



Vision

THE CITY OF BETTENDORF IS THE MOST LIVABLE COMMUNITY
WITH RICH EDUCATIONAL, CULTURAL, AND RECREATIONAL
OPPORTUNITIES WHERE WE ENJOY A VIBRANT RIVERFRONT
AND A GROWING, COMPETITIVE BUSINESS ENVIRONMENT.
WE TAKE PRIDE IN OUR GREAT COMMUNITY.

The Vision Statement for the City of Bettendorf outlines what Bettendorf wants in the future. Our preferred future is defined in value-based principles that can guide policies, decisions, and operations. The City of Bettendorf is a Premier City in which to live.

**BETTENDORF CITY COUNCIL
COMMITTEE OF THE WHOLE
COUNCIL CHAMBERS – CITY HALL**

**TUESDAY, JANUARY 2, 2024
6:00 P.M.**

**The Bettendorf City Council Committee of the Whole meeting will be open to the public.
Additionally, the City of Bettendorf will broadcast this public meeting online at
www.bettendorf.org/YouTube.**

AGENDA

I. SWEARING IN CEREMONY PERFORMED BY SUPREME COURT JUSTICE THOMAS D. WATERMAN

- Mayor Bob Gallagher; 1st Ward Alderman Jerry Sechser; 3rd Ward Alderman Gregory Jager; 5th Ward Alderman Nick Palczynski; and At-Large Alderman Frank Baden

II. CONSENT AGENDA ITEMS

- Resolution approving a site development plan/change of use for 3280 Middle Road, submitted by Casey Mohr (Case 23-072) – Community Development Director Mark Hunt **(See Consent Agenda Item H)**
- **Removed from Consent Agenda by Community Development Director 1/2/24**
~~Resolution approving a site development plan for 3060 and 3066 Victoria Street, submitted by Bettendorf Community School District (Case 23-086) – Community Development Director Mark Hunt **(See Consent Agenda Item I)**~~
- Resolution authorizing the Fire Chief to sign a Purchase Agreement with Reliant Fire Apparatus for the purchase of one (1) Pierce Aerial Ladder Truck; base unit price \$1,997,529 – Fire Chief Troy Said **(See Consent Item J)**

III. REMAINING CONSENT AGENDA ITEMS

IV. OPERATIONAL ITEMS

V. ITEMS ADDED BY MAYOR AND COUNCIL

VI. ADJOURN

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT AND OTHER APPLICABLE FEDERAL AND STATE LAWS, ALL PUBLIC HEARINGS AND MEETINGS HELD OR SPONSORED BY THE CITY OF BETTENDORF, IOWA WILL BE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. PERSONS REQUIRING AUXILIARY AIDS AND SERVICES SHOULD CONTACT BETTENDORF CITY HALL AT (563) 344-4000 FOUR (4) HOURS PRIOR TO THE HEARING OR MEETING TO INFORM OF THEIR ANTICIPATED ATTENDANCE.

**CITY OF BETTENDORF CITY COUNCIL MEETING
COUNCIL CHAMBERS – CITY HALL**

**TUESDAY, JANUARY 2, 2024
7:00 P.M.**

The Bettendorf City Council meeting will be open to the public. Additionally, the City of Bettendorf will broadcast this public meeting online at www.bettendorf.org/YouTube

AGENDA

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

Given by Bettendorf Police Chaplain and Pastor of Hope Baptist Church, Pastor Mark Cannon

4. PROCLAMATIONS

- Martin Luther King Jr. Day of Service, January 15, 2024, received by Ryan Saddler, Chief Executive Officer, The Friends of MLK
- Human Trafficking Awareness Month requested by Maggie Tinsman, Chair, Braking Traffik Advisory Council, and Secretary, Network Against Human Trafficking and Slavery

5. PUBLIC REQUESTS OF COUNCIL

The public is welcome to make a request of council on any item not already on the agenda for public hearing. Please limit your comments to two minutes. Please try not to be repetitive. Please refrain from outbursts, like clapping and yelling. Please be respectful with your comments.

6. PUBLIC HEARING

Regarding the Spencer Creek Lift Station State Revolving Fund (SRF) loan review

7. RESOLUTION

Council Member Naumann to present a resolution authorizing the Mayor to sign the Environmental Information Document (EID) for the Spencer Creek Lift Station State Revolving Fund (SRF) loan review

8. PUBLIC HEARING

Regarding an ordinance amending Title 8 Public Utilities and Services, Chapter 2, Sewer Use and Service, Section 8-2-9 Sewer Connection Fees; Disposition of Funds of the Bettendorf City Code

9. ORDINANCE

Council Member Baden to present the first reading of an ordinance amending Title 8 Public Utilities and Services, Chapter 2, Sewer Use and Service, Section 8-2-9 Sewer Connection Fees; Disposition of Funds of the Bettendorf City Code

10. ORDINANCE

Council Member Sechser to present the second reading of an ordinance amending Title 10, Chapter 4, Building and Development of the Bettendorf City Code – Electrical Code and Regulations (Section 10-4B-3: Application for Permit; Fees) (Case 23-082)

11. ORDINANCE

Council Member Palczynski to present the second reading of an ordinance amending Title 10, Chapter 5, Building and Development of the Bettendorf City Code – Mechanical Code and Regulations (Section 10-5-4: Fees Established; Payment Prerequisite to Issuance of Permit) (Case 23-083)

12. ORDINANCE

Council Member Jager to present the second reading of an ordinance amending Bettendorf City Code Section 6-1-322, “Vehicles Entering Stop or Yield Intersection” by adding a stop intersection on Meghan Avenue at Criswell Street

13. CONSENT AGENDA

14. ADJOURN

**CONSENT AGENDA
JANUARY 2, 2024**

**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 December 19, 2023 (Approve and Adopt)
- B. Resolution authorizing the purchase of a cyber insurance policy from CFC. (Approve and Adopt)
- C. Resolution setting a date for public hearing on an ordinance amending the Zoning Map for property generally located at the SE corner of Middle Road and Forest Grove Drive, A-1, Agricultural/Urban Reserve District to C-2, Community Commercial District, submitted by John H. Ven Horst Family Limited Partnership (Case 23-085). (Approve and Adopt)
- D. Resolution setting a date for public hearing on an ordinance amending Title 11 Zoning Regulations of the Bettendorf City Code, Section 11-6-1, Overlay Districts and Section 11-6-2, FD Floodway/Floodplain Overlay District (Case 23-092). (Approve and Adopt)
- E. Resolution setting a date for public hearing on an ordinance amending Title 13 Flood Control of the Bettendorf City Code (Case 23-093). (Approve and Adopt)
- F. Resolution approving the final plat of Duggleby 2nd Addition (replat), submitted by Scott Swearingen (Case 23-087). (Approve and Adopt)
- G. Resolution approving the final plat of Belmont at Towne Centre 2nd Addition (replat), submitted by Dan Elias/Towne Centre, LLC (Case 23-090). (Approve and Adopt)
- H. Resolution approving a site development plan/change of use for 3280 Middle Road, submitted by Casey Mohr (Case 23-072). (Approve and Adopt)
- I. ***Removed from Consent Agenda by Community Development Director 1/2/24***
~~Resolution approving a site development plan for 3060 and 3066 Victoria Street, submitted by Bettendorf Community School District (Case 23-086). (Approve and Adopt)~~

- J. Resolution authorizing the Fire Chief to sign a Purchase Agreement with Reliant Fire Apparatus for the purchase of one (1) Pierce Aerial Ladder Truck; base unit price \$1,997,529. (Approve and Adopt)
- K. Resolution approving the purchase of twelve (12) tactical ballistic vests for the Police Department, total cost not to exceed \$30,291.84. (Approve and Adopt)
- L. Resolution approving the recruitment process for the Library Manager position at the Bettendorf Public Library. (Approve and Adopt)
- M. Resolution approving alcohol license renewals and requests for D’Lua Fusion Cuisine & Bar; Express Lane Gas & Food Mart (Devils Glen Rd location) and The Quarry Bar Works. (Approve and Adopt)
- N. Bills (Approve payment and direct City Clerk to issue checks in respective amounts)



Office of the Mayor

Proclamation

- WHEREAS,** *Dr. Martin Luther King Jr. devoted his life to advancing equality, social justice, and opportunity for all, and challenged all Americans to participate in the never-ending work of building a more perfect union; and*
- WHEREAS,** *Dr. King's teachings can continue to guide and inspire us in addressing challenges in our communities; and*
- WHEREAS,** *the King Holiday and Service Act, enacted in 1994, designated the King Holiday as a National Day of Volunteer Service, and charged the AmeriCorps with leading this effort; and*
- WHEREAS,** *the King Day of Service is the only federal holiday commemorated as a National Day of Service and offers an opportunity for Americans to give back to their communities on the holiday and make an ongoing commitment to service throughout the year.*
- WHEREAS,** *service projects are being organized by a wide range of nonprofit and community organizations, educational institutions, public agencies, private businesses, and other organizations across the nation to meet important community needs.*

NOW, THEREFORE, I, Robert S. Gallagher, Mayor of the City of Bettendorf, do hereby proclaim **January 15, 2024**, as:

"MARTIN LUTHER KING JR. DAY OF SERVICE"

in the Bettendorf community and calls upon its citizens to pay tribute to the life and works of Dr. Martin Luther King Jr. through participation in community service projects on Martin Luther King Jr. Day and throughout the year.

