

**CITY OF BETTENDORF
CITY COUNCIL MEETING MINUTES**

SEPTEMBER 6, 2022

The City Council of Bettendorf, Iowa met in regular session on September 6, 2022 at 7:00 p.m., in the Council Chambers at Bettendorf City Hall, 1609 State Street, Bettendorf, Iowa.

The City of Bettendorf continues to follow CDC Guidelines with respect to the current COVID-19 situation. Additionally, the City of Bettendorf broadcasted this public meeting online at <http://www.bettendorf.org/live-meeting>.

Council Members Present: Adamson, Brown (Zoom), Connors, Naumann, Sechser, Baden, Webster
Presiding: Mayor Robert S. Gallagher

Mayor Gallagher opened the meeting with the Pledge of Allegiance followed with an Invocation given by Pastor Ed Hedding of Pleasant View Baptist Church.

PROCLAMATION

Mayor Gallagher read a proclamation proclaiming September 18, 2022 as Palmer College of Chiropractic Day in the Bettendorf Community. James O'Connor, Vice Chancellor for Marketing & Communication, and Clare Thompson, Executive Director of Advancement were on hand to receive the proclamation. Mr. O'Connor thanked the Mayor and Council for the proclamation and their support, and stated they are proud to be a part of the Quad Cities.

PROCLAMATION

Mayor Gallagher read a proclamation proclaiming the month of September 2022 as Library Card Sign-Up month in the Bettendorf Community. Jillian Aschliman, Bettendorf's Library Director and Heather Gibbs, Circulation Services Manager were on hand to receive the proclamation. Ms. Gibbs thanked the Mayor and Council for the proclamation and their continued support. Ms. Gibbs spoke about Library Card Sign Up month and the library card design contest.

Mayor Gallagher announced the library card design contest winners and presented them with a framed copy of their library card design. Winners include: Maliah Kallenberger, age 9 – 2022 Youth Category Winner; Vee Donart, age 15, 2022 Teen/Tween Category Winner; Sarah Panilo, 2022 Adult Category Winner; and Maria Levetzow, 2022 Staff Category Winner.

PUBLIC REQUESTS OF COUNCIL

Patrick Larkin of 2002 Mississippi Blvd and Catherine Duda of 821 Mississippi Blvd both addressed the Mayor and Council with their support for the proposed 'The Landing' project.

Skip Saldivar of 2738 State Street addressed the Mayor and Council with his concerns regarding the condition of the roof of the bandshell located at Veterans Memorial Park. Mr. Saldivar stated it needs replaced.

No one else addressed the Council and the session was closed.

PUBLIC HEARING REGARDING THE COMPETITION DRIVE EXTENSION PROJECT EAST OF MIDDLE ROAD

Public Works Director Brian Schmidt gave an explanation of the resolution. Mayor Gallagher asked for any questions. None presented. Mayor Gallagher verified that the Notice of Public Hearing had been published and no written correspondence had been received on the matter. Mayor Gallagher then opened the Public Hearing. No one addressed the Council and the Public Hearing was closed.

RESOLUTION

Council Member Connors presented a resolution approving the plans, specifications and form of contract for the Competition Drive Extension Project east of Middle Road, and made a motion to approve the resolution as presented. Council Member Adamson seconded the motion. Mayor Gallagher asked for any discussion from Council. None presented. Roll call vote indicated Webster (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye); Sechser (aye); and Baden (aye). The motion passed unanimously.

PUBLIC HEARING REGARDING THE REZONING OF 3618 MIDDLE ROAD (LOT 5, VICTOR ARCHER'S ADDITION), A-2, RURAL RESIDENCE DISTRICT TO C-2, COMMUNITY COMMERCIAL DISTRICT (CASE 22-050)

Community Development Director Mark Hunt gave an explanation of the ordinance. Mayor Gallagher asked for any questions. Council Member Webster questioned staff and Mr. Hunt responded. Mayor Gallagher verified that the Notice of Public Hearing had been published and no written correspondence had been received on the matter. Mayor Gallagher then opened the Public Hearing. No one addressed the Council and the Public Hearing was closed.

