

Scott County Board of Supervisors
July 7, 2022 5:00 p.m.

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

Moved by Maxwell, seconded by Knobbe a motion approving the minutes of the June 21, 2022 Committee of the Whole and the minutes of the June 23, 2022 Regular Board Meeting. Roll Call: Four Ayes, with Croken absent.

Ryan Drew, Business Representative for Operating Engineers Union Local 150, said that he had spoken at the recent Committee of the Whole meeting in support of putting language in bid contracts for prevailing wages and reviewed recent projects in the City of Davenport and other County projects. He said he does not understand why this concept of adding language to bid contracts would be illegal.

Moved by Maxwell, seconded by Knobbe a motion to open a public hearing to amend a portion of Scott County Ordinance Section 6-29, D(7) & G of the Scott County Code relative to Lighting. Roll Call: Four Ayes, with Croken absent.

Supervisor Kinzer asked if there had been any comments against the lighting ordinance.

Supervisor Maxwell said that no one commented against the lighting plan when the issue was discussed at the Planning and Zoning meeting.

Moved by Maxwell, seconded by Knobbe a motion to close the public hearing. Roll Call: Four Ayes, with Croken absent.

Supervisor Croken joined the meeting electronically at 5:09 p.m.

Moved by Maxwell, seconded by Knobbe that the following eight consent agenda items be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) That the plans, specifications, and letting date be approved for Intersection Improvements Project No. CST-061-5(149)--4C-82 and the letting be set for July 26, 2022, at 10:00 A.M. 2) That this resolution shall take effect immediately. (178-2022)

BE IT RESOLVED: 1) That the agreement for use of federal-aid funds between Scott County and the Iowa Department of Transportation for HMA Resurfacing with Cold In-Place Recycling Project No. STP-S-C082 (69)--5E-82 be approved. 2) That the Chairman be authorized to sign the agreement on behalf of the Board. 3) That this resolution shall take effect immediately. (179-2022)

BE IT RESOLVED: 1) That the bid for demolition project at 4715 Tremont Ave Davenport, IA is accepted and the contract is awarded to Valley Construction in the

amount of \$134,900.00. 2) That the Director of Facility & Support Services is hereby authorized to execute contract documents on behalf of the Scott County Board of Supervisors. 3) This resolution shall take effect immediately. (180-2022)

BE IT RESOLVED: 1) The hiring of Brittany Arnold for the position of Multi Service Clerk with the Treasurer's Office at entry level rate. 2) The hiring of Michelle Powers for the position of Multi Service Clerk with the Treasurer's Office at entry level rate. 3) The hiring of Jade Eld for the position of Multi Service Clerk with the Treasurer's Office at entry level rate. 4) The hiring of Andrew Ortiz for the position of Inmate Services Specialist with the Sheriff's Office at entry level rate. 5) The hiring of Pamela Thomas for the position of Medical Assistant with the Health Department as entry level rate. 6) The hiring of Justin Reaves for the position of Desktop Support Technician with the IT Department at step 7, and accruing vacation at the rate of 80 hours annually. (181-2022)

BE IT RESOLVED: 1) The 2021 special assessments receipt numbers 172935, 177844, 185697, 191755, 2020 property taxes due in September 2021 and March 2022 for Angelic Smith, 4228 Warren Street, Davenport, Iowa, in the amount of \$1,491.36 and \$3,699.00 including interest are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately. (182-2022)

BE IT RESOLVED: 1) The authority of the IT Director to sign a service agreement with InfoTech Research Group in the amount \$26,600 is hereby approved. 2) This resolution shall take effect immediately. (183-2022)

BE IT RESOLVED: 1) The authority of the IT Director to sign an agreement for the upgrade and three (3) years of maintenance and support for the Avigilon security camera solution with Stanley Security in the amount of \$33,285 is hereby approved. 2) This resolution shall take effect immediately. (184-2022)

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 318343 through 318608 as submitted and prepared for payment by the County Auditor, in the total amount of \$6,013,636.66. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$170,548.31. 3) This resolution shall take effect immediately. (185-2022)

Moved by Knobbe, seconded by Maxwell the first of three readings of an ordinance to amend Chapter 6, Section 6-29, D(7) & G of the Scott County Code relative to Lighting. Roll Call: All Ayes.

AN ORDINANCE TO AMEND A PORTION OF SECTION 6-29 SITE PLAN REVIEW REGULATIONS OF THE ZONING ORDINANCE FOR UNINCORPORATED SCOTT COUNTY.

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

Section 1. Amend Section 6-29 SITE PLAN REVIEW REGULATIONS of the Zoning Ordinance for Unincorporated Scott County by adding:

Section 6-29(D)(7) All lighting shall be provided in accordance with the provisions of Section 6-29(G) of this Code.