DATED this 2nd day of January 2024

Mayor Robert S. Gallagher



Office of the Mayor

Proclamation

- WHEREAS,** *the United States was founded upon the principle that all people are created with the unalienable right to freedom, and added the 13th Amendment to the Constitution making slavery illegal; and*
- WHEREAS,** *human trafficking is modern-day slavery, claiming millions of victims worldwide, and found in the United States most often in the form of sexual exploitation, forced labor, involuntary servitude, and debt bondage; and*
- WHEREAS,** *this horrific crime, which denies human dignity and freedom, and fuels organized crime, exists in our nation, state, and our very own community; and*
- WHEREAS,** *even though awareness of this crime is growing, human trafficking continues to go unreported due to its isolating nature, the misunderstanding of its definition, and the lack of awareness about its indicators; and*
- WHEREAS,** *increased community education on how to identify victims of human trafficking along with increased knowledge of local resources and services for those affected by these criminal actions can help restore freedom and dignity to identified survivors, as well as help diminish the number of future victims; and*
- WHEREAS,** *fighting human trafficking is a shared responsibility, the efforts by our local community to promote the yearly observance of Human Trafficking Awareness Month in January enacts one of the examples of the continuous commitment in the United States and the State of Iowa to increase awareness of and to actively eradicate human trafficking; and*
- WHEREAS,** *the City of Bettendorf joins Braking Traffik, a program of Family Resources, in their dedication to providing community outreach and education, legislative advocacy, and comprehensive services to survivors of human trafficking.*

NOW, THEREFORE, *I, Robert S. Gallagher, Mayor of the City of Bettendorf, do hereby proclaim the month of January 2024 as:*

"HUMAN TRAFFICKING AWARENESS MONTH"

and urge all citizens to join in this observance, be vigilant, and if you see something that doesn't look right, take action and call the National Human Trafficking Hotline at 1-888-373-7888.

DATED *this 2nd day of January 2024*

Mayor Robert S. Gallagher

COUNCIL LETTER

MEETING DATE: January 2, 2024
REQUESTED BY: Brent O. Morlok, P.E., City Engineer



Item Title

Public hearing for the Spencer Creek Lift Station State Revolving Fund (SRF) loan review.

Resolution authorizing the Mayor to sign the Environmental Information Document (EID) for the Spencer Creek Lift Station State Revolving Fund (SRF) loan review.

Explanation

The City will be utilizing the Iowa State Revolving Fund (SRF) to obtain financing for the proposed Spencer Creek Lift Station project to be bid next year. As part of the approval process for the project itself and the financing, a public hearing must be held to discuss the potential environmental impacts of the project. An Environmental Information Document (EID) is included with the public hearing notice. The EID contains extensive documentation of the environmental review process, which concluded with a finding of “No Significant Impact” pending final completion of all listed reviews.

Please note that the design of this project is being finalized and this public hearing does not commit the City to anything beyond continuation of the SRF process. Final approvals for the financing and the project itself will come to City Council at a later date.

Relationship to Goals: Upgraded City Infrastructure & Public Facilities.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

This project (SW0103) was approved with a total budget of \$10.6M within the Community Improvement Program (CIP).

List Attachments

Resolution; Environmental Information Document.

RESOLUTION NO. _____-24

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE ENVIRONMENTAL INFORMATION
DOCUMENT FOR THE SPENCER CREEK LIFT STATION STATE REVOLVING FUND (SRF) LOAN
REVIEW**

WHEREAS, this Council deems it necessary and advisable under the provisions of the Code of Iowa to construct certain improvements to the sanitary sewer system of Bettendorf, Iowa, namely, the
Spencer Creek Lift Station Project; and

WHEREAS, the proposed project consists of a sanitary sewer lift station (including ancillary sanitary sewer and force main) on the northeast side of Bettendorf to eliminate three (3) existing lift stations (two (2) neighborhood lift stations and one (1) large lift station north of Interstate 80), as well as to provide gravity sanitary sewer service to customers within the incorporated limits of the City. Construction will require crossing Spencer Creek to the service area north of I-80 via trenchless construction methods.

WHEREAS, notice of hearing on the Environmental Information Document (EID) for the Spencer Creek lift station State Revolving Fund (SRF) loan review was published as required by law, and

WHEREAS, a public hearing on the Environmental Information Document (EID) for the Spencer Creek lift station State Revolving Fund (SRF) loan review was held in the City Hall Council Chambers, 1609 State Street, Bettendorf, Iowa, at 7:00 o'clock p.m. on the 2nd day of January, 2024.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Bettendorf, Iowa, that the Mayor is authorized to sign the Environmental Information Document for the Spencer Creek Lift Station State Revolving Fund (SRF) loan review.

Passed, Approved and Adopted this 2nd day of January 2024.

Robert S. Gallagher, Mayor

Attest:

Decker P. Ploehn, City Clerk

Why You Should Read This: The document below reviews the environmental impact likely from a project. This project is planned to be federally funded through your tax dollars; therefore, you are entitled to take part in its review. If you have concerns about the environmental impact of this project, raise them now. We encourage public input in this decision making process.



IOWA STATE REVOLVING FUND
ENVIRONMENTAL INFORMATION DOCUMENT

PROJECT IDENTIFICATION

Applicant: City of Bettendorf
County: Scott County
State: Iowa

SRF Number: CS1921128 01
Iowa DNR Project Number: W2023-0370A

COMMUNITY DESCRIPTION

Location: The City of Bettendorf is located in Scott County, Iowa approximately 4.5 miles northeast of Davenport, Iowa and 55 miles southeast of Iowa City, Iowa.

Population: The population of Bettendorf according to the 2020 US Census was 39,102 people. The project area improvements (Spencer Creek service area) will immediately serve a population equivalent of 163 people. The design population equivalent for the year 2045 is 9,012 people in the proposed service area.

Current Waste Treatment: The City of Bettendorf is served by a municipally owned and operated wastewater treatment plant located in Davenport, Iowa. Wastewater is collected by underground pipes and then treated at the Davenport Joint Use Water Pollution Control Plant (WPCP). The facility treats domestic wastewater generated by Davenport, Bettendorf, Riverdale, and Panorama Park as well as industrial waste from several industrial contributors located throughout the joint use communities. The Joint Use WPCP is hydraulically overloaded during some flow conditions. It is assumed that as growth occurs in the Spencer Creek service area (and future flows and loadings generated by new developments conveyed by the proposed lift station), corresponding flow reductions elsewhere in Bettendorf's collection system will be achieved through cost-effective sanitary sewer rehabilitation to remove excess inflow and infiltration, as previously identified in the *2020 Sanitary Sewer Evaluation Survey* report.

Current Waste Collection System: The City of Bettendorf has three existing lift stations. The Ginger Creek Lift Station was constructed in the 1990s but has never been put into service. This station was intended to be a regional lift station for the growth area to the north of Interstate 80 in the Spencer Creek watershed. The *2020 Sanitary Sewer Evaluation Survey* recommended that a new lift station be constructed near the interchange of Interstate 80 and Wells Ferry Road near Spencer Creek. The new Spencer Creek Lift Station will collect

wastewater from a new gravity sewer line that parallels Spencer Creek, crosses Interstate 80, and will end near the Middle Road and Interstate 80 interchange.

PROJECT DESCRIPTION

Purpose: The City is expected to see development to the north of Interstate 80 and requires the necessary capacity to deliver sanitary sewer services to these customers. The purpose of this project is to make improvements to the wastewater collection facilities to enhance their reliability and increase capacity to safely and reliably operate the City of Bettendorf's wastewater system for the next 20 years.

Proposed Improvements: The project consists of a sanitary sewer lift station (including ancillary sanitary sewer and force main) on the northeast side of Bettendorf to eliminate three existing lift stations (two neighborhood lift stations and one large lift station north of Interstate 80), as well as to provide gravity sanitary sewer service to customers within the incorporated limits of the City. Construction will require crossing Spencer Creek to the service area north of I-80 via trenchless construction methods.

