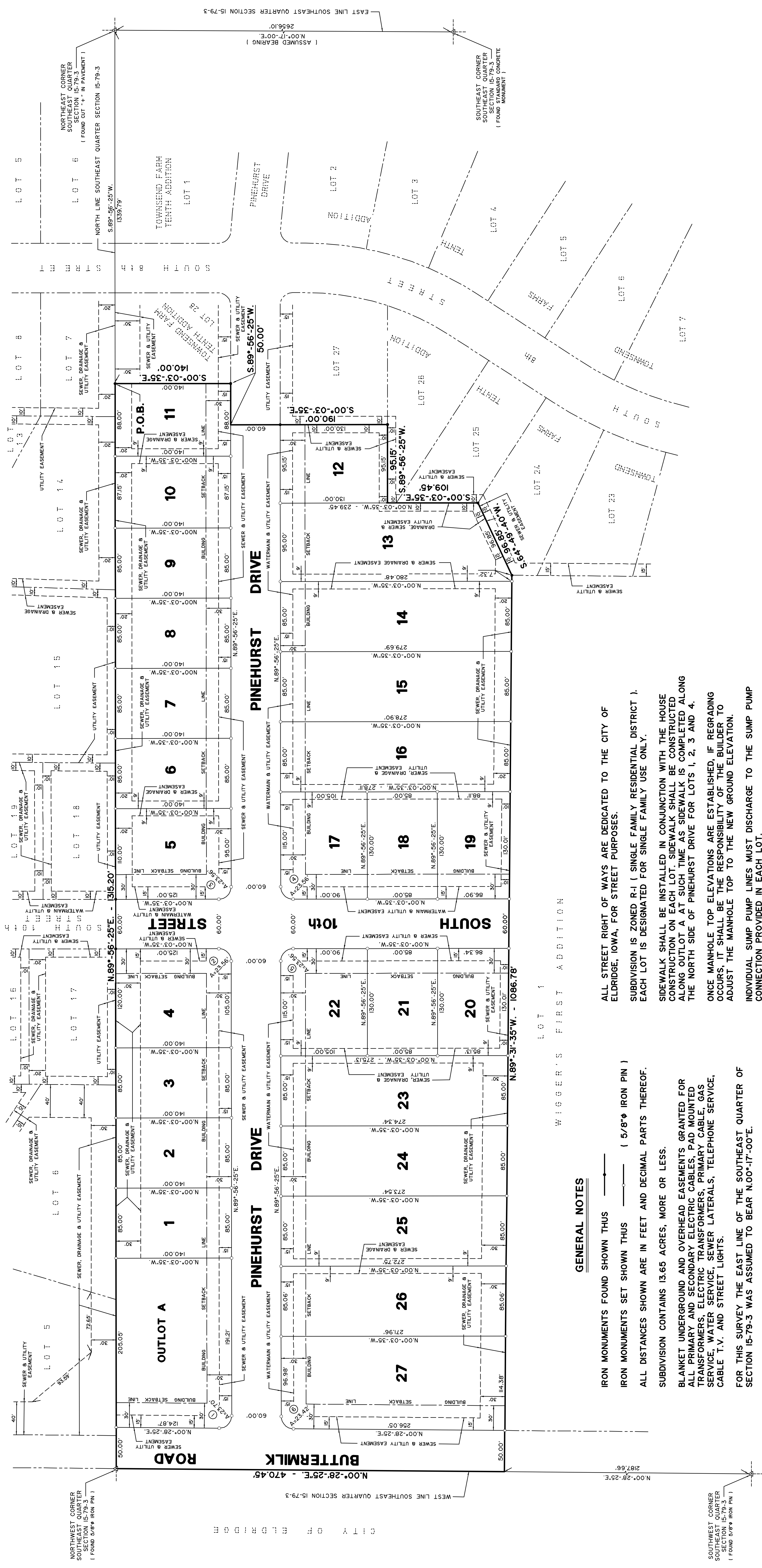
OWNER - DEVELOPER
TOWNSEND FARM DEVELOPERS, LC.
3211 EAST 35th STREET COURT
DAVENPORT, IOWA 52807

ATTN: ROB FICK

THE VILLAGE OF COBBLER'S KNOTCH SECOND ADDITION

CURVE NUMBER	RADIUS	DELTA	ARC	CHORD	CHORD BEARING	TANGENT
1	15.00'	90°-32'-00"	23.70'	21.31'	N.44°-47'-35"W	15.14'
2	15.00'	90°-00'-00"	23.56'	21.21'	N.44°-56'-25"E	15.00'
3	15.00'	90°-00'-00"	23.56'	21.21'	N.45°-03'-35"W	15.00'
4	15.00'	90°-00'-00"	23.56'	21.21'	N.44°-56'-25"E	15.00'
5	15.00'	90°-00'-00"	23.56'	21.21'	N.45°-03'-35"W	15.00'
6	15.00'	89°-28'-00"	23.42'	21.11'	N.45°-12'-25"E	14.86'

LOT AREAS	
NO.	SQUARE FEET
1	11,900
2	12,320
3	12,370
4	12,370
5	12,370
6	12,370
7	12,370
8	12,370
9	12,370
10	12,370
11	12,370
12	12,370
13	12,370
14	12,370
15	12,370
16	12,370
17	12,370
18	12,370
19	12,370
20	12,370
A	28,750