Section 6-29(G) Lighting. All lighting shall be provided in accordance with the following provisions:

- (1) Lighting Plan: All proposed lighting is required to be shown on a lighting plan. The plan shall show all light poles, lights mounted on buildings, small bollard or monument lights and all other lighting to be installed on the property. Information to be included on the plan or as an attachment with the plan:
 - a. Details on the pole, luminaire, and foundation details including pole height, height of building-mounted lights, mounting height, and height of the luminaire.
 - b. Specifications for luminaires and lamp types, and poles, including photographs or drawings of proposed light fixtures.
 - c. Elevations of the site including all structures and luminaires sufficient to determine the total cut-off angle of all luminaires and their relationship to abutting parcels may be required.
 - d. A Photometric plan that shows the foot-candle measurement at all lot lines.
- (2) Maximum Brightness.
 - a. The maximum allowable foot-candle at any lot line is one foot-candle.
 - b. When additional security lighting is required for security reasons in excess of the foot-candle limit imposed by item 1 above, additional lighting may be allowed based on evidence for the need for additional security through site plan review.
 - c. No glare onto adjacent properties is permitted.
- (3) Luminaire with Cut-Off Standards.
 - a. To be considered a cut-off luminaire, the cut-off angle must be 75° or less.
 - b. The maximum total height of a cut-off luminaire, either freestanding or attached to a structure, is 40 feet in the "C-2" and "I" Districts and 35 feet in all other districts.
 - c. A cut-off luminaire must be designed to completely shield the light source from an observer 3.5 feet above the ground at any point along an abutting lot line.
- (4) Luminaire with No Cut-Off Standards. Decorative and/or architectural lighting with no cut-off is allowed and subject to the following standards:

- a. A luminaire is considered to have no cut-off if it is unshielded or has cut off angle greater than 75°.
 - b. The maximum permitted total height of a luminaire with no cut-off is 15 feet.
- (5) Exceptions to Lighting Standards.
- a. Up-lighting of buildings is allowed but all light must be directed onto the facade of the structure and cannot glare onto other properties.
 - b. Because of their unique requirements for nighttime visibility and limited hours of operation, outdoor recreational facilities (public or private) such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, golf driving ranges, show areas, and other similar uses are exempt from the requirements of this section. Recreational facilities are permitted a total luminaire height of 65 feet in any district. Luminaires greater than 65 feet in total height may only be approved by special use permit.
 - c. Temporary uses.
 - d. Holiday and seasonal lighting is not subject to the requirements of this section.
- (6) Prohibited Lighting.
- a. Flickering or flashing lights are prohibited.
 - b. Searchlights, laser source lights, or any similar high intensity lights are prohibited.
 - c. Neon or LED lighting to outline doors, windows, architectural features, and building facades is prohibited.

Section 2. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 3. Severability Clause. If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

Section 4. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Moved by Kinzer, seconded by Maxwell that the following resolution be approved.

Supervisor Kinzer reviewed the timeline of bringing this resolution to the Board and said he wanted to clarify that he had asked for all projects tied to the ARPA funding have the prevailing wage language in the bid documents and not just the Juvenile Detention Center project. He also read the section in the Final Rule pertaining to prevailing wages and asked the Board to approve putting the language in bid documents.

Supervisor Croken said he is in favor of adding the language and although he does have great regard for Mr. Cusack's opinion, this is the right thing to do for Scott County workers and the Scott County economy.

Supervisor Maxwell said he is guided by the County Attorney opinions and they hold a lot of weight with him and he will be voting no.

Supervisor Knobbe said he would be voting no for this and said he is a free market economic thought person.

Supervisor Beck said we have an attorney to interpret the law for us and he would not be supporting this measure.

Roll Call: Three Nays, with Croken and Kinzer voting Aye.

BE IT RESOLVED: 1) Federal Davis Bacon Prevailing Wage Bid

"The successful bidder will be required to conform to the wage requirements prescribed by the federal Davis-Bacon Act, which requires that all laborers and mechanics employed by contractors and subcontractors performing on this project, which is partially funded in whole or in part with federal funds, pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits, as determined by the Secretary of Labor, for corresponding classes of laborers and mechanics employed on similar projects in the area."

2) Additional Labor Language Suggested by the U.S.

Scott County also joins the U.S. Department of Treasury with encouraging and supporting all prospective bidders to adhere to strong labor standards, including project labor agreements and community benefit agreements that offer wages at or above the prevailing rate and include local hire provisions. Scott County will prioritize bidders with high labor standards and those without recent violations of federal and state labor and employment laws.

3) This resolution shall take effect immediately.

Under other items of interest, Maxwell reviewed a recent joint planning meeting of the Soil and Water District Board and the Partners for Scott County Watersheds Board.

Planning and Development Director Chris Mathias said the Department had not received any comments regarding the lighting ordinance other than the original request by a resident in the County.

Moved by Knobbe, seconded by Maxwell at 5:28 p.m. a motion to adjourn. All Ayes.

Ken Beck, Chair of the Board
Scott County Board of Supervisors

ATTEST: Kerri Tompkins
Scott County Auditor

A video recording of the meeting is available on the Scott County website at:
<https://www.scottcountyiowa.gov/board/board-meetings>.