Receiving Stream: The treated wastewater from the Davenport Joint Use WPCP is discharged into the Mississippi River. It has a use stream designation of A1, B(WW-1), HH. Designation A1 indicates waters in which recreational or other uses may result in prolonged and direct contact with the water, involving considerable risk of ingesting water in quantities sufficient to pose a health hazard. Such activities would include, but not be limited to, swimming, diving, water skiing, and water contact recreational canoeing. B(WW-1) indicates waters in which temperature, flow and other habitat characteristics are suitable to maintain warm water game fish populations along with a resident aquatic community that includes a variety of native nongame fish and invertebrate species. These waters generally include border rivers, large interior rivers, and the lower segments of medium-size tributary streams. HH indicates waters in which fish are routinely harvested for human consumption or waters both designated as a drinking water supply and in which fish are routinely harvested for human consumption.

ALTERNATIVES CONSIDERED

Alternatives Considered: The scope of this project limits the types of alternatives to consider. A combination of gravity sewers will deliver wastewater to a lift station that will pump the wastewater through a force main to the existing Pigeon Creek Interceptor Sewer located on Forest Grove Drive. Alternative locations of the lift station itself, and thus the lengths of the gravity sewer and force main offer a trade-off in gravity sewer length costs, among other non-monetary factors.

Alternative 1: The lift station will be located on the south side of Spencer Creek about 1,400 feet from Wells Ferry Road. The 24-inch gravity sewer will cross the smaller tributary to Spencer Creek, Interstate 80, and then Spencer Creek itself before flowing into the new lift station. An 8-inch collector sewer will connect the Sterling Woods and Spencer Hollow lift stations before connecting to the 24-inch sewer outside of the lift station. The force main will extend easterly from the lift station, south to Forest Grove Drive, and then westerly along Forest Grove Drive to empty into manhole SanM14176. With the lift station, this alternative includes:

- Approximately 4,500 linear feet of 24-inch gravity sewer with two creek crossings and a highway crossing
- Approximately 2,000 linear feet of 8-inch gravity sewer
- Approximately 6,450 linear feet of 12-inch force main and connection to the existing manhole
- Approximately 20 manholes

Alternative 2: The lift station will be located on the south side of Spencer Creek about 570 feet from Wells Ferry Road, as seen in Exhibit 5.2. The 24-inch gravity sewer will cross the smaller tributary to Spencer Creek and Interstate 80, and then also cross Spencer Creek before flowing into the new lift station. An 8-inch collector sewer will connect the Sterling Woods and Spencer Hollow lift stations before connecting to the 24-inch sewer outside of the lift station. The force main will extend south from the lift station to Forest Grove Drive and then westerly along Forest Grove Drive to empty into manhole SanM14176. With the lift station, this alternative includes:

- Approximately 5,350 linear feet of 24-inch gravity sewer with two creek crossings and a highway crossing
- Approximately 2,050 linear feet of 8-inch gravity sewer
- Approximately 5,700 linear feet of 12-inch force main
- Approximately 22 manholes

Alternative 3: The lift station will be located on the south side of Spencer Creek on the west side of Wells Ferry Road, as seen in Exhibit 5.3. The 24-inch gravity sewer will cross the smaller tributary to Spencer Creek and Interstate 80, and then also cross Spencer Creek before extending easterly to the new lift station. An 8-inch collector sewer will connect the Sterling Woods and Spencer Hollow lift stations before connecting to the 24-inch trunk sewer on the south side of Spencer Creek. The force main will extend southwesterly from the lift station, south along the electric utility corridor to Forest Grove Drive, and then westerly along Forest Grove Drive to empty into manhole SanM14176. With the lift station, this alternative includes:

- Approximately 5,900 linear feet of 24-inch gravity sewer with two creek crossings and a highway crossing
- Approximately 2,050 linear feet of 8-inch gravity sewer
- Approximately 6,300 linear feet of 12-inch force main
- Approximately 25 manholes

Reasons for Selection of Proposed Alternative: The No-Action alternative is not viable due to the anticipated growth within Spencer Creek watershed area along Interstate 80. Alternative 1 resulted in the lowest cost, largely due to this alternative also requiring the least amount of large-diameter, deep sanitary sewer pipe and associated excavation. Alternative 1 provides the least visible location for the lift station as it is surrounded by trees on three sides and not visible from the interstate or surrounding developments. The project site was also selected for the availability of land as well as minimization of the impacts to the environment.

MEASURES TAKEN TO ASSESS IMPACT

Coordination and Documentation with Other Agencies and Special Interest Groups: The following Federal, state and local agencies were asked to comment on the proposed project to better assess the potential impact to the environment:

U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
State Historical Society of Iowa (State Historical Preservation Office)
Iowa DNR Conservation and Recreation Division
Iowa DNR Flood Plain Management Section
Citizen Band Potawatomi Indian Tribe
Flandreau Santee Sioux
Ho-Chunk Nation
Iowa Tribe of Kansas and Nebraska
Iowa Tribe of Oklahoma

Kickapoo Tribe in Kansas
Kickapoo Tribe of Oklahoma
Lower Sioux Indian Community Council
Miami Tribe of Oklahoma
Omaha Tribal Council
Osage Tribal Council
Otoe-Missouria Tribe
Pawnee Nation of Oklahoma
Peoria Tribe of Indians of Oklahoma
Ponca Tribe of Indians of Oklahoma
Ponca Tribe of Nebraska
Prairie Band Potawatomi Nation
Prairie Island Indian Community
Sac & Fox Nation of Mississippi in Iowa
Sac & Fox Nation of Missouri
Sac & Fox Nation of Oklahoma
Santee Sioux Nation
Shakopee Mdewakanton Sioux Community
Sisseton-Wahpeton Oyate
Spirit Lake Tribal Council
Three Affiliated Tribes Mandan, Hidatsa & Arikara Nations
Upper Sioux Tribe
Winnebago Tribal Council
Yankton Sioux Tribal Business and Claims Committee

No adverse comments were received from any agencies or general public at this time. Conditions placed on the applicant by the above agencies in order to assure no significant impact are included in the Summary of Reasons for Concluding No Significant Impact section.

ENVIRONMENTAL IMPACT SUMMARY

Construction: Traffic patterns within the community may be disrupted and above normal noise levels in the vicinity of the construction equipment can be anticipated during construction and should be a temporary problem. Adverse environmental impacts on noise quality will be handled by limited hours of contractor work time during the day. Other adverse environmental effects from construction activities will be minimized by proper construction practices, inspection, prompt cleanup, and other appropriate measures. Areas temporarily disturbed by the construction will be restored. Solid wastes resulting from the construction project will be regularly cleared away with substantial efforts made to minimize inconvenience to area residents.

Care will be taken to maintain dirt to avoid erosion and runoff. The proposed project will disturb one or more acres of soil; therefore, the applicant is required to obtain an NPDES General Permit Number 2 (for storm water discharge associated with construction activities) and abide by its terms. Provided that this permit is obtained and the terms of which are abided by, no significant impact to surface water quality, fish, shellfish, wildlife, or their natural habitats is expected.

Temporary air quality degradation may occur due to dust and fumes from construction equipment. The applicant shall take reasonable precautions to prevent the discharge of visible emissions of fugitive dusts

beyond the lot line of the property during the proposed project (567 Iowa Administrative Code IAC 23.3(2)“c”).

This project may require the disposal of sewage sludge. It is the responsibility of the applicant to ensure that the disposal of any sewage sludge complies with applicable requirements found in 40 CFR Part 503 and 567 Iowa Administrative Code IAC 67.

Historical/Archaeological: Various Native American tribes with an interest in the area were provided information regarding the project. A Phase IA Reconnaissance Archeological Investigation of the proposed project area is currently underway. Results from this investigation will be submitted to the State Historical Preservation Office (SHPO) for review. The project will only proceed as planned if a determination of either “no historic properties affected” or “no adverse effect on historic properties” can be appropriately reached with or without mitigation. However, if project activities uncover any item(s) that might be of archaeological, historical, or architectural interest, or if important new archaeological, historical, or architectural data should be encountered in the project APE, the applicant should make reasonable efforts to avoid further impacts to the property until an assessment can be made by an individual meeting the Secretary of the Interior’s professional qualifications standards (36 CFR Part 61).