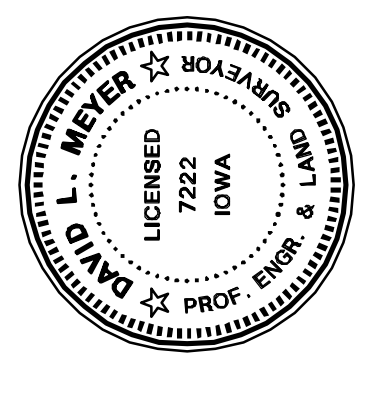
GENERAL NOTES

- IRON MONUMENTS FOUND SHOWN THUS
- IRON MONUMENTS SET SHOWN THUS (5/8" IRON PIN)
- ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
- SUBDIVISION CONTAINS 13.65 ACRES, MORE OR LESS.
- BLANKET UNDERGROUND AND OVERHEAD EASEMENTS GRANTED FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLE, GAS SERVICE, WATER SERVICE, SEWER LATERALS, TELEPHONE SERVICE, CABLE T.V. AND STREET LIGHTS.
- FOR THIS SURVEY THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 15-79-3 WAS ASSUMED TO BEAR N.00°-17'-00"E.
- ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST CITY OF ELDRIDGE STANDARD SPECIFICATIONS.
- ALL STREET RIGHT OF WAYS ARE DEDICATED TO THE CITY OF ELDRIDGE, IOWA, FOR STREET PURPOSES.
- SUBDIVISION IS ZONED R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT). EACH LOT IS DESIGNATED FOR SINGLE FAMILY USE ONLY.
- SIDEWALK SHALL BE INSTALLED IN CONJUNCTION WITH THE HOUSE CONSTRUCTION ON EACH LOT. SIDEWALK SHALL BE COMPLETED ALONG OUTLOT A AT SUCH TIME AS SIDEWALK IS COMPLETED ALONG THE NORTH SIDE OF PINEHURST DRIVE FOR LOTS 1, 2, 3 AND 4.
- ONCE MANHOLE TOP ELEVATIONS ARE ESTABLISHED IF REGRADING OCCURS, IT SHALL BE THE RESPONSIBILITY OF THE BUILDER TO ADJUST THE MANHOLE TOP TO THE NEW GROUND ELEVATION.
- INDIVIDUAL SUMP PUMP LINES MUST DISCHARGE TO THE SUMP PUMP CONNECTION PROVIDED IN EACH LOT.
- THE CITY REQUIRES THAT THE OWNER OF EACH LOT BE RESPONSIBLE TO ENSURE THAT NO SEDIMENT RUNS OFF OF THE PROPERTY.
- OUTLOT A IS INTENDED FOR STORM WATER DETENTION AND THE ENTIRE OUTLOT IS DESIGNATED AS A BLANKET EASEMENT FOR INSPECTION PURPOSES BY THE CITY.

PLAN & ZONE COMMISSION CITY OF ELDRIDGE, IOWA

BY: KARL A. DONAHUE, CHAIRMAN
 WALTER P. OSTROLE, MAYOR
 ATTEST: GENESE M. BERSON, CITY CLERK
 DATE: _____

I hereby certify that this land surveying document was prepared by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
 Signature: David L. Meyer, P.E. & L.S. License Number: 7222
 Date: APRIL 01, 2016
 My license renewal date is December 31, 2016.
 THIS SHEET ONLY
 Pages or sheets covered by this plat:

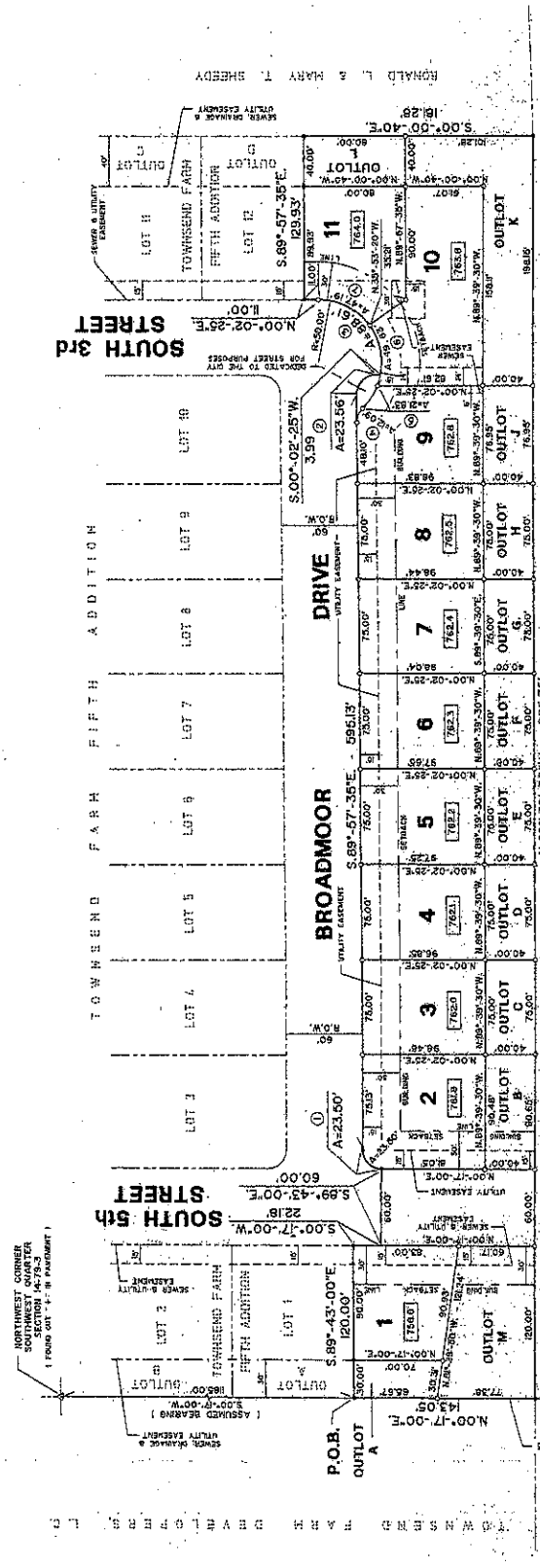


PREPARED BY
VERBEKE - MEYER
 CONSULTING ENGINEERS, P.C.
 4111 EAST 60th STREET
 DAVENPORT, IOWA 52807
 PHONE NUMBER: (563) 359 - 1348
 VMC# 15208

FINAL PLAT OF TOWNSEND FARM SEVENTH ADDITION TO THE CITY OF ELDRIDGE, IOWA

OWNER - DEVELOPER
TOWNSEND FARM DEVELOPERS, L.C.
 3211 EAST 38th STREET COURT
 DAVENPORT, IOWA 52807
 ATTN: ROB FICK
 ATTN: BRIAN SMITH

BEING PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 14
 TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 6th P.M.
 IN PART BEING A REPLAT OF LOT 13 AND OUTLOT E
 TOWNSEND FARM FIFTH ADDITION



TOWNSEND FARM DEVELOPERS, L.C.

