

**CITY OF BETTENDORF
CITY COUNCIL MEETING MINUTES**

MARCH 7, 2023

The City Council of Bettendorf, Iowa met in regular session on March 7, 2023, at 7:00 p.m., in the Council Chambers at Bettendorf City Hall, 1609 State Street, Bettendorf, Iowa.

The City of Bettendorf broadcasted this public meeting online at <http://www.bettendorf.org/live-meeting>.

Council Members Present: Adamson (Zoom), Brown, Connors, Naumann, Sechser, Baden, Palczynski

Presiding: Mayor Robert S. Gallagher

Mayor Gallagher opened the meeting with the Pledge of Allegiance followed by an Invocation given by Bettendorf Police Chaplain and Pastor of Hope Baptist Church, Pastor Mark Cannon.

FIRE LIEUTENANT PROMOTIONS

Fire Chief Steve Knorrek presented Firefighters Todd Akers, Shaun Logan, and Mike Martin for rank promotions and shared some background on each of them. Mayor Gallagher swore in all three as Bettendorf's newest Fire Lieutenants.

PUBLIC REQUESTS OF COUNCIL

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

PUBLIC HEARING REGARDING THE 2023 STREET RESURFACING PROGRAM

Public Works Director Brian Schmidt gave an explanation of the resolution. 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 Brown presented a resolution approving the plans, specifications, and form of contract for the 2023 Street Resurfacing Program and made a motion to approve the resolution as presented. Council Member Connors seconded the motion. Mayor Gallagher asked for any discussion from Council. None presented. Roll call vote indicated Sechser (aye); Baden (aye); Palczynski (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye). The motion passed unanimously.

PUBLIC HEARING REGARDING THE DAVIS STREET RECONSTRUCTION PROJECT FROM CROW CREEK ROAD TO SOUTH OF 48TH AVENUE

Public Works Director Brian Schmidt gave an explanation of the resolution. Mayor Gallagher asked for any discussion. Council Member Connors questioned staff and Director Schmidt 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.

RESOLUTION

Council Member Connors presented a resolution approving the plans, specifications, and form of contract for the Davis Street Reconstruction Project from Crow Creek Road to south of 48th Avenue and made a motion to approve the resolution as presented. Council Member Baden seconded the motion. Mayor Gallagher asked for any discussion from Council. None presented. Roll call vote indicated Sechser (aye); Baden (aye); Palczynski (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye). The motion passed unanimously.

PUBLIC HEARING REGARDING THE NATHAN COURT RECONSTRUCTION PROJECT FROM STONE HAVEN DRIVE TO THE END

Public Works Director Brian Schmidt gave an explanation of the resolution. Mayor Gallagher asked for any discussion. 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 Naumann presented a resolution approving the plans, specifications, and form of contract for the Nathan Court Reconstruction Project from Stone Haven Drive to the end and made a motion to approve the resolution as presented. Council Member Sechser seconded the motion. Mayor Gallagher asked for any discussion from Council. None presented. Roll call vote indicated Sechser (aye); Baden (aye); Palczynski (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye). The motion passed unanimously.

PUBLIC HEARING REGARDING THE VACATION AND CONVEYANCE OF EXCESS RIGHT-OF-WAY GENERALLY LOCATED EAST OF 2420 SHAKER COURT

Community Development Director gave an explanation of the resolution. Mayor Gallagher asked for any discussion. 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 Baden presented a resolution approving the vacation and conveyance of excess right-of-way generally located east of 2420 Shaker Court and made a motion to approve the resolution as presented. Council Member Naumann seconded the motion. Mayor Gallagher asked for any discussion from Council. None presented. Roll call vote indicated Sechser (aye); Baden (aye); Palczynski (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye). The motion passed unanimously.

ORDINANCE – SECOND READING ADJUSTING THE RATES FOR STORMWATER UTILITY, SEWER UTILITY, AND SOLID WASTE ENTERPRISE ACTIVITIES OF THE CITY

Council Member Sechser presented the second reading of an ordinance adjusting the Stormwater Utility, Sewer Utility, and Solid Waste Enterprise Activities of the City 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 Sechser (aye); Baden (aye); Palczynski (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye). The motion passed unanimously.

RESOLUTION APPROVING A SITE DEVELOPMENT PLAN FOR 6125 VALLEY DRIVE LOT 1 AND OUTLOT A, STAFFORD INDUSTRIAL PARK FIRST ADDITION (CONSENT AGENDA K ADDED TO REGULAR AGENDA AT COMMITTEE OF THE WHOLE MEETING AT REQUEST OF COUNCIL MEMBER CONNORS 3/6/2023)

This item was removed from the Consent Agenda and added to the regular agenda at the March 6, 2023, Committee of the Whole meeting by a motion made by Council Member Connors and seconded by Council Member Brown due to concerns with the developer not following the permit process pursuant to city code. Roll call vote [at Committee of the Whole meeting] to remove the item from Consent Agenda and place it on the regular agenda for Tuesday's meeting indicated Brown (aye); Connors (aye); Naumann (aye); Sechser (aye); Baden (aye); Palczynski (aye); and Adamson (aye). The motion passed unanimously.