Environmental: A Joint Application will be submitted by the City’s consultant to the Iowa DNR Conservation and Recreation Division, Iowa DNR Flood Plain Management Section, and U.S. Army Corps of Engineers. The DNR Flood Plain Management Section will determine if the proposed project requires a permit for impacts to the 100-year floodplain. The DNR Conservation and Recreation Division will determine if the project will impact any State-owned lands or State-listed threatened or endangered species. The U.S. Fish & Wildlife Service Section 7 Technical Assistance website consultation determined that the project will not impact protected species or their habitats provided that any tree cutting is conducted between October 1 and March 31 to avoid impacting endangered bats. However, if any State- or Federally-listed threatened or endangered species or communities are found during the planning or construction phases, additional studies and/or mitigation may be required. The U.S. Army Corps of Engineers will determine if the proposed project will impact wetlands or jurisdictional waters of the United States. The project will not impact any wild and scenic rivers as none exist within the State of Iowa. No adverse impacts are expected to result from this project, such as those to surface water quantity, or groundwater quality or quantity.

Land Use and Trends: The project will not displace population nor will it alter the character of existing residential areas. The proposed project is within the present corporate limits of Bettendorf in areas zoned residential, commercial, or industrial. No significant farmlands will be impacted. This project should not impact population trends as the presence or absence of existing water/sewer infrastructure is unlikely to induce significant alterations in the population growth or distribution given the myriad of factors that influence development in this region. Similarly, this project is unlikely to induce significant alterations in the pattern and type of land use.

Irreversible and Irretrievable Commitment of Resources: Fuels, materials, and various forms of energy will be utilized during construction

Environmental Justice: Based on the current EPA EJScreen tool, this project area has been evaluated for Environmental Justice (EJ) and is not considered a community of concern at the time of this review and for the purposes of this proposed project. The EJScreen report is available upon request.

Nondiscrimination: All programs, projects, and activities undertaken by DNR in the SRF programs are subject to federal anti-discrimination laws, including the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, and section 13 of the Federal Water Pollution Control Amendments of 1972. These laws prohibit discrimination on the basis of race, color, national origin, sex, disability, or age.

POSITIVE ENVIRONMENTAL EFFECTS TO BE REALIZED FROM THE PROPOSED PROJECT

Positive environmental effects will be improved collection of the wastewater from the City of Bettendorf and ensure proper disposal of wastewater from the service area.

SUMMARY OF REASONS FOR CONCLUDING NO SIGNIFICANT IMPACT

- The project will not significantly affect the pattern and type of land use (industrial, commercial, agricultural, recreational, residential) or growth and distribution of population.
- The project will not conflict with local, regional or State land use plans or policies.
- The U.S. Army Corps of Engineers will determine if the proposed project will impact wetlands or jurisdictional waters of the United States.
- While the DNR Conservation and Recreation Division has not yet commented on the project, the project is not anticipated to impact any State-owned lands, or State-listed threatened or endangered species habitats provided that any tree cutting is conducted between October 1 and March 31 to avoid impacting endangered bats. If any State- or Federally-listed threatened or endangered species or communities are found during the planning or construction phases, additional studies and/or mitigation may be required.
- The project will not displace population, alter the character of existing residential areas, or convert significant farmlands to non-agricultural purposes.
- While the DNR Flood Plain Management Section has not yet commented on the project, provided that any necessary flood plain development permits (state and/or local) are obtained and abided by, no adverse impacts to the 100-year flood plain are anticipated.
- The project will not have effect on parklands, preserves, other public lands, or areas of recognized scenic or recreational value.
- A Phase IA Reconnaissance Archeological Investigation of the proposed project area is currently underway. Results from this investigation will be submitted to the State Historical Preservation Office for review. The project will only proceed as planned if a determination of either “no historic properties affected” or “no adverse effect on historic properties” can be appropriately reached with or without mitigation.
- The project will not have a significant adverse effect upon local ambient air quality provided the applicant takes reasonable precautions to prevent the discharge of visible emissions of fugitive dusts beyond the lot line of the property during the proposed project (567 IAC 23.3(2)“c”).
- The project will not have a significant adverse effect upon local ambient noise levels, surface water quantity, groundwater quality or quantity, or water supply.
- No significant impact to surface water quality, fish, shellfish, wildlife, or their natural habitats is expected provided that an NPDES General Permit Number 2 (for storm water discharge associated with construction activities) is obtained and the terms of which are abided by.

The project description, scope, and anticipated environmental impacts detailed above are accurate and complete to the best to my knowledge.

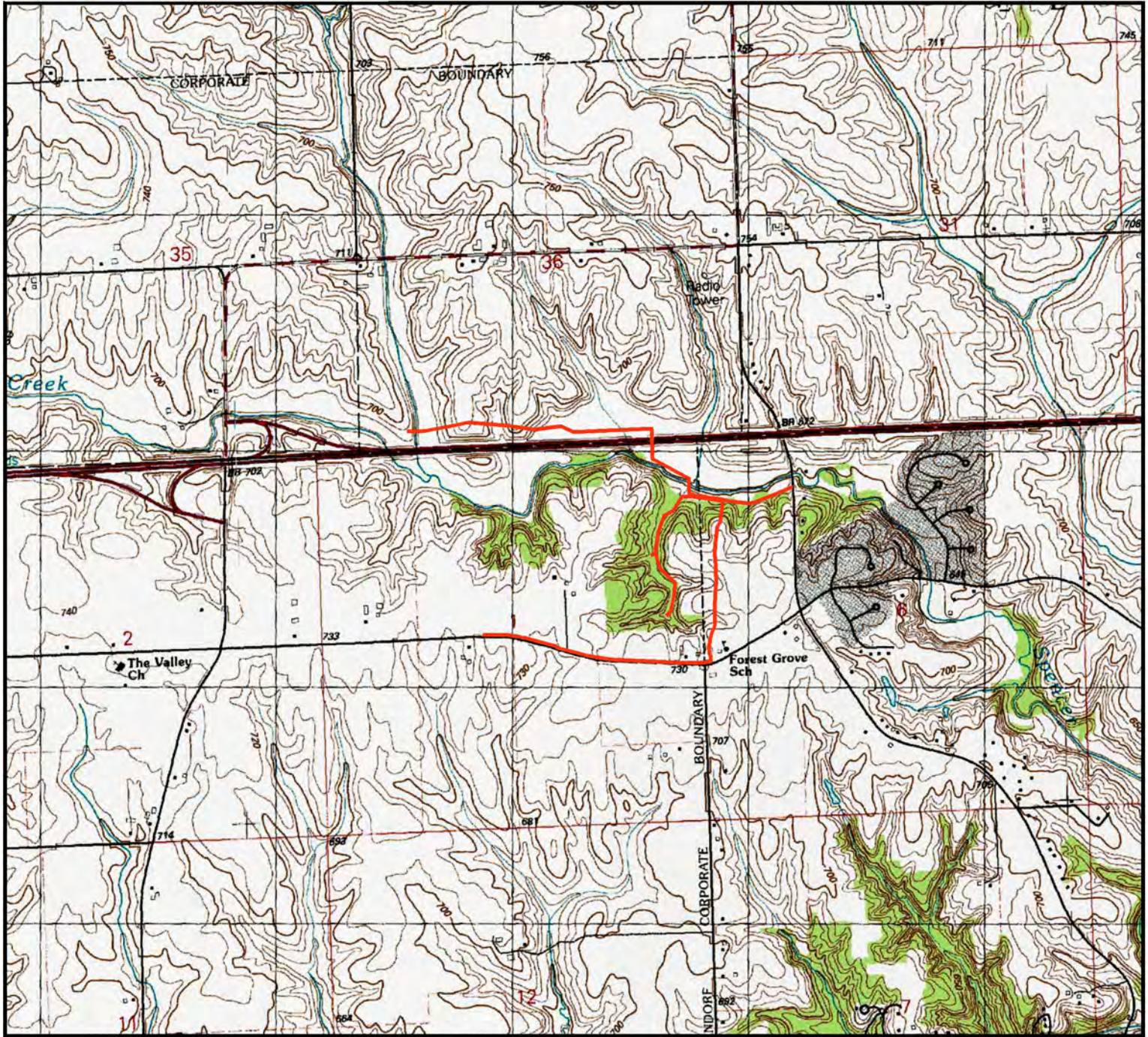
Signature of the Mayor, City of Bettendorf

Date

Printed Name of the Mayor, City of Bettendorf



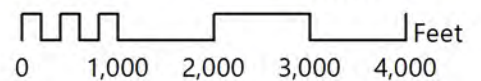
USGS 7.5 Minute Quadrangle: Silvis
Section: 1, Township: 78 N, Range: 04 E
Section: 6, Township: 78 N, Range: 05 E
Section 36: Township: 79 N, Range: 04 E
Date: 1991



USGS Topographic Map

Bettendorf Spencer Creek Lift Station Improvements
Bettendorf, IA (Scott County, Iowa)