RONALD L. & MARY T. SHERIDY

GENERAL NOTES:
 IRON MONUMENTS FOUND, SHOWN THUS (5/8" IRON PIN)
 IRON MONUMENTS SET, SHOWN THUS (5/8" IRON PIN)
 ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF
 SUBDIVISION CONTAINS 3.25 ACRES, MORE OR LESS
 BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS,
 ELECTRIC, TELEPHONE AND CABLE T.V. SERVICES TO INDIVIDUAL
 STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED
 AND FOR STREET LIGHT WIRES
 FOR THIS SURVEY THE WEST LINE OF THE SOUTHWEST QUARTER
 OF SECTION 14-78-3 WAS ASSUMED TO BEAR N.00°17'-00"E.
 ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE
 LATEST CITY OF ELDRIDGE STANDARD SPECIFICATIONS
 ALL STREET RIGHT OF WAYS ARE DEDICATED TO THE CITY OF
 ELDRIDGE, IOWA, FOR STREET PURPOSES
 EACH LOT IS DESIGNATED FOR SINGLE FAMILY USE
 LOTS 1 THROUGH 11 CANNOT BE SOLD WITHOUT THE ADJOINING OUTLOTS
 INCLUDED (OUTLOTS A, B, C, D, E, F, G, H, J, K AND L RESPECTIVELY)
 THE OUTLOT SHALL BE INCLUDED WITH THE ADJOINING NUMBERED LOT
 FOR THE PURPOSES OF DETERMINING ZONING SETBACKS AND TOTAL
 LOT AREA.
 THE LOWEST FLOOR (INCLUDING THE BASEMENT) FOR RESIDENCES
 ON LOTS 1 THROUGH 11 MUST BE CONSTRUCTED AT AN ELEVATION
 EQUAL TO OR GREATER THAN THE ELEVATION SHOWN IN THE BOX
 ON THE RESPECTIVE LOT.
 A 36 INCH NATURAL GAS PIPELINE (MAXIMUM ALLOWED OPERATING
 PRESSURE 140 PSI) RUNS EAST-WEST APPROXIMATELY 400
 FEET SOUTH OF THE SOUTH LINE OF THIS ADDITION. A 10 INCH
 PIPELINE (MAXIMUM ALLOWED OPERATING PRESSURE 1740 PSI)
 LOCATED APPROXIMATELY 24 FEET NORTH OF THE 36 INCH LINE.
 TRANSPORTS LIQUID PROPANE. SEVERAL GRADES OF BUTANE AND
 OTHER SIMILAR LIQUID PETROLEUM PRODUCTS.
 SIDEWALK SHALL BE INSTALLED IN CONNECTION WITH THE HOUSE
 CONSTRUCTION ON EACH LOT.
 ONCE MANHOLE TOP ELEVATIONS ARE ESTABLISHED, IF REGRADING
 OCCURS, SHALL BE THE RESPONSIBILITY OF THE BUILDER TO
 ADJUST THE MANHOLE TOP TO THE NEW GROUND ELEVATION.
 NO SUMP PUMP DISCHARGE WILL BE ALLOWED TO THE FRONT OF
 ANY LOT WITHIN THIS ADDITION.
 NO STRUCTURES OF ANY KIND WILL BE ALLOWED IN THE OUTLOTS.
 NO FILL OF ANY KIND WILL BE ALLOWED IN THE OUTLOTS AND
 DRAINAGEWAYS AFTER THE DESIGN GRADE IS ESTABLISHED.
 THE 100 YEAR STORM HAZARD AREA AS IT EFFECTS THIS ADDITION
 IS CONTAINED WITHIN OUTLOTS A, B, C, D, E, F, G, H, J, K, L AND M.
 OUTLOTS A, B, C, D, E, F, G, H, J, K AND L ARE DESIGNATED AS
 SEWER, DRAINAGE AND UTILITY EASEMENTS.
 OUTLOT M IS DESIGNATED AS A SEWER, DRAINAGE AND UTILITY
 EASEMENT AND AS AN ACCESS EASEMENT FOR THE REGIONAL
 DETENTION BASIN LOCATED WEST OF THIS ADDITION.

CURVE NUMBER	RADIUS	DELTA	ARC	CHORD BEARING	TANGENT
1	15.00'	89°42'-18"	21.50'	N40°00'-00"E	14.84'
2	15.00'	90°00'-00"	21.50'	N44°57'-50"W	15.00'
3	20.00'	101°32'-35"	35.81'	N20°18'-30"W	18.94'
4	30.00'	116°18'-00"	55.98'	N08°52'-00"W	24.00'
5	50.00'	227°00'-00"	113.10'	N88°17'-00"W	47.10'
6	25.00'	67°00'-48"	45.83'	N82°39'-35"E	27.00'
7	50.00'	84°08'-18"	91.76'	N27°04'-30"E	38.62'

NO.	SQUARE FEET	NO.	SQUARE FEET
1	6,405	A	2,035
2	6,640	B	3,625
3	2,240	C	3,065
4	2,200	D	3,000
5	7,280	E	3,000
6	7,540	F	3,000
7	7,370	G	3,000
8	7,395	H	3,000
9	7,935	J	3,065
10	10,880	K	10,370
11	7,740	L	3,200
		M	9,825