ORDINANCE

Council Member Webster presented the first reading of an ordinance amending the Bettendorf, Iowa Zone Map for 3618 Middle Road (Lot 5, Victor Archer's Addition), A-2, Rural Residence District to C-2, Community Commercial District, and made a motion to approve the ordinance at its first reading as presented. Council Member Baden seconded the motion. Mayor Gallagher asked for any questions. None presented. Roll call vote indicated Webster (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye); Sechser (aye); and Baden (aye). The motion passed unanimously.

ORDINANCE – FIRST READING AMENDING BETTENDORF CITY CODE SECTION 6-1-131, “NO PARKING ZONES ENUMERATED” BY ADDING A NO PARKING ZONE ON ONTARIO DRIVE

Council Member Adamson presented the first reading of an ordinance amending Bettendorf City Code Section 6-1-131, “No Parking Zones Enumerated” by adding a No Parking Zone on Ontario Drive, and made a motion to approve the ordinance at its first reading as presented. Council Member Connors seconded the motion. Mayor Gallagher asked for any questions. Council Member Adamson questioned staff and City Administrator Decker Ploehn responded. Roll call vote indicated Webster (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye); Sechser (aye); and Baden (aye). The motion passed unanimously.

ORDINANCE – SECOND READING REZONING OF PROPERTY LOCATED EAST OF CRESTVIEW HEIGHTS SUBDIVISION, A-1, AGRICULTURAL/ URBAN RESERVE DISTRICT TO A-2, RURAL RESIDENCE DISTRICT (CASE 22-041)

Council Member Sechser presented the second reading of an ordinance amending the Bettendorf, Iowa Zone Map for property generally located east of Crestview Heights Subdivision, A-1, Agricultural/ Urban Reserve District to A-2, Rural Residence District, and made a motion to approve the ordinance at its second reading as presented. Council Member Naumann seconded the motion. Mayor Gallagher asked for any questions. None presented. Roll call vote indicated Webster (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye); Sechser (aye); and Baden (aye). The motion passed unanimously.

ORDINANCE – SECOND READING REZONING OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF HOPEWELL AND CRISWELL STREET, A-1, AGRICULTURAL/ URBAN RESERVE DISTRICT TO R-3, MIXED RESIDENTIAL DISTRICT (CASE 22-047)

Council Member Naumann presented the second reading of an ordinance amending the Bettendorf, Iowa Zone Map for property generally located southwest of the intersection of Hopewell Avenue and Criswell Street, A-1, Agricultural/ Urban Reserve District to R-3, Mixed Residential District, and made a motion to approve the ordinance at its second reading as presented. Council Member Webster seconded the motion. Mayor Gallagher asked for any questions. None presented. Roll call vote indicated Webster (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye); Sechser (aye); and Baden (aye). The motion passed unanimously.

ORDINANCE – SECOND READING REZONING OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF HOPEWELL AND CRISWELL STREET, A-1, AGRICULTURAL/ URBAN RESERVE DISTRICT TO R-2, SINGLE-FAMILY RESIDENCE DISTRICT (CASE 22-048)

Council Member Connors presented the second reading of an ordinance amending the Bettendorf, Iowa Zone Map for property located at the northwest corner of Hopewell and Criswell Street, A-1, Agricultural/ Urban Reserve District to R-2, Single-Family Residence District, and made a motion to approve the ordinance at its second reading as presented. Council Member Baden seconded the motion. Mayor Gallagher asked for any discussion from Council. None presented. Roll call vote indicated Webster (aye); Adamson (abstain); Brown (aye); Connors (aye); and Naumann (aye); Sechser (aye); and Baden (aye). The motion passed 6-0-1.