Scale: 1 inch = 2,000 feet

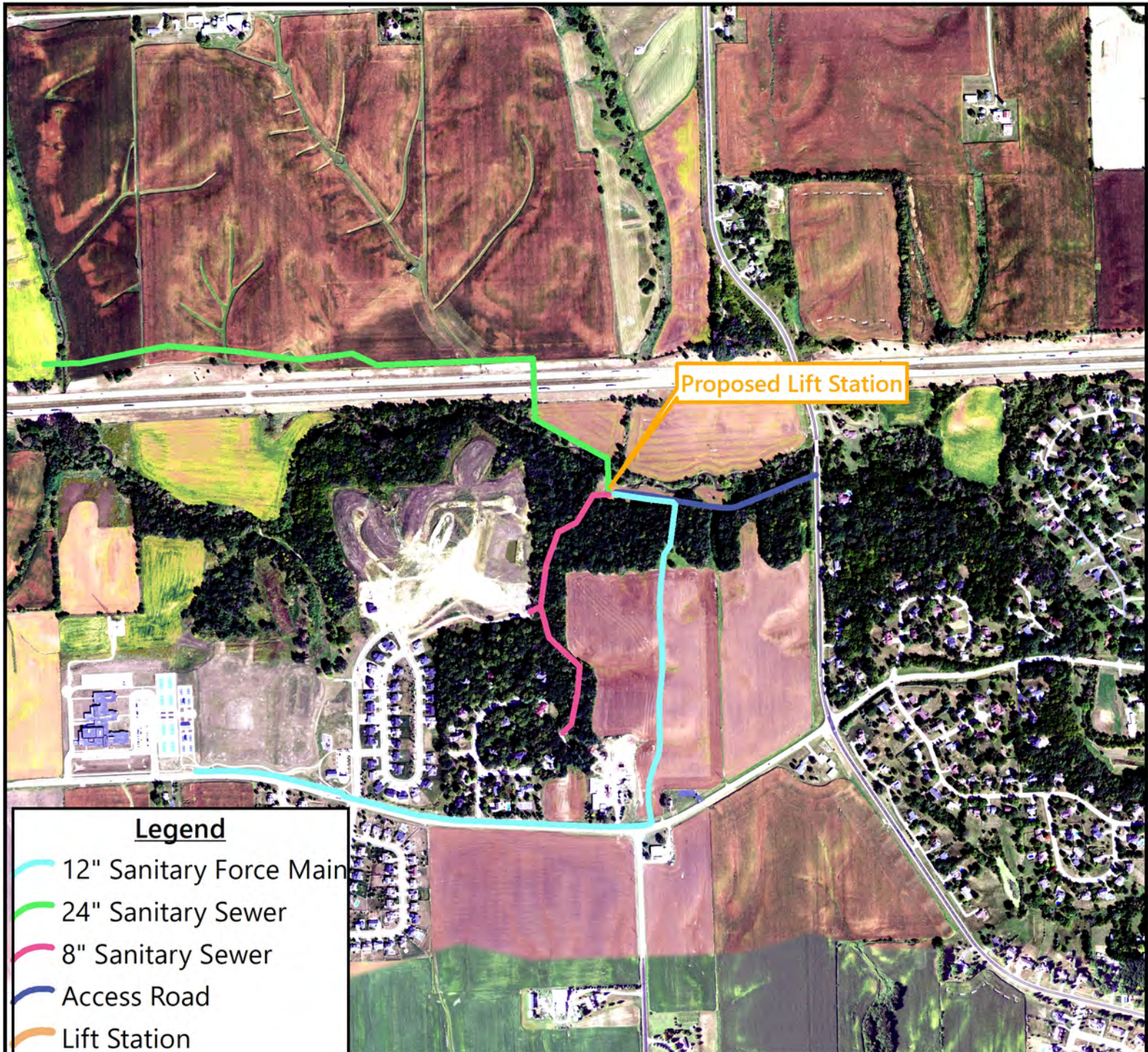


Legend

 Proposed Work

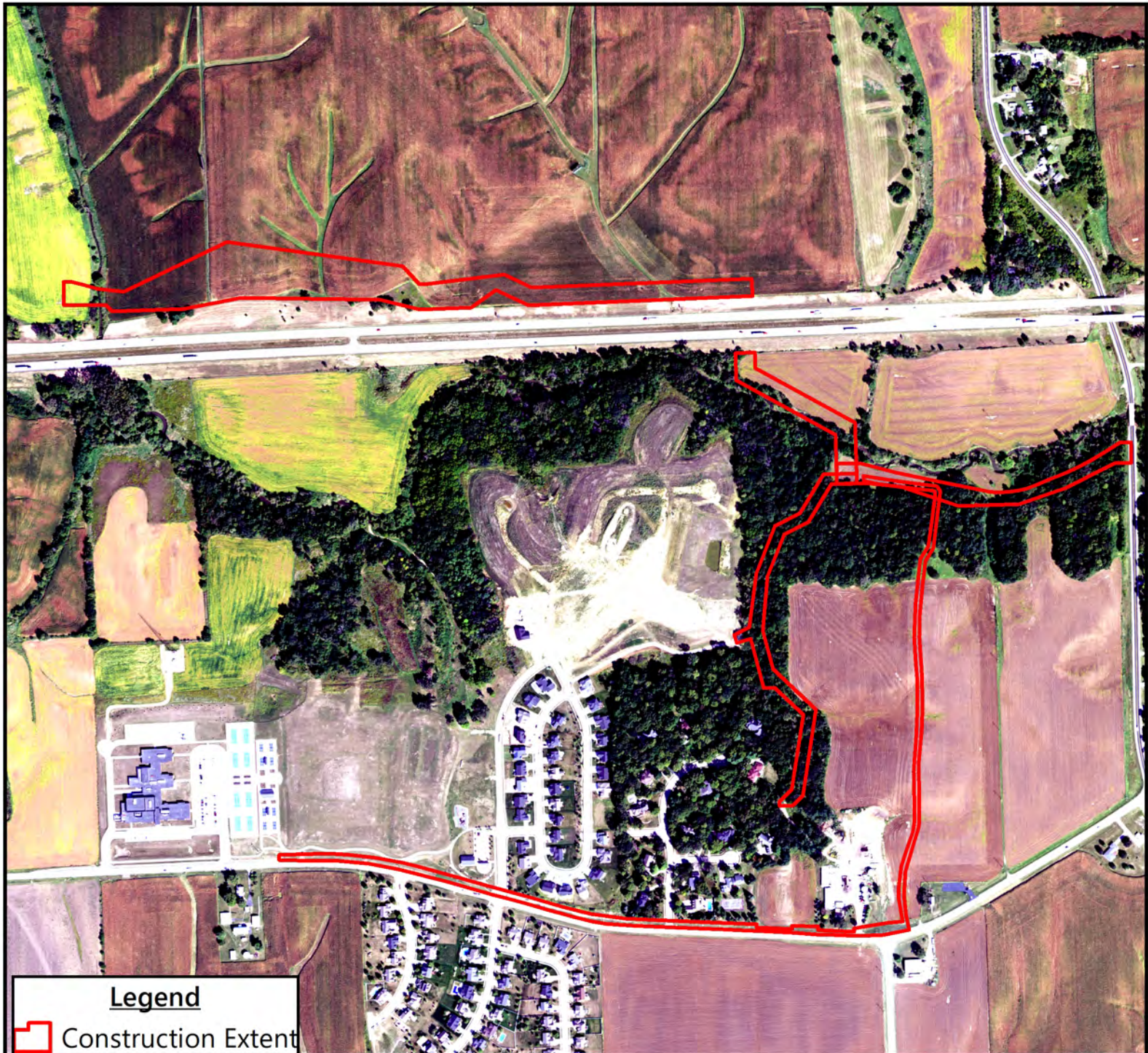


Scott County. Image source: Wikipedia, 2023.



Bettendorf Spencer Creek Lift Station Improvements
Bettendorf, IA (Scott County, Iowa)

2021 Aerial with Construction Extent



Bettendorf Spencer Creek Lift Station Improvements
Bettendorf, IA (Scott County, Iowa)

Scale: 1 inch = 708 feet
0 350 700 1,050 1,400 1,750 Feet

COUNCIL LETTER

MEETING DATE: December 19, 2023 (SPH)
January 2, 2024 (HPH)
REQUESTED BY: Mark Hunt



Item Title

Resolution setting a date for public hearing on an ordinance amending Title 8 Public Utilities and Services, Chapter 2, Sewer Use and Service, Section 8-2-9 Sewer Connection Fees; Disposition of Funds of the Bettendorf City Code. (12/19/23) (SPH)

Public hearing and first reading of an ordinance amending Title 8 Public Utilities and Services, Chapter 2, Sewer Use and Service, Section 8-2-9 Sewer Connection Fees; Disposition of Funds of the Bettendorf City Code. (1/2/24) (HPH)

Explanation

The concept of potential fee increases was raised during the FY 23/24 budget deliberations. At that time, a determination was made that increases to sewer connection fees should be phased in over several years. Sewer connection fees can be used to help offset the cost of inspections, to address future inflow/infiltration reduction measures, and may factor into future sewer extension expenses.