PLAN & ZONE COMMISSION CITY OF ELDRIDGE, IOWA
 BY: *[Signature]*
 DATE: 2/23/06
 ATTEST: *[Signature]*
 CLERK & RECORDS CHIEF
 CITY OF ELDRIDGE, IOWA
 DATE: 2/23/06

I hereby certify that this plat containing documents was filed for me or under my direct personal supervision and that the same are true and correct copies of the original as they appear in the office of the Recorder of Deeds at the City of Iowa.
 Notary Public
 David L. Meyer, P.E., License Number 222
 Date: FEBRUARY 23, 2006
 My license renewal date is December 31, 2008
 Page or pages covered by this plat



PREPARED BY:
VERBEKE - MEYER
 CONSULTING ENGINEERS, P.C.
 DAVENPORT, IOWA
 VINCE 08189

RESOLUTION 04-31

A RESOLUTION ACCEPTING THE STORM WATER DETENTION POND IN TOWNSEND FARMS AS A PUBLIC IMPROVEMENT, ORDERING THAT THE STANDARD CONSTRUCTION SPECIFICATIONS BE AMENDED TO INCLUDE DESIGN CHARACTERISTICS FOR STORM WATER DETENTION PONDS AND ORDERING THE CREATION OF A STORM WATER UTILITY

WHEREAS, Townsend Farm Developers, L.C. has requested that the City of Eldridge consider accepting ownership of a storm water detention pond to serve the Townsend Farm subdivisions, and

WHEREAS, The City of Eldridge and Townsend Farm Developers, L.C., entered into a development agreement committing the city to study the concept of a municipally owned detention pond, and

WHEREAS, the City of Eldridge has received recommended components of a storm water detention pond from Shive Hattery, Inc.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELDRIDGE, IOWA.

1. That the storm water detention pond in the Townsend Farm Additions be accepted as a public improvement provided that the design adheres to the design components set forth in the attached memo from Shive Hattery, Inc.
2. That the Standard Construction Specifications found in Chapter 10, Title C of the Eldridge City Code be amended to include storm water detention ponds as set forth in the attached memo from Shive Hattery, Inc.

BE IT FURTHER RESOLVED, that a storm water utility be created to collect fees to finance the costs of maintenance and improvements for the storm water detention pond.

PASSED AND APPROVED THIS 11th DAY OF OCTOBER, 2004.



Mayor



City clerk

RESTRICTIVE AND PROTECTIVE COVENANTS

The undersigned, **TOWNSEND FARM DEVELOPERS, L.C. and MICHAEL D. SANTEE and ANN M. SANTEE, husband and wife,** as owner and proprietor of all of the real estate comprising **TOWNSEND FARM SEVENTH ADDITION to the City of Eldridge, Iowa,** does hereby establish the following Restrictive and Protective Covenants which shall be Covenants running with the land, to-wit:

1. All Lots described herein shall be known, described, and used solely as residential Lots, and no residence shall be erected on any residential building Lots other than one detached single family dwelling not to exceed two and one-half stories in height, and a private garage for not less than two automobiles.
2. No residence shall be erected on any residential building Lot nearer than thirty (30) feet to the front Lot line, nor nearer than thirty (30) feet to any rear Lot line. The rear line restriction shall not apply to a garage located on the rear one-quarter of a Lot.
3. No trailer, basement, tent, shack, garage, barn, or other outbuilding erected in the tract shall at any time be used as a residence, temporarily or permanently, nor shall any residence of a temporary character be permitted.

4. No building shall be erected on any Lot unless the design and location is in harmony with existing structures and locations in the tract and does not violate any Protective Covenants. In any case, no single family dwelling shall be permitted on any Lot in this addition having a ground floor square foot area of less than 1200 square feet in the case of a one-story structure, or less than 1200 square feet above grade in the case of a split level, nor less than a total of 1650 square feet in the case of a one and one-half or two-story structure.

5. Titleholder of each Lot, vacant or improved, shall keep his Lot or Lots free of weeds and debris.

6. No obnoxious or offensive trade shall be carried on upon any Lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

7. A perpetual easement is reserved over the rear of each Lot as shown on said Plat for utility installation and maintenance, and drainage, where applicable.

8. No parking of trailers, boats, campers, or commercial vehicles shall be allowed outside residences in the subdivision, except for commercial vehicles in the area on normal business deliveries, or commercial vehicles involved in the construction of a house during regular working hours.

9. No antenna shall extend over 4 feet beyond the roof line. No free standing antenna or satellite reception dishes shall be allowed in said addition.

10. There has been formed an Iowa non-profit corporation known as, "Townsend Farm Regional Detention Facility Maintenance Association, Inc." (hereinafter referred to as The Association), whose purposes, among other things, shall be to acquire title the real estate upon which the Townsend Farm Regional Detention Facility is to be constructed, and thereafter to provide maintenance of said Detention Facility, all as provided hereinafter. The Townsend Farm Regional Detention Facility is being

designed and constructed to provide regional detention capability for not just this subdivision, but other undeveloped real estate generally bounded by the Cobbler's Knotch subdivisions to the North, Buttermilk Road to the West, the Wiggers property to the South, and the Townsend Farm First, Third, Fourth, Fifth and Sixth Additions to the East. It is the intention that as said areas are developed, all lot owners in **TOWNSEND FARM SEVENTH ADDITION to the City of Eldridge,** Iowa shall become members of the Association, and subject to the rights and responsibilities as set out hereinafter. The Association, through it's Board of Directors, shall establish, levy and collect from all lot owners in this addition, an annual assessment reasonably calculated to pay for the pro rata maintenance and upkeep of the Townsend Farm Regional Detention Facility and OUTLOT M. Payment of the assessment shall be the personal continuing obligation of the lot owner, and shall survive his or her transfer of title, and shall be a lien upon the lot when placed of record and paid in full. These obligations shall continue until such time as The Association receives written notice from the City of Eldridge, Iowa that it intends to undertake the maintenance and upkeep of the Townsend Farm Regional Detention Facility. Upon receipt of said notice from the City of Eldridge, Iowa, The Association shall dedicate to the public the real estate parcel upon which is constructed the Townsend Farm Regional Detention Facility and outlot M of this addition.

