

**CITY OF BETTENDORF
CITY COUNCIL MEETING MINUTES**

DECEMBER 6, 2022

The City Council of Bettendorf, Iowa met in regular session on December 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, Connors, Naumann, Sechser, Baden, Webster
Presiding: Mayor Robert S. Gallagher

Mayor Gallagher introduced our Mayor for the Day, City of Rock Island Mayor Mike Thoms.

Mayor for the Day Thoms opened the meeting with the Pledge of Allegiance followed by an Invocation given by Bettendorf Police and Fire Chaplain, and Pastor of Asbury United Methodist Church, Pastor Tom Carver.

PROCLAMATION

Mayor Gallagher read a proclamation in honor of Mayor Thoms welcoming him to tonight's meeting. Mayor Thoms thanked the Mayor, Council and city staff for their dedication and hard work in working collaboratively to make the Quad Cities region a place for people to live, enjoy and be safe.

RECOGNITION

Mayor Gallagher and Community Development Director Mark Hunt recognized Joe Adam for his years of service on the Planning and Zoning Commission, and wished him well in his retirement. Mr. Adams thanked the Mayor and Council, and expressed his appreciation for them and city staff for a well-run city.

Mayor Gallagher and Culture and Recreation Director Kim Kidwell recognized Jean Lake and Matt Elliott for their creativity and efforts in creating the most wonderful float for the City of Bettendorf in the Festival of Trees Parade. Jean and Matt created Elvis' Pink Cadillac this year to accompany the Elvis helium balloon. The City was awarded three awards this year from the Judges of the Festival of Trees Parade, 1) Best in Show/ Parade, 2) Best Balloon Handler Costumes, and 3) Best/Most Holiday Cheer. The City of Bettendorf had approximately 140 volunteers for this year's parade, making them the largest walking group in the parade.

PRESENTATION

Ken Beck, Chair of the Scott County Board of Supervisors, gave an update of the transition of Medic to a county department. Mayor Gallagher asked for any questions. Council Members Sechser, Naumann and Webster questioned Mr. Beck and/or City Administrator Decker Ploehn, and Mr. Beck and Mr. Ploehn responded.

PUBLIC REQUESTS OF COUNCIL

No one addressed the Council and the session was closed.

PUBLIC HEARING REGARDING AN ORDINANCE AMENDING TITLE 11, CHAPTER 13 OF THE CITY OF THE CITY OF BETTENDORF, IOWA ENTITLED "OFF STREET PARKING AND LOADING" (CASE 22-089)

Community Development Director Mark Hunt gave an explanation of the ordinance. 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.

ORDINANCE

Council Member Baden presented the first reading of an ordinance amending Title 11, Chapter 13 of the Bettendorf City Code entitled, "Off-Street Parking and Loading", and made a motion to approve the ordinance at its first reading as presented. Council Member Webster seconded the motion. Mayor Gallagher asked for any questions. None presented. Roll call vote indicated Baden (aye); Adamson (aye); Brown (aye); Connors (aye); Naumann (aye); Sechser (aye); and Webster (aye). The motion passed unanimously.

ORDINANCE – FIRST READING AMENDING BETTENDORF CITY CODE SECTION 6-1-322(A)(2), "VEHICLES ENTERING STOP INTERSECTION" BY ADDING A STOP SIGN INTERSECTION ON HEIGHTS COURT/MIDDLE ROAD AT LINCOLN ROAD

Council Member Connors presented the first reading of an ordinance amending Bettendorf City Code Section 6-1-322(A)(2), "Vehicles Entering Stop Intersection" by adding a stop sign intersection on Heights Court/Middle Road at Lincoln Road, 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 Baden (aye); Adamson (aye); Brown (aye); Connors (aye); Naumann (aye); Sechser (aye); and Webster (aye). The motion passed unanimously.

ORDINANCE – FIRST READING AMENDING BETTENDORF CITY CODE SECTION 6-1-142(G), "PARKING RESTRICTIONS; EMERGENCY SNOW REMOVAL; CUL-DE-SACS" BY ADDING NO PARKING ON ORCHARD DRIVE AND GINGER CREEK ROAD AFTER A SNOWFALL ACCUMULATION OF TWO INCHES (2") OR MORE

Council Member Webster presented the first reading of an ordinance amending Bettendorf City Code Section 6-1-142(G), "Parking Restrictions; Emergency Snow Removal; Cul-De-Sacs" by adding No Parking on Orchard Drive and Ginger Creek Road after a snowfall accumulation of two inches (2") or more, and made a motion to approve the ordinance at its first reading as presented. Council Member Naumann seconded the motion. Mayor Gallagher asked for any questions. None presented. Roll call vote indicated Baden (aye); Adamson (aye); Brown (aye); Connors (aye); Naumann (aye); Sechser (aye); and Webster (aye). The motion passed unanimously.