ORDINANCE – THIRD AND FINAL READING AMENDING BETTENDORF CITY CODE SECTION 6-1-131, “NO PARKING ZONES ENUMERATED” BY ADDING A NO PARKING ZONE ON COMPETITION DRIVE

Council Member Baden presented the third and final reading of an ordinance amending Bettendorf City Code Section 6-1-131, “No Parking Zones Enumerated” by adding a No Parking Zone on Competition Drive, and made a motion to approve the ordinance at its final reading as presented. Council Member Webster seconded the motion. Mayor Gallagher asked for any questions. None presented. Roll call vote indicated Webster (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye); Sechser (aye); and Baden (aye). The motion passed unanimously.

Mayor Gallagher explained that the following three items regarding the Flood Grant Buyout Program were removed from the Consent Agenda as Items H, I, J and placed on the regular City Council Agenda as Items to Appear 16, 17 and 18 at the Committee of the Whole meeting held just prior to the regular City Council meeting by a motion made by Council Member Sechser and seconded by Council Member Adamson. Viva Voce indicated the motion passed unanimously.

RESOLUTION AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO ISSUE A BID REQUEST FOR ASBESTOS TESTING OF THE HOMES INVOLVED IN THE FLOOD GRANT BUYOUT PROGRAM

Mayor Gallagher asked for a motion to approve the resolution authorizing the Community Development Director to issue a bid request for asbestos testing of the homes involved in the Flood Grant Buyout Program, Council Member Naumann moved to approve same and Council Member Webster seconded the motion. Mayor Gallagher asked for any discussion from Council. Council Member Sechser expressed his concerns with the program and the city purchasing rental homes in the flood plain versus owner-occupied homes, and that landlords should not be rewarded by buying their property. Community Development Director Mark Hunt responded to Mayor Gallagher’s request to refresh everyone with the program and why these items were on the Consent Agenda. Council Member Brown stated she felt Council Member Sechser was contradicting some of his previous comments that too many homes were becoming rental properties, and that this is an opportunity to rid some of those rentals in the community. Council Member Webster stated that one of FEMA’s rules for this

program is that properties cannot be discriminated against when purchasing rental or owner-occupied properties. Council Member Naumann expressed his gratitude to staff for their work on this project. Roll call vote indicated Webster (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye); Sechser (nay); and Baden (aye). The motion passed 6-1.

RESOLUTION AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO ISSUE A BID REQUEST FOR A CLOSING AGENT (REAL ESTATE ATTORNEY) FOR PROPERTIES INVOLVED IN THE FLOOD GRANT BUYOUT PROGRAM

Mayor Gallagher asked for a motion to approve the resolution authorizing the Community Development Director to issue a bid request for a closing agent (real estate attorney) for properties involved in the Flood Grant Buyout Program, Council Member Webster moved to approve same and Council Member Adamson seconded the motion. Mayor Gallagher asked for any discussion from Council. Council Member Sechser reiterated his previous comments. Roll call vote indicated Webster (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye); Sechser (nay); and Baden (aye). The motion passed 6-1.

RESOLUTION AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO ISSUE A BID REQUEST FOR DEMOLITION OF THE HOMES INVOLVED IN THE FLOOD GRANT BUYOUT PROGRAM

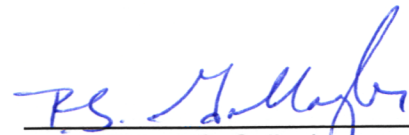
Mayor Gallagher asked for a motion to approve the resolution authorizing the Community Development Director to issue a bid request for demolition of the homes involved in the Flood Grant Buyout Program, Council Member Naumann moved to approve same and Council Member Webster seconded the motion. Mayor Gallagher asked for any discussion from Council. None presented. Roll call vote indicated Webster (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye); Sechser (nay); and Baden (aye). The motion passed 6-1.

CONSENT AGENDA

Mayor Gallagher asked for a motion to approve the Consent Agenda as presented (minus Items H, I and J). Council Member Webster made a motion to approve the Consent Agenda as presented, and Council Member Baden seconded the motion. Mayor Gallagher asked Council for any questions. None presented. Roll call vote indicated Webster (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye); Sechser (aye); and Baden (aye). The motion passed unanimously.