11 These Covenants are to run with the land and shall be binding on all parties claiming under them until twenty (20) years, at which time said Covenants shall be automatically extended for successive periods of ten years, unless by vote of the majority of the then owners of the Lots it is agreed to change said Covenants in whole or in part.

12 If the parties hereto, or any of them, or their heirs or assigns shall violate or attempt to violate any of the Covenants or Restrictions herein within twenty (20) years from the date hereof, it shall be lawful for any person or persons owning any other Lots in said addition to prosecute and

bring proceedings at law or in equity against the person or persons violating or attempting to violate any such Covenant or Restriction, to prevent him or them from so doing or to recover damages or other dues for such violation.

13 Installation of all city sidewalks, should they be required shall be paid for by the then owners of said Lot or Lots at the time building permits are taken out with the City of Eldridge.

14 Invalidation of any of these Covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

15 The right to enforce these Covenants by injunction, together with the right to cause the removal, by due process of law, any structure or part thereof erected or maintained in violation hereof, is reserved to the several owners of the several Lots in this subdivision and to their heirs and assigns and to the City of Eldridge is specifically noted as a provision of a covenant.

16 **TOWNSEND FARM DEVELOPERS, L.C.**, as subdivider of this addition, in order that there be harmony in design of the exterior of any residential building, or buildings, incidental to such residential use as may be erected in said addition, the exterior design of any such building, or buildings, incidental to such residential use shall be approved by **MEL FOSTER CO. PROPERTIES, INC. OF IOWA**, and unless such exterior design be so approved such residential building or buildings, incidental thereto, shall not be erected. Sloping or pitched roofs are desired, and flat roofs, except for occasional decks, are to be avoided. Flat-roof, low modern houses, butterfly or excessive shed roofs, exotic designs of any nature, extremes in architecture and experiments in design are not deemed to be in keeping with the residential community, and consequently might not be approved. This approval must be in writing.

17. **MEL FOSTER CO. PROPERTIES, INC. OF IOWA** shall also have absolute and final approval on the erection and construction of any outbuildings, sheds, or appurtenant structures as far as the location, style, design, or size. This approval must be in writing.

18. All OUTLOT, excluding OUTLOT M, as shown by Plat hereof, shall be conveyed, together with the contiguous building Lot located adjacent thereto. All OUTLOTS referred to hereinabove are designated for use as sewer drainage and utility easements. The title holder of each such OUTLOT shall keep his or her OUTLOT or OUTLOTS free from weeds and debris, and shall maintain same in a reasonable manner. Further, no title holder of any such OUTLOT may excavate or in any way alter or change the terrain or topography of such OUTLOT without the prior written consent and approval of **MEL FOSTER CO. PROPERTIES, INC. OF IOWA and THE CITY OF ELDRIDGE, IOWA.** Said OUTLOTS shall be included with the adjoining numbered lot for the purposes of determining zoning setbacks and total Lot area. All OUTLOTS referred to hereinabove are designated for use as sewer drainage and utility easements, and OUTLOT M is also further designated as an access easement for the regional detention basin located West of this addition.

OUTLOT M is designated as an access easement for the regional detention facility to be located West of this addition. Title to said OUTLOT M shall be retained by the developer, and OUTLOT M shall be maintained by the developer. Title to OUTLOT M may be transferred to the City of Eldridge upon written request for same from the City of Eldridge, Iowa. In the absence of such written request and at the discretion of the developer, title to said OUTLOT M may be retained by the developer or transferred to the Iowa non-profit corporation known as Townsend Farm Regional Detention Facility, Inc., or to the then owner of Lot 1 of Townsend Farm Seventh Addition to the City of Eldridge, Iowa. In the event said

OUTLOT M is transferred to the then owner of said numbered lot, the lot will be subject to the duties and responsibilities as set forth hereinabove.

DATED this 15th day of May, 2006.

TOWNSEND FARM DEVELOPERS, L.C.

BY: **MEL FOSTER CO. PROPERTIES, INC. OF IOWA**
It's Managing Member

BY: 

ROBERT C. FICK, President

STATE OF IOWA, SCOTT COUNTY, ss:

On this 15th day of May, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **ROBERT C. FICK**, to me personally known, who being by me duly sworn, did say that he is the **PRESIDENT OF MEL FOSTER CO. PROPERTIES, INC. OF IOWA**, the Managing Member of **TOWNSEND FARM DEVELOPERS, L.C.**, and that said instrument was signed on behalf of said corporation by authority of the Board of Directors; and that the Board of Directors acknowledges the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.





NOTARY PUBLIC in and for the State of Iowa

CHAPTER 10: POST-CONSTRUCTION STORM WATER MANAGEMENT REGULATIONS

Section

- 1.00 Purpose
- 2.00 Applicability
- 3.00 Storm water detention criteria
- 4.00 Exemptions
- 5.00 Storm water detention plan review
- 6.00 Storm water detention plan requirements
- 7.00 Common detention facilities
- 8.00 Completion of facilities
- 9.00 Responsibilities
- 10.00 Appeal

§ 1.00 PURPOSE.

The purpose of these regulations is to diminish threats to public health, safety and welfare caused by runoff of excessive storm water from new development and redevelopment. This excessive storm water could result in the flooding of damageable properties. The cause of increase in storm water runoff quantity is the development and improvement of land and as such this chapter regulates these activities to reduce adverse impacts.

§ 2.00 APPLICABILITY.