ORDINANCE – FIRST READING AMENDING BETTENDORF CITY CODE SECTION 6-1-142(G), "PARKING RESTRICTIONS; EMERGENCY SNOW REMOVAL; CUL-DE-SACS" BY ADDING NO PARKING DURING CERTAIN TIMES FOR SNOW REMOVAL AT THE 15TH STREET AND 18TH STREET PUBLIC PARKING LOTS

Council Member Brown presented the first reading of an ordinance amending Bettendorf City Code Section 6-1-142(G), "Parking Restrictions; Emergency Snow Removal; Cul-De-Sacs" by adding No Parking during certain times for snow removal at the 15th Street and 18th Street public parking lots, 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. None presented. Roll call vote indicated Baden (aye); Adamson (aye); Brown (aye); Connors (aye); Naumann (aye); Sechser (aye); and Webster (aye). The motion passed unanimously.

ORDINANCE – SECOND AND FINAL READING AMENDING BETTENDORF CITY CODE SECTION 6-1-285 “SPEED RESTRICTIONS” BY REDUCING THE SPEED LIMIT TO 40 MILES PER HOUR ON 53RD AVENUE FROM THE WEST CITY LIMITS TO 400 FEET WEST OF MIDDLE ROAD

Council Member Adamson stated that staff has recommended the waiver of the third reading of this ordinance and made a motion for same. Council Member Brown seconded the motion. Roll call vote to waive the third reading indicated Baden (aye); Adamson (aye); Brown (aye); Connors (aye); Naumann (aye); Sechser (aye); and Webster (aye). The motion passed unanimously.

Council Member Adamson presented the second and final reading of an ordinance amending Bettendorf City Code Section 6-1-285 “Speed Restrictions” by reducing the speed limit to 40 miles per hour on 53rd Avenue from the west City Limits to 400 feet west of Middle Road, and made a motion to approve the ordinance at its final reading as presented. Council Member Connors seconded the motion. Mayor Gallagher asked for any questions. Council Member Sechser questioned staff and Police Chief Keith Kimball responded. Roll call vote indicated Baden (aye); Adamson (aye); Brown (aye); Connors (aye); Naumann (aye); Sechser (aye); and Webster (aye). The motion passed unanimously.

RESOLUTION DIRECTING STAFF TO PUBLISH NOTICE OF COUNCIL VACANCY AND REQUEST FOR APPLICATIONS AND RESUMES FOR POTENTIAL APPOINTMENT

This item was discussed at last night’s Committee of the Whole meeting wherein City Administrator Decker Ploehn and City Attorney Chris Curran explained the options of filling the impending 5th Ward vacancy due to Scott Webster’s departure after winning the election to the State Senate. After much discussion, Council Member Naumann had made a motion to add a resolution to tonight’s agenda approving the vacancy be filled by appointment. Council Member Adamson had seconded the motion. Viva Voce indicated the motion passed 6-1.

Mayor Gallagher asked Mr. Ploehn to explain time frames [with respect to the appointment and/or special election]. Mr. Ploehn explained the process and time frames for the appointment, and in the event the electors of the 5th Ward file a petition for a special election, as well as the approximate cost for a special election. City Attorney reiterated same. Council Member Webster confirmed that he can vote on this resolution, and City Attorney positively confirmed same.

Council Member Naumann presented a resolution directing staff to publish notice of Council vacancy and request for applications and resumes for potential appointment. Council Member Baden seconded the motion. Mayor Gallagher asked for any questions. Council Member Connors stated he will vote no as he believes the 5th Ward should be able to vote for their replacement. Council Member Webster stated he would be voting yes as he believes it is important to have someone in place before the budget workshop. Council Member Baden agreed with Mr. Webster and confirmed with the City Attorney that if an election were to be held, it would not be until March 7, 2023. Roll call vote indicated Baden (aye); Adamson (aye); Brown (aye); Connors (nay); Naumann (aye); Sechser (aye); and Webster (aye). The motion passed 6-1.

CONSENT AGENDA

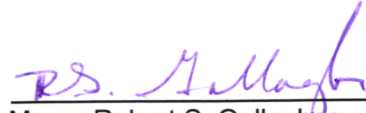
Mayor Gallagher asked for a motion to approve the Consent Agenda as presented. Council Member Webster made a motion to approve the Consent Agenda as presented, and Council Member Naumann seconded the motion. Mayor Gallagher asked Council for any questions. None presented. Roll call vote indicated Baden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

SUPPLEMENTAL

Mayor Gallagher thanked the Family Museum and the Police and Fire Departments for a successful Pack the Police Car and Fire Truck, and Tis the Season this past weekend. Mayor Gallagher expressed his gratitude to have great opportunities for Bettendorf’s citizens.


ADJOURNMENT

There being no further business, Council Member Webster made a motion to adjourn and Council Member Naumann seconded the motion. The meeting was adjourned at approximately 7:45 p.m.



Mayor Robert S. Gallagher

Attest:



City Clerk Decker P. Ploehn

**CONSENT AGENDA
DECEMBER 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 November 14, 2022 and November 15, 2022 (Approve and Adopt)
- B. Receive and File 5th Ward Alderman Scott Webster's Letter of Resignation effective December 31, 2022. (Approve and Adopt)
- C. Resolution fixing the date for a meeting on the proposition of the issuance of not to exceed \$13,500,000 General Obligation Bonds of the City of Bettendorf, State of Iowa (for essential corporate purposes), and providing for publication of notice thereof. (Approve and Adopt)
- D. Resolution authorizing the purchase of two Icombi Pro 20-Full Size Combi Gas Ovens for the QC Waterfront Convention Center in the amount of \$96,294.92. (Approve and Adopt)
- E. Resolution authorizing the purchase of maintenance service and licensing for the continued use of Davenport Group's Land Asset Management System for permitting and licensing workflows. (Approve and Adopt)
- F. Resolution authorizing staff to issue an RFP for lease proposals for city-owned property at 845 State Street. (Approve and Adopt)
- G. Resolution approving the final plat of Geifman's Fifth Addition (replat), submitted by Steve Geifman (Case 22-082). (Approve and Adopt)
- H. Resolution approving the final plat of Devil's Bluff 2nd Addition (replat), submitted by David Kempen (Case 22-083). (Approve and Adopt)
- I. Resolution approving a site development plan for proposed Lot 1, FG 80 Holdings Third Addition, submitted by Kevin Koellner/ Focus Real Estate Development (Case 22-072). (Approve and Adopt)
- J. Resolution approving a site development plan for proposed Lot 2, FG 80 Holdings Third Addition, submitted by Kevin Koellner/ Focus Real Estate Development (Case 22-073). (Approve and Adopt)
- K. Resolution approving a site development plan for proposed Lot 3, FG 80 Holdings Third Addition, submitted by Kevin Koellner/ Focus Real Estate Development (Case 22-074). (Approve and Adopt)
- L. Resolution approving a site development plan for 5221 Competition Drive, submitted by Joel Jackson (Case 22-084). (Approve and Adopt)
- M. Resolution approving a site development plan for 2564 Middle Road, submitted by Switch Homes of Dubuque (Case 22-087). (Approve and Adopt)
- N. Resolution approving the preliminary plat of Pearce Subdivision, submitted by Scott Pearce/ Blue Water Group (case 22-088). (Approve and Adopt)

- O. Resolution approving and awarding the demolition contract for 3403 Overland Drive to Holst Trucking and Excavating Inc. (Approve and Adopt)
- P. Resolution approving and awarding the contract for asbestos testing for the 2021 Floodplain Buyout Grant. (Approve and Adopt)
- Q. Resolution approving and awarding the demolition contract for the 2021 Floodplain Buyout Grant. (Approve and Adopt)
- R. Resolution approving the Administrative Plan for the voluntary property acquisition funded under the Hazard Mitigation Grant Program under Disaster 4386 (DR-4557-0045). (Approve and Adopt)
- S. Resolution approving the Human Resources Director to sign the YMCA – Y@Work Membership Agreement as part of the Wellness Program for Employees. (Approve and Adopt)
- T. Resolution approving Civil Service List for the Light Equipment Operator – Sewer position for the Public Works Department. (Approve and Adopt)
- U. Resolution approving the job description and recruitment process for the Construction Inspector for the Public Works Department. (Approve and Adopt)
- V. Resolution approving the purchase of one (1) Metrohm TacticID-N Plus Handheld Spectrometer, total cost not to exceed \$26,712.00. (Approve and Adopt)
- W. Resolution approving an annual mobile food unit license for Eggroll Express. (Approve and Adopt)
- X. Resolution approving liquor license renewals and requests for Red Ginger and Big 10 Mart #62 (Middle Road location). (Approve and Adopt)
- Y. Bills (Approve payment and direct City Clerk to issue checks in respective amounts)