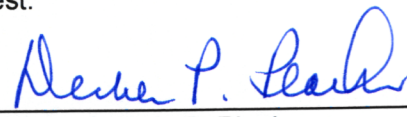
ADJOURNMENT

There being no further business, Council Member Naumann made a motion to adjourn and Council Member Webster seconded the motion. The meeting was adjourned at approximately 7:37 p.m.



Mayor Robert S. Gallagher

Attest:



City Clerk Decker P. Ploehn

**CONSENT AGENDA
SEPTEMBER 6, 2022**

**ALL ITEMS APPEARING BELOW ARE CONSIDERED ROUTINE BY THE CITY COUNCIL
AND SHALL BE ENACTED BY ONE MOTION. IF DISCUSSION IS DESIRED, THAT ITEM SHALL
BE REMOVED AND DISCUSSED SEPARATELY**

- A. Minutes from August 15 and 16, 2022 (Approve and Adopt)
- B. Resolution setting the date for a public hearing regarding the approval of a Master Lease Agreement with Enterprise Fleet Management. (Approve and Adopt)
- C. Resolution setting the date for a public hearing and directing the advertising of bids for the 2023 Intake Repair Program. (Approve and Adopt)
- D. Resolution awarding the contract and approving the contract and bond to Emery Construction Group, Inc. for the I-74 Parking Lot Improvements. (Approve and Adopt)
- E. Resolution approving the final plat of Geifman's 56th Avenue Development Third Addition (replat of Lot 2, Geifman's 56th Avenue Development Second Addition), submitted by Kevin Kadavy (Case 22-056). (Approve and Adopt)
- F. Resolution approving the final plat of Springs at Bettendorf 2nd Addition (replat of Lot 1, Lot A, and Lot B, Springs at Bettendorf First Addition), submitted by Dan Uhen/ Continental 203 Fund, LLC (Case 22-057). (Approve and Adopt)
- G. Resolution authorizing the Community Development Director to enter into negotiations with RDG Planning & Design for an update to the Bettendorf Comprehensive Plan and Zoning Ordinance. (Approve and Adopt)
- H. *MOVED TO ITEMS TO APPEAR #16 AT REQUEST OF COUNCIL MEMBER SECHSER AT COMMITTEE OF THE WHOLE MEETING 9/6/2022***
- I. *MOVED TO ITEMS TO APPEAR #17 AT REQUEST OF COUNCIL MEMBER SECHSER AT COMMITTEE OF THE WHOLE MEETING 9/6/2022***
- J. *MOVED TO ITEMS TO APPEAR #18 AT REQUEST OF COUNCIL MEMBER SECHSER AT COMMITTEE OF THE WHOLE MEETING 9/6/2022***
- K. Resolution setting a date for public hearing on an ordinance amending Section 10-4A-2 entitled "Nonuniform Amendments" of the City Code of the City of Bettendorf. (Approve and Adopt)
- L. Resolution authorizing the Human Resources Director to sign a contract with Holmes Murphy as the Consultant for Employee Benefit Services for the City of Bettendorf. (Approve and Adopt)
- M. Resolution approving the Civil Service List submitted for the Firefighter position in the Fire Department. (Approve and Adopt)
- N. Resolution approving the purchase of four (4) 2023 Ford Police Utility Vehicles from Lindquist Ford located in Bettendorf, Iowa. Total cost not to exceed \$185,576. (Approve and Adopt)

- O. Resolution approving the Corpuscle Shuffle 5K to be held on October 8, 2022. (Approve and Adopt)
- P. Resolution approving a mobile food unit license for The Big Cheese. (Approve and Adopt)
- Q. Resolution approving liquor license renewals and requests for Sports Fans Pizza; Central Standard; Expo Liquor; Kwik Star #1039 (Middle Road location); and Purgatory's Pub. (Approve and Adopt)
- R. Bills (Approve payment and direct City Clerk to issue checks in respective amounts)