No building permit shall be issued for the construction, reconstruction or structural alteration of a building, and/or its parking area nor shall a certificate of occupancy be granted for a use nor shall a preliminary plat, final plat or site plan be approved without conformity with the provisions of the storm water detention regulations.

§ 3.00 STORM WATER DETENTION CRITERIA.

(A) All storm water storage areas must be designed to contain and safely pass storm water runoff. When platting, the land extending to the centerline of any adjacent right-of-way shall be considered part of the development for purposes of determining the runoff rate. Adequate spillway provisions shall be provided to transport peak runoff from a 100-year storm assuming the outlet to be plugged. All storm water facilities shall be designed in accordance with the design standards established by the city.

(B) All areas within the city shall comply with these regulations.

(1) The required volume of storm water detention shall be that necessary to handle the runoff of a 100-year rainfall, for the critical duration from the drainage area tributary to the storm water storage area based on full development of said tributary area, less the volume discharged during the same duration at the approved release rate. In addition, the detention basin shall be designed to restrict the peak rate of discharge from the drainage area during a two-year, 24-hour rainfall event to be at or below the predevelopment levels.

(2) For sites less than 20 acres, the required detention storage (RDS) will be that found to be the most critical resulting from the inflow from the run-off of a fully developed tributary area from a 100-year storm and the outflow of the five-year storm on a predevelopment basis with the same area. This can be expressed by the following equation:

$$\text{RDS} = \left[\begin{array}{c} \text{Inflow rate from} \\ \text{critical 100-year storm} \\ \text{(cfs)} \end{array} \right] - \left[\begin{array}{c} \text{Release rate from 5-} \\ \text{year storm} \end{array} \right] \times \left[\begin{array}{c} \text{Duration} \\ \text{of the} \\ \text{critical} \\ \text{100-} \\ \text{year} \\ \text{storm} \\ \text{(sec)} \end{array} \right]$$

(3) For sites greater than 20 acres, the method of sizing of the detention storage volume must be approved by the City Engineer.

(C) Detention storage may be provided as a dry bottom or wet bottom storage area.

(1) Dry bottom storm water storage areas may be designed to serve a secondary purpose for recreation, open space parking or other types of uses that will not be adversely affected by intermittent flooding.

(a) A method of carrying the low flow through these areas shall be provided in addition to a system of drains to prevent soggy areas.

(b) Outlet control structures shall be designed as simply as possible and shall require little or no attention for proper operation. Each storm water storage area shall be provided with a method of emergency overflow in the event that a storm in excess of the 100-year frequency storm occurs. This emergency overflow facility shall be designed to function without attention and shall become part of the excess storm water passageway. Hydraulic calculations shall be submitted to the City Engineer to substantiate all design features.

(c) Both outlet control structures and emergency overflow facilities shall be designed and constructed to fully protect the public health, safety and welfare. Storm water runoff velocities shall be kept at a minimum and turbulent conditions at an outlet control structure will not be permitted without complete protection for the public safety. The use of fences shall be kept to a minimum and used only as a last resort when no other method of protection is feasible.

(d) Paved surfaces that are to serve as storm water storage shall be designed with permanent-type control outlets. Emergency overflow areas shall be provided. The maximum storm water ponding depth in any paved area shall not exceed six inches.

(2) (a) Wet bottom storm water storage areas shall be designed with all of the items required for dry bottom storm water storage areas, except that the provisions of division (C)(1)(a) above shall not be required.

(b) However, the following additional conditions shall be complied with:

1. Water surface areas shall not exceed one-fifteenth of the tributary drainage area.

2. Facilities shall be provided to lower the pond elevation by gravity flow for cleaning purposes and shoreline maintenance. Shoreline protection shall be provided to prevent erosion from wave action.

3. Minimum normal water depth shall be four feet. If fish are to be maintained, some portion of the pond area should be a minimum of nine feet deep.

4. Control structures for storm water release shall be designed to operate with only a minor increase in the water surface level when the design storage capacity has been exceeded. Hydraulic calculations shall be submitted to the City Engineer to substantiate all design features.

(D) The city may, in lieu of the detention requirements detailed in the ordinance, accept infiltration practices designed in accordance with the *Iowa Storm Water Management Manual*. Engineering calculation demonstrating infiltration rates shall be included with the application.

§ 4.00 EXEMPTIONS.

The following shall be exempt from these regulations:

(A) Any final plat approved by January 1, 2003, and based upon a preliminary plat that was approved prior to January 1, 2000, subject to the development not being required to provide detention facilities by any other ordinances of the city;

(B) A preliminary or final plat of single-family development consisting of lots, all of which are one acre or larger; and

(C) Any single-family and two-family developed and undeveloped lots which existed on January 1, 2000.

§ 5.00 STORM WATER DETENTION PLAN REVIEW.

Storm water detention plans shall be submitted to the City Engineer for review.

(A) For new or expanding commercial, industrial and multi-family developments, a storm water detention plan shall be submitted as part of the site plan review.

(B) For new single-family and two-family residential developments, a storm water detention plan shall be submitted as part of the plat review.

(C) If no plat or site plan review is required, a storm water detention plan must be approved by the City Engineer before a building permit is issued.

§ 6.00 STORM WATER DETENTION PLAN REQUIREMENTS.

(A) Each applicant shall submit all calculations and other such information as deemed necessary to demonstrate to the City Engineer the storm water runoff rate and capacity of storm water storage facilities.

(B) Required information may vary according to the size of development, but shall include, but not be limited to, the following:

(1) Map of the property and immediate vicinity showing elevation of contours (based on city datum);

(2) Mapping and description of existing and proposed drainage system features of the property and immediate vicinity;

(3) Physical features of the property and immediate vicinity, including, but not limited to, the state and type of development in the area, public infrastructure and other similar characteristics; and

(4) If the development is to be staged, a plan of how the storm water detention requirement will be met for each stage.

§ 7.00 COMMON DETENTION FACILITIES.