Council Member Palczynski presented a resolution approving a site development plan for 6125 Valley Drive Lot 1 and Outlot A, Stafford Industrial Park First Addition and made a motion to approve the resolution as presented. Council Member Connors seconded the motion. Mayor Gallagher asked for any discussion from Council. Council Member Connors reiterated his concerns from last night's Committee of the Whole meeting wherein the Developer, Jeff Hartman, knew what the city's rules and regulations were for building on his property and that he failed to follow said rules. Council Member Connors further stated his reluctance to approve a site development plan when the city's requirements may not have been properly met by the developer. Council Member Connors made a motion to table the item and Council Member Brown seconded the motion. Roll call vote to table indicated Sechser (aye); Baden (aye); Palczynski (aye); Adamson (aye); Brown (aye); Connors (aye); and Naumann (aye). The motion passed unanimously.

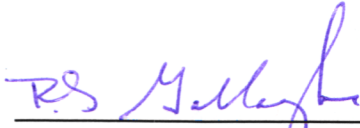
Chris Townsend of Townsend Engineering addressed the Mayor and Council with his concerns of tabling this item, he acknowledged that his client, Jeff Hartman, did not follow procedure, and stated he is a bit confused as to where to go from here as his client is now doing everything he can do to remedy the situation, but cannot move forward until the site development plan is approved. Mayor Gallagher asked staff to advise what the next steps are. Community Development Director Mark Hunt responded that by tabling this item, it will allow the developer to provide the city with documentation and a list of the contractors that were on site that performed the work so city staff can ask them very specific questions about the work that was performed to make sure the work completed to date meets city code. Mr. Hunt asked Mr. Townsend to have his client provide the city with the names and addresses of all contractors used thus far. Mr. Townsend said he has all that information and Mr. Hartman will be super transparent, dig up the footings, if need be, and will do whatever it takes. Council Member Brown requested that Mr. Hartman be present at the next City Council meeting so they can meet him.

CONSENT AGENDA

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


ADJOURNMENT

There being no further business, Council Member Palczynski made a motion to adjourn, and Council Member Adamson seconded the motion. The meeting was adjourned at approximately 7:34 p.m.



Mayor Robert S. Gallagher

Attest:



City Clerk Decker P. Ploehn

CONSENT AGENDA

MARCH 7, 2023

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 February 21, 2023 (Approve and Adopt)
- B. Resolution authorizing the Culture and Recreation Director to sign an Agreement for Services between Bi-State Regional Commission and the City of Bettendorf (Approve and Adopt)
- C. Resolution approving the Professional Services Agreement between the City of Bettendorf/Palmer Grill and Food, Drink, Friends, Inc. (Approve and Adopt)
- D. Resolution authorizing the purchase of chairs and stools from Gitchi Gaming, Inc. for the Quad-Cities Waterfront Convention Center. (Approve and Adopt)
- E. Resolution setting the date for a public hearing and directing the advertising for bids for the Landing Project. (Approve and Adopt)
- F. Resolution awarding the contract and bond for the 23rd Street Resurfacing Project from Lincoln Road to Middle Road. (Approve and Adopt)
- G. Resolution awarding the contract and approving the contract and bond for the Downtown Landscape Planting and Maintenance Program. (Approve and Adopt)
- H. Resolution awarding the contract and approving the contract and bond for the 2023 Full Depth Patching Program. (Approve and Adopt)
- I. Resolution approving a professional services agreement with McClure Engineering for the Spencer Creek Lift Station Project. (Approve and Adopt)
- J. Resolution approving a site development plan for 3240 – 62nd Street, submitted by Brent Martin. (Approve and Adopt)
- K. *MOVED TO ITEMS TO APPEAR #17 AT REQUEST OF COUNCIL MEMBER CONNORS AT COMMITTEE OF THE WHOLE MEETING 3/6/2023.***
- L. Resolution authorizing the issuance of an RFP for asbestos removal for homes purchased under the 2021 FEMA Flood Buyout Grant (HMGP DR-4557-IA-0045.) (Approve and Adopt)
- M. Resolution approving the Civil Service List submitted for the Construction Inspector position in the Public Works Department. (Approve and Adopt)

- N. Resolution approving the Civil Service List submitted for the Sanitation Worker position in the Public Works Department. (Approve and Adopt)

- O. Resolution approving liquor license renewals and requests for QC Mart (Central Ave location); Oscar's Pub; Sonesta Select Bettendorf; Hidden Hills Golf Club; and The Vintage Pop-Up Wine Bar. (Approve and Adopt)

- P. Bills (Approve payment and direct City Clerk to issue checks in respective amounts)