The increased fees for sewer connections for single-family homes are projected to bring an additional \$41,500 in revenue in 2024, \$85,900 in 2025, and \$117,500 in 2026.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

N/A

List attachments

Resolution; Ordinance; (A) Proposed ordinance revisions.

RESOLUTION NO. ____ - 23

**RESOLUTION SETTING A DATE FOR PUBLIC HEARING
ON AN ORDINANCE AMENDING TITLE 8 PUBLIC UTILITIES AND SERVICES
OF THE BETTENDORF CITY CODE
CHAPTER 2: SEWER USE AND SERVICE
SECTION 8-2-9 SEWER CONNECTION FEES; DISPOSITION OF FUNDS**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that a date for public hearing be set for January 2, 2024 at 7:00 p.m., City Hall Council Chambers, 1609 State Street on the matter of an ordinance amending Title 8 of the Bettendorf City Code, Chapter 2 Sewer Use and Service, Section 8-2-9 Sewer Connection Fees; Disposition of Funds.

PASSED, APPROVED, AND ADOPTED this 19th day of December, 2023.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

Return to: Michelle Spencer, Bettendorf City Hall, 1609 State Street, Bettendorf, IA 52722

ORDINANCE NO. _____ - 24

**ORDINANCE AMENDING TITLE 8 PUBLIC UTILITIES AND SERVICES
OF THE BETTENDORF CITY CODE
CHAPTER 2: SEWER USE AND SERVICE
SECTION 8-2-9 SEWER CONNECTION FEES; DISPOSITION OF FUNDS**

Section 1. BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that Title 8 Public Utilities and Services, Chapter 2 Sewer Use and Service, Section 8-2-9: Sewer Connection Fees; Disposition of funds is hereby deleted and the following substituted therefor:

8-2-9: SEWER CONNECTION FEES; DISPOSITION OF FUNDS

- A. Schedule Of Fees: Pursuant to the authority granted by the Code of Iowa, the City hereby establishes the following schedule of sewer connection fees to be paid to the City by every person whose premises will be served by connection to the sanitary sewer system, which fees shall be due and payable when a sewer connection application is filed with the Director.

SCHEDULE OF FEES FOR CONNECTIONS TO THE MUNICIPAL SANITARY UTILITIES OF BETTENDORF, IOWA

1. Residential Properties:
 - a. For single-family, attached or detached, and multiple-family dwellings, the connection fee shall be one hundred fifty dollars (\$150.00) per bedroom or den, effective January 1, 2024. The connection fee per bedroom or den shall increase annually as follows through 2026:
 - (1) January 1, 2025, \$200.00
 - (2) January 1, 2026, \$220.00

- b. For mobile home or trailer courts, the connection fee shall be two hundred fifty dollars (\$250.00) per trailer lot or per mobile home, whichever is greater, effective January 1, 2024. The connection fee per trailer lot or mobile home shall increase annually as follows through 2026:
 - (1) January 1, 2025, \$280.00
 - (2) January 1, 2026, \$300.00
 - c. For hotels, motels, tourist homes, and rooming houses, exclusive of restaurant facilities included as a part thereof, the connection fee shall be seventy-five dollars (\$75.00) per lodging room, effective January 1, 2024. The connection fee per lodging room shall increase annually as follows through 2026:
 - (1) January 1, 2025, \$80.00
 - (2) January 1, 2026, \$85.00
 - d. For boarding homes, nursing homes, and retirement homes, the connection fee shall be one hundred twenty dollars (\$120.00) per bed, effective January 1, 2024. The connection fee per bed shall increase annually as follows through 2026:
 - (1) January 1, 2025, \$140.00
 - (2) January 1, 2026, \$150.00
 - e. For hospitals, the connection fee shall be two hundred twenty-five dollars (\$225.00) per bed, effective January 1, 2024. The connection fee per hospital bed shall increase annually as follows through 2026:
 - (1) January 1, 2025, \$275.00
 - (2) January 1, 2026, \$300.00
 - f. For buildings or properties used for lodge rooms, fraternal organizations and churches, the connection fee shall be five hundred dollars (\$500.00).
2. Commercial Uses: Buildings or properties used for commercial uses, except hospitals, churches, hotels, motels, tourist homes, rooming houses, boarding homes, nursing homes, and retirement homes, permitted by Title 11, Chapter 7 of this Code:
- a. For buildings used for such commercial purposes, except restaurants, drive-in restaurants, bars or cocktail lounges, automobile service stations, and car washes, the connection fee shall be seventy-five dollars (\$75.00) per one thousand (1,000) square feet or fraction thereof of floor area inside the exterior walls, excluding the basement area, effective January 1, 2024. The connection fee for these uses shall increase annually as follows through 2026:
 - (1) January 1, 2025, \$80.00
 - (2) January 1, 2026, \$85.00
 - b. For restaurants, drive-in restaurants, and bars or cocktail lounges, the connection fee shall be thirty dollars (\$30.00) per seat, effective January 1, 2024. Where the

number of proposed seats is not known, a factor of fifteen (15) square feet per seat shall be used. The connection fee for restaurants, drive-in restaurants, and bars or cocktail lounges shall increase annually as follows through 2026:

(1) January 1, 2025, \$35.00

(2) January 1, 2026, \$40.00

c. For automobile service stations without car washes, the connection fee shall be four hundred forty-five dollars (\$445.00).

d. For automobile service stations with car washes, the connection fee shall be one thousand five hundred dollars (\$1,500.00).

e. For car washes, the connection fee shall be one thousand dollars (\$1,000.00) per bay.

f. The sewer connection fee for each and every building comprising part of a commercial center or planned unit development shall be considered as a separate building and shall be computed and paid separately in accordance with the provisions of this schedule. A "building site", as defined for the purpose of this section, is a structure that satisfies both the following criteria:

(1) Does not share a common wall with another structure; and

(2) Is under a single ownership.

3. Industrial Uses: Buildings or property used for industrial uses, as defined in Title 11, Chapter 8 of this Code:

a. The connection fee shall be one hundred thirty dollars (\$130.00) per one thousand (1,000) square feet or fraction thereof of floor area inside the exterior walls, exclusive of any industrial wastes, effective January 1, 2024.. The connection fee per one thousand (1,000) square feet of fraction thereof of floor area inside the exterior wall, exclusive of any industrial wastes, shall increase annually as follows through 2026.

(1) January 1, 2025 \$150.00

(2) January 1, 2026 \$200.00

b. The connection fee for industrial uses with industrial wastes shall be determined by the city council after recommendation by the director.

4. New Building Replacing Existing Building: Should an existing building which has a connection to the public sewer be demolished or moved and a new building be constructed in lieu thereof and should the same sewer tap or building lateral be used, the connection fee shall be the difference between the old usage fee and the fee required for the new construction; provided, however, that no sewer connection refund shall be allowed. This provision shall only apply when a building permit for a

new building is obtained either at the same time or within one hundred eighty (180) days of the demolition permit or house moving permit.

- B. Disposition Of Funds: Sewer connection fees shall be remitted to the city of Bettendorf at the office of the city clerk, and the funds so collected shall be kept in separate and distinct part of the sanitation fund to be known as the "sewer connection fund", and shall only be disbursed and used for the purposes authorized by the Code of Iowa.
- C. Fees Required For Private Connections: Connection fees shall be required when connection is made to a private sanitary sewer, and such connection shall conform to all requirements of this Chapter.

Section 2. Severability of Provisions. If any subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

Section 3. Full Force and Effect. This ordinance shall be in full force and effect from the date of passage and publications as required by law.

Section 4. Repealer. This ordinance shall be construed to repeal any prior ordinance inconsistent herewith.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

8-2-9: SEWER CONNECTION FEES; DISPOSITION OF FUNDS:

A. Schedule Of Fees: Pursuant to the authority granted by the Code of Iowa, the City hereby establishes the following schedule of sewer connection fees to be paid to the City by every person whose premises will be served by connection to the sanitary sewer system, which fees shall be due and payable when a sewer connection application is filed with the Director.

SCHEDULE OF FEES FOR CONNECTIONS TO THE MUNICIPAL SANITARY UTILITIES OF BETTENDORF, IOWA

1. Residential Properties:

- a. For single-family, attached or detached, and multiple- family dwellings, the connection fee shall be one hundred fifty dollars ~~(\$150.00)~~ per bedroom or den, effective January 1, 2024. The connection fee per bedroom or den shall increase annually as follows through 2026:

- a. January 1, 2025, \$200.00,
- b. January 1, 2026, \$220.00.

Commented [MH1]: Previously \$110.00 without escalation.

- b. Effective January 1, 2024, mobile home or trailer courts, the connection fee shall be two hundred fifty dollars ~~(\$250.00)~~ per trailer lot or per mobile home, whichever is greater. The connection fee per trailer lot or mobile home shall increase annually as follows through 2026:

- a. January 1, 2025, \$280.00,
- b. January 1, 2026, \$300.00.

Commented [MH2]: Previously \$220 without escalation.

- c. For hotels, motels, tourist homes and rooming houses, exclusive of restaurant facilities included as a part thereof, the connection fee shall be seventy-five dollars ~~(\$75.00)~~ per lodging room, effective January 1, 2024. The connection fee per lodging room shall increase annually as follows through 2026:

- a. January 1, 2025, \$80.00,
- b. January 1, 2026, \$85.00.

Commented [MH3]: Previously \$70 without escalation.

- d. For boarding homes, nursing homes and retirement homes, the connection fee shall be one hundred twenty dollars ~~(\$120.00)~~ per bed, effective January 1, 2024. The connection fee per bed shall increase annually as follows through 2026:

- a. January 1, 2025, \$140.00,
- b. January 1, 2026, \$150.00.

Commented [MH4]: Previously \$95 without escalation.

- e. For hospitals, the connection fee shall be two hundred twenty-five dollars ~~(\$225.00)~~ per bed effective January 1, 2024. The connection fee per hospital bed shall increase annually as follows through 2026:

- a. January 1, 2025, \$275.00
- b. January 1, 2026, \$300.00

Commented [MH5]: Previously \$200 without escalation.

- f. For buildings or properties used for lodge rooms, fraternal organizations and churches, the connection fee shall be five hundred dollars ~~(\$500.00)~~.

Commented [MH6]: Previously \$330.

2. Commercial Uses: Buildings or properties used for commercial uses, except hospitals, churches, hotels, motels, tourist homes, rooming houses, boarding homes, nursing homes and retirement homes, permitted by title 11, chapter 7 of this code ("zoning ordinance of Bettendorf, Iowa-1959", ordinance 431):

Commented [MH7]: Removed fee waiver for public schools. Removed flat fee of \$150 for any second connection to the sewer main.

- a. For buildings used for such commercial purposes, except restaurants, drive-in restaurants, bars or cocktail lounges, automobile service stations and car washes, the connection fee shall be seventy-five dollars ~~(\$75.00)~~ per one thousand (1,000) square feet or fraction thereof of floor area inside the exterior walls, excluding the basement area, effective January 1, 2024. The connection fee for these uses shall increase annually as follows through 2026:

Commented [MH8]: Previously \$70 without escalation

- January 1, 2025, \$80.00,
- January 1, 2026 \$85.00.

- b. For restaurants, drive-in restaurants and bar or cocktail lounges, the connection fee shall be thirty dollars ~~(\$30.00)~~ per seat, effective January 1, 2024. Where the number of proposed seats is not known, a factor of fifteen (15) square feet per seat shall be used. The connection fee for restaurants, drive-in restaurants and bar or cocktail lounges shall increase annually as follows through 2026:

Commented [MH9]: Previously \$20 without escalation.

- January 1, 2025, \$35.00,
- January 1, 2026, \$40.00.

- c. For automobile service stations without car washes, the connection fee shall be four hundred forty-five dollars ~~(\$445.00)~~.

Commented [MH10]: Previously \$370.

- d. For automobile service stations with car washes, the connection fee shall be one thousand five hundred dollars ~~(\$1,500.00)~~.

Commented [MH11]: Previously \$1,275.

- e. For car washes, the connection fee shall be one thousand dollars ~~(\$1,000.00)~~ per bay.

Commented [MH12]: Previously \$845.

- f. The sewer connection fee for each and every building comprising part of a commercial center or planned unit development shall be considered as a separate building and shall be computed and paid separately in accordance with the provisions of this schedule. A "building site", as defined for the purpose of this section, is a structure that satisfies both the following criteria:
- (1) Does not share a common wall with another structure; and
 - (2) Is under a single ownership.

3. Industrial Uses: Buildings or property used for industrial uses, as defined in title 11, chapter 8 of this code ("zoning ordinance of Bettendorf, Iowa-1959", ordinance 431):

- a. The connection fee shall be one hundred thirty dollars (\$130.00) per one thousand (1,000) square feet or fraction thereof of floor area inside the exterior walls, exclusive of any industrial wastes, effective January 1, 2024.. The connection fee per one thousand (1,000) square feet of fraction thereof of floor area inside the exterior wall, exclusive of any industrial wastes, shall increase annually as follows through 2026.
 - January 1, 2025 \$150.00,
 - January 1, 2026 \$\$200.00.
 - b. The connection fee for industrial uses with industrial wastes shall be determined by the city council after recommendation by the director.
4. New Building Replacing Existing Building: Should an existing building which has a connection to the public sewer be demolished or moved and a new building be constructed in lieu thereof and should the same sewer tap or building lateral be used, the connection fee shall be the difference between the old usage fee and the fee required for the new construction; provided, however, that no sewer connection refund shall be allowed. This provision shall only apply when a building permit for a new building is obtained either at the same time or within one hundred eighty (180) days of the demolition permit or house moving permit. (2008 Code § 31-126)
- B. Disposition Of Funds: Sewer connection fees shall be remitted to the city of Bettendorf at the office of the city clerk, and the funds so collected shall be kept in separate and distinct part of the sanitation fund to be known as the "sewer connection fund", and shall only be disbursed and used for the purposes authorized by the code of Iowa. (2008 Code § 31-127; amd. 2015 Code)
- C. Fees Required For Private Connections: Connection fees shall be required when connection is made to a private sanitary sewer, and such connection shall conform to all requirements of this chapter. (2008 Code § 31-128; amd. Ord. 06-23, 2-7-2023)

Commented [MH13]: Previously \$100 without escalation.

COUNCIL LETTER

MEETING DATE: December 5, 2023 (SPH)
December 19, 2023 (HPH)
REQUESTED BY: Mark Hunt



Item Title

Resolution setting a date for public hearing on an ordinance amending Title 10, Chapter 4, Building and Development of the Bettendorf City Code - Electrical Code and Regulations (Section 10-4B-3: Application for Permit; Fees). (Case 23-082) (12/5/23)

Public hearing and first reading of an ordinance amending Title 10, Chapter 4, Building and Development of the Bettendorf City Code - Electrical Code and Regulations (Section 10-4B-3: Application for Permit; Fees). (Case 23-082) (12/19/23)

Resolution setting a date for public hearing on an ordinance amending Title 10, Chapter 5, Building and Development of the Bettendorf City Code - Mechanical Code and Regulations (Section 10-5-4: Fees Established; Payment Prerequisite to Issuance of Permit). (Case 23-083) (12/5/23)

Public hearing and first reading of an ordinance amending Title 10, Chapter 4, Building and Development of the Bettendorf City Code - Mechanical Code and Regulations (Section 10-5-4: Fees Established; Payment Prerequisite to Issuance of Permit). (Case 23-083) (12/19/23)

Explanation

Over the past several months, informational meetings have been held with City Council members at which support was indicated for development permit fee increases. Given the input that was received, staff is recommending that the fee for an electrical temporary service be increased from \$16.50 to \$50 for residential permits and from \$15 to \$50 for commercial permits. In addition, a new fee of \$50 for temporary heat inspections would be added.

Staff estimates that the temporary service fee increases and the new temporary heat inspection fee would generate \$5,000 each for a total of \$10,000 in general fund revenue.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

N/A

List attachments

Resolutions; Ordinances.

RESOLUTION NO. ____ - 23

**RESOLUTION SETTING A DATE FOR PUBLIC HEARING
ON AN ORDINANCE AMENDING TITLE 10 OF THE BETTENDORF CITY CODE
CHAPTER 4: ELECTRICAL CODE AND REGULATIONS
ARTICLE B. ELECTRICAL EQUIPMENT AND INSTALLATIONS
SECTION 10-4B-3 APPLICATION FOR PERMIT; FEES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that a date for public hearing be set for December 19, 2023 at 7:00 p.m., City Hall Council Chambers, 1609 State Street on the matter of an ordinance amending Title 10 of the Bettendorf City Code, Section 10-4B-3 entitled “Application for Permit; Fees”.

PASSED, APPROVED, AND ADOPTED this 5th day of December, 2023.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

Return to: Michelle Spencer, Bettendorf City Hall, 1609 State Street, Bettendorf, IA 52722

ORDINANCE NO. _____ - 24

**ORDINANCE AMENDING TITLE 10 BUILDING AND DEVELOPMENT
OF THE BETTENDORF CITY CODE
CHAPTER 4: ELECTRICAL CODE AND REGULATIONS
ARTICLE B. ELECTRICAL EQUIPMENT AND INSTALLATIONS
SECTION 10-4B-3 APPLICATION FOR PERMIT; FEES**

Section 1. BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that Title 10 Building and Development, Chapter 4 Electrical Code and Regulations, Article B. Electrical Equipment and Installations, Section 10-4B-3: Application for Permit; Fees is hereby deleted and the following substituted therefor:

A. Application; Fees: Application for permit shall be on the form prescribed by the Building Inspection Services office.

Fees for permits shall be as follows:

Residential

New single-family residence	\$77.00
New multi-family residence or apartment (each unit)	\$77.00
Incidental unit	\$16.50
Entrance service (repair, replace, or upgrade)	\$16.50
Temporary service	\$50.00
Room addition or remodel	
1-2 rooms	\$16.50
Each additional room	\$5.50
Metal building grounding	\$27.50
Swimming pool grounding and/or pump	\$27.50
Reinspection (per hour)	\$45.00
Inspection after hours – 2 hour minimum (per hour)	\$46.50
Homeowner permit	\$11.00

Commercial or Industrial

First \$200.00 value of cost/bid	\$22.00
Next \$800.00 value of cost/bid	\$16.50
Each additional \$1,000.00 value of cost/bid or fraction thereof	\$8.50
Temporary service	\$50.00

Section 2. Severability of Provisions. If any subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

Section 3. Full Force and Effect. This ordinance shall be in full force and effect from the date of passage and publications as required by law.

Section 4. Repealer. This ordinance shall be construed to repeal any prior ordinance inconsistent herewith.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

RESOLUTION NO. ____ - 23

**RESOLUTION SETTING A DATE FOR PUBLIC HEARING
ON AN ORDINANCE AMENDING TITLE 10 OF THE BETTENDORF CITY CODE
CHAPTER 5: MECHANICAL CODE AND REGULATIONS
SECTION 10-5-4 FEES ESTABLISHED;
PAYMENT PREREQUISITE TO ISSUANCE OF PERMIT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that a date for public hearing be set for December 19, 2023 at 7:00 p.m., City Hall Council Chambers, 1609 State Street on the matter of an ordinance amending Title 10 of the Bettendorf City Code, Section 10-5-4 entitled “Fees Established; Payment Prerequisite to Issuance of Permit”.

PASSED, APPROVED, AND ADOPTED this 5th day of December, 2023.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

Return to: Michelle Spencer, Bettendorf City Hall, 1609 State Street, Bettendorf, IA 52722

ORDINANCE NO. _____ - 24

**ORDINANCE AMENDING TITLE 10 BUILDING AND DEVELOPMENT
OF THE BETTENDORF CITY CODE**

CHAPTER 5: MECHANICAL CODE AND REGULATIONS

SECTION 10-5-4 FEES ESTABLISHED; PAYMENT PREREQUISITE TO ISSUANCE OF PERMIT

Section 1. BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that Title 10 Building and Development, Chapter 5 Mechanical Code and Regulations, Section 10-5-4: Fees Established; Payment Prerequisite to Issuance of Permit is hereby deleted and the following substituted therefor:

A. Fees Imposed: Before a permit is issued, a fee shall be paid to the Building Inspection Services office. Fees will be based on the value of the job at the following rates:

\$0.00 - \$2,000.00	\$24.50
\$2,001.00 to, and including, \$250,000.00	\$24.50 plus 1.5 percent of the balance rounded to the nearest hundred
\$250,001.00 and over	\$3,750.00 plus 1 percent of the balance rounded to the nearest hundred
Temporary Heat Inspection	\$50.00
Reinspection	\$45.00 per hour
Inspection after hours (2 hour minimum)	\$46.50 per hour

Section 3. Full Force and Effect. This ordinance shall be in full force and effect from the date of passage and publications as required by law.

Section 4. Repealer. This ordinance shall be construed to repeal any prior ordinance inconsistent herewith.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

COUNCIL LETTER

MEETING DATE: December 19, 2023
REQUESTED BY: Brent O. Morlok, P.E., City Engineer



Item Title

Ordinance amending Bettendorf City Code Section 6-1-322(A)(2), “Vehicles Entering Stop or Yield Intersection” by adding a stop sign intersection on Meghan Avenue at Criswell Street.

Explanation

Century Heights 23rd Addition was completed in early 2023 but homes have just recently begun to be completed and granted occupancy. Per City Code, any local residential street that intersects with an arterial or collector must be stop controlled. Temporary stop signs have been in place at this location during construction but permanent are now warranted.

This Ordinance meets the City’s mission by providing a quick response to concerns for safety.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

The cost of publication and the erection of signs for this work is funded in the operations budget.

List Attachments

Ordinance

ORDINANCE NO. _____-24

ORDINANCE AMENDING BETTENDORF CITY CODE SECTION 6-1-322(A)(2), "VEHICLES ENTERING STOP OR YIELD INTERSECTION" BY ADDING A STOP SIGN INTERSECTION ON MEGHAN AVENUE AT CRISWELL STREET

Section One. BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that Bettendorf City Code Section 6-1-322(A)(2) entitled, "Vehicles Entering Stop or Yield Intersection" is hereby amended by adding thereto the following full stop intersection:

Meghan Avenue at Criswell Street

Section Two. Full Force and Effect. This ordinance shall be in full force and effect the date of passage and publication as required by law.

Section Three. Severability of Provisions. If any section, subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

Section Four. Repealer. This ordinance shall be construed to repeal any prior ordinance inconsistent herewith.

Passed, Approved and Adopted this _____ day of January, 2024.

Robert S. Gallagher, Mayor

Attest:

Decker P. Ploehn, City Clerk

**CITY OF BETTENDORF
CITY COUNCIL MEETING MINUTES**

DECEMBER 19, 2023

The City Council of Bettendorf, Iowa met in regular session on December 19, 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 www.bettendorf.org/YouTube.

Council Members Present: Adamson, Brown, Naumann, Sechser, Baden, Palczynski

Council Members Absent: Connors

Presiding: Mayor Robert S. Gallagher

Mayor Gallagher opened the meeting with the Pledge of Allegiance led by Boy Scout Troop 199 followed by an Invocation given by Pastor Ed Hedding of Pleasant View Baptist Church.

PROMOTIONAL CEREMONY

Fire Chief Troy Said and Mayor Gallagher led the promotional swearing in ceremony of Captain Matt Lawson to Assistant Fire Chief, Lt. Shane Peitscher to Captain, and Firefighter Ian Barnhouse to Lieutenant and congratulated each of them for their success.

AWARDS

Police Chief Keith Kimball and Mayor Gallagher recognized Officer Sheldon Phipps for his lifesaving acts on August 12, 2023 wherein he prevented a suicidal subject from jumping from the I-74 Bridge. Officer Phipps' actions resulted in a positive outcome. Officer Phipps was awarded an Honorable Class II Service Award and given an Honor Bar for his uniform.

RECOGNITION

Mayor Gallagher recognized and congratulated Eagle Scouts Spencer Johnson, David Todd, and Luke Eckman from Troop 199 for achieving the rank of Eagle Scout and described the projects each completed to achieve this most prestigious rank. Eagle Scout is the highest achievement or rank attainable in the BSA program.

PUBLIC REQUESTS OF COUNCIL

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

PUBLIC HEARING REGARDING AMENDING BETTENDORF CITY CODE TITLE 10, CHAPTER 4, SECTION 10-4B-3 (CASE 23-082)

Community Development Director Mark Hunt gave a brief explanation of this ordinance and the following ordinance. 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 Naumann presented the first reading of an ordinance amending Bettendorf City Code, Title 10, Building and Development, Chapter 4, Electrical Code and Regulations, Article B. Electrical and Installations, Section 10-4B-3, Application for Permit; Fees, and made a motion to approve the ordinance at its first reading as presented. Council Member Palczynski seconded the motion. Mayor Gallagher asked for any discussion from Council. None presented. Roll call vote indicated Baden (aye); Palczynski (aye); Adamson (aye); Brown (aye); Naumann (aye); and Sechser (aye). The motion passed 6-0.

PUBLIC HEARING REGARDING AMENDING BETTENDORF CITY CODE TITLE 10, CHAPTER 5, SECTION 10-5-4 (CASE 23-083)

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 Palczynski presented the first reading of an ordinance amending Bettendorf City Code, Title 10, Building and Development, Chapter 5, Mechanical Code and Regulations, Section 10-5