(A) The city may, in lieu of on-site detention facilities, accept the furnishing of off-site facilities which, when added to on-site detention facilities, shall provide sufficient storage capacity to provide the storm water detention required to meet this regulation. Until such time as the permanent off-site storm water detention facilities are available, temporary on-site detention shall be provided.

(B) An acceptable legal contract between the developer and the off-site land owner shall be approved by the City Council.

§ 8.00 COMPLETION OF FACILITIES.

The storm water detention facilities shall be constructed and in use according to the following criteria.

(A) For commercial, industrial and multi-family developments, the facilities shall be constructed concurrent with site grading. A certificate of completion shall be furnished by the developer's engineer certifying that they have been constructed according to the approved plans before a certificate of occupancy is issued by the city.

(B) For single-family and two-family residential building, the developer's engineer shall certify that the structural improvements have been substantially complete and the detention facility rough graded before a building permit is issued. A certificate of completion shall be furnished by the engineer certifying that the facilities into which the lot(s) drain have been constructed according to the approved plans before a certificate of occupancy permit is issued by the city.

§ 9.00 RESPONSIBILITIES.

(A) The developer shall be responsible for providing a plan of ownership of the detention facilities involving a single owner, an association or another plan of ownership approved by the city.

(B) The owner shall be responsible to ensure the continuing functioning of the facility as originally designed and intended. All plans submitted for storm water detention systems shall describe an adequate procedure for normal maintenance for the detention system. Any failure of the storm water detention system due to inadequate normal or capital maintenance shall be the responsibility of the owner of the property on which the detention system is located. It shall also be the property owner's responsibility to remedy any negligence in maintenance that resulted in the failure of the system. The submittal of plans for such a system or the purchase of property on which such system is located shall be deemed as acceptance of responsibility for normal and capital maintenance of the system.

(C) The developer shall dedicate an easement to the city reserving the land for use as a storm water detention facility providing the city with the right to inspect the facility, and the necessary easements for ingress and egress.

(D) (1) The detention basin owner shall be responsible for the following items.

(a) An annual report on the detention basin condition, using a checklist developed by the city, shall be submitted to the Director of Public Works.

(b) At five year intervals, the basin shall be inspected by a professional engineer registered in the state, using a checklist developed by the city. A report of this inspection shall be submitted to the Director of Public Works within 60 days of the inspection. An annual report is not required the year when the five-year report is due.

(c) Detention basin owners shall notify subsequent owners of his, her or their maintenance responsibilities and transfer basin maintenance records to the party with active maintenance responsibility.

(2) At any time, the Director of Public Works, or his or her designee, may provide inspection of the detention facilities as deemed appropriate. If the Director finds any maintenance work is necessary, the Director shall serve a written order to the owner of the facilities, specifying therein the work necessary to be done and providing for a reasonable time for its completion. Any property owner to whom an order is directed shall have the right, within three days from service of the order, to appeal to the City Administrator who shall review the order within five working days and file his or her decision. If the City Administrator fails to respond within five working days, it shall be assumed that the appeal is denied. Unless the order is revoked or modified, it shall remain in full force and be obeyed by the owner as directed within the time established by the Director's written order or at the time as modified by the City Administrator's decision. When an owner to whom an order has been issued fails to comply within the time specified, the Director shall remedy the condition, or contract with others for such purpose, and charge all costs, including administration, to whom the order is directed. If the cost of remedying a condition is not paid within 30 days after the mailing of a statement from the Director of Public Works, the cost shall be assessed against the property for collection in the same manner as a property tax. In the event the association fails or is unable to pay the costs associated with detention facility maintenance, these costs shall be assessed against those users of the facility based upon their percentage of use.

§ 10.00 APPEAL.

(A) The City Council may, in the resolution approving the preliminary plat of any subdivision and upon appeal of the developer, or the recommendation of the City Engineer, waive or change the requirements of this chapter for a particular development whenever the developer demonstrates either:

(1) That, due to the location of the property, strict compliance would provide no discernible benefit for reduction of flooding on any plat adjacent or downstream property;

(2) That, due to the nature of the property, strict compliance would create unusual hardship out of proportion to any foreseeable benefit and that the requested change or reduction in requirements will not increase the risk of flooding of any building or the buildable portion of any lot on any adjacent or downstream property; or

(3) That the developer, in lieu of a detention facility, provide storm water management sufficient to achieve the purpose of this chapter by keeping storm water runoff from the property in accordance with § 3.00 of this chapter.

(B) Developers of new or expanding commercial, industrial and multi-family developments shall make appeals as per the provisions of the site plan review regulations in city code.

The regular meeting of the Board of Trustees of the Eldridge Electric and Water Utility Board was called to order at 5:00 P.M. on October 22nd, 2024, at Eldridge City Hall.

Board members present were Michael Bristley, Abby Petersen, Rachel Padavich, and Jeff Hamilton. Also present, Lenny Larson, Collin Wilson, Marty O'Boyle, Ryan Iossi, Nevada Lemke and Sadie Wagner.

Public Comment – Marty O'Boyle expressed his concerns about removing fluoride from the City's water supply and notifying the community.

Motion by Hamilton to approve amended Agenda to move item 6 and item 7-B to after item 9-C. Second by Padavich. All Ayes. Motion Carries.

Motion by Padavich to approve Utility Board Minutes from October 8, 2024. Second by Petersen. All Ayes. Motion Carries.

Administrative-

- A. Update from Lenny Larson – ISG Engineering Project Leader. Lenny stated that they had a site visit in September to go over the overall system. They have been sampling the media within the filter to understand what media and stratification are there. He stated that the water tank under the water plant is much larger than what was anticipated, and the city has plenty of storage. He also stated they have a meeting scheduled next Tuesday for someone to come inspect the aerator, once that is completed, they will know what shape it is in. Lenny stated they are going through all documents and data that the city has shared with them and that they plan to sit down with the city staff in November to go over their findings. He also mentioned that Cegan is working with ACCO to vent the caustic out of the building to avoid earlier deterioration. He is also working with J R Supply regarding the chlorine injection system to find out why the plant was set up the way that it is to see if they can make changes to where the chlorine gas is mixed with the water. Lastly, Lenny stated that if the city decided to remove fluoride, ISG could do sampling throughout the city at certain hydrants to determine how quickly it is leaving the system to enable them to better detect water age and how it is moving through the distribution system. This would help calibrate their water model.

Financial –

- A. Motion by Petersen to Approve Bills Payable in the amount of \$80,014.68. Second by Padavich. All Ayes. Motion Carries.

- C. Motion by Petersen to approve consolidating the Utility's bank accounts with the City's bank accounts as recommended in the annual financial audit findings. Second by Padavich. All Ayes. Motion Carries.
- D. Motion by Padavich to approve a proposal from PFM to perform a Revenue Requirements Analysis for the Water Department in the amount of \$7,000 with an additional option of a Cost-of-Service Study for an additional \$13,000. Second by Hamilton. All Ayes. Motion Carries.
- E. Discussion on implementing a Utility Billing Policy to establish delinquent billing and aged debt/collections procedures. Possible utility policies were discussed amongst the board and city staff.

Electric Department-

- A. Outages – none.
- B. PCA Update – Given by Nevada Lemke. She shared with the board a graph of the PCA going back to quarter 2 of 2022 and an explanation of the PCA and why it is charged or credited to the city residents.
- C. Motion by Padavich to approve wage increase for Dalton Eagle from \$32.99/hr to \$35.63/hr as a result of completing Module A of the IAMU apprenticeship program and pursuant to the terms of the CBA. Second by Petersen. All Ayes. Motion Carries.
- D. Department Update – Given by Line Foreman Collin Wilson. Wilson stated they are continuing their routine maintenance and wrapping up their underground projects before the weather becomes cold and will start their overhead work in the winter. He also stated they are caught up with new services being installed for new builds.

Water Department-

- A. Motion by Hamilton to approve replacing high service pump #2 in the amount of \$5,083.00 plus power connect fees from LMI. Second by Petersen. All Ayes. Motion Carries.
- B. Motion by Hamilton to approve a quote from Cahoy for the repair of high service pump #2 at a cost of \$6,234. Second by Padavich. All Ayes. Motion Carries.
- C. Department Update- Given by Water Operator Cegan Long. Long stated that ACCO would have an analysis from the filter media samples back within a couple of days. On October 16th the water operators dealt with a potential water main break at Hardee's. They found that Hardee's irrigation system broke and it was not the city's portion. He also stated that tomorrow was their last day of flushing with the expectation they may need to flush an extra couple of days but still plan to be finished by the end of October. Cegan also made a statement about a part-time

employee, Gary Moore, who has recently moved that he would like to see return. He expressed how much they appreciated him as an employee. Lastly, he stated they had a meeting with Van Wert regarding upgrading the city water meters going forward to make meter reading easier on both the Utility Billing Clerk and the Water Operators conducting the reads.

Motion by Padavich to adjourn the meeting at 6:16 P.M., to go into closed session pursuant to Iowa Code 21.5(1)a "To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that governmental body's possession or continued receipt of federal funds." Second by Petersen. A roll call vote was taken. Bristley Aye. Petersen Aye. Padavich Aye. Hamilton Aye.

The regular meeting of the Board of Trustees of the Eldridge Electric and Water Utility Board resumed open session at 6:42 P.M.

Financial-

C. Motion by Padavich to approve payment in the amount of \$ 7,455 to Dickinson, Bradshaw, Legal firm for legal services. Second by Petersen. All Ayes. Motion Carries.

Motion by Padavich to adjourn the meeting at 6:43 P.M. Second by Hamilton. All Ayes. Motion Carries.

Sadie Wagner
Billing Clerk



**Eldridge Planning and Zoning Commission
October 17, 2024, 6:00 p.m., Eldridge City Hall**

Minutes

The Eldridge Plan and Zone Commission met in open session in Eldridge City Hall at 6:00 p.m. on October 19, 2024. The meeting was called to order at 6:15 p.m. by Chairman Karl Donaubaauer. Present were Karl Donaubaauer, Jennifer Vittorio, Dean Ferguson, Mike Martin and Scott LaPlante. Brad Merrick was absent. Also present were Jeff Martens and Brian Dockery.

The minutes from the September 19, 2024, meeting was presented for approval. Motion by Vittorio to approve the minutes as amended. Seconded by Ferguson. Motion carried 5-0 by voice vote.

Donabauer asked Martens to present the application and final plat for a replat of Outlot A in Stone Brook 3rd Addition. Martens presented the request and confirmed that the request was substantially in accordance with City Code. He also confirmed that the engineering firm submitting the request for SKD, LC, owned by Paul Boffeli, had stated that the reason for the subdivide was to separate the creek from the outlot so the area with the detention pond could be turned over to a homeowners association. Martin made a motion to approve the final plat. Ferguson seconded the motion. The motion carried 5-0 by voice vote.

Martens presented a revised draft solar ordinance for review by the Commission. Dockery made the Commission aware that by making Solar Farms a permitted use in I-1 districts they would also be permitted uses per City Code in I-2 districts. Since the Commissions intentions at the last meeting was to allow Solar Farms only in the SA and I-1 districts this presented a dilemma that was then discussed. Some possible solutions discussed were setting a limit on the number of acres a Solar Farm could be or adding Solar Farms to the I-2 list of prohibited uses. Martens offered to further review these options and get advice from legal counsel on this issue. No action was taken. LaPlante made a motion to table this ordinance. Vittorio seconded. Motion carried 5-0 by voice vote. Martens will present a revised draft of the ordinance at the next meeting.

Martin made a motion to adjourn the meeting at 7:00 p.m. Seconded by Ferguson. Motion carried 5-0 by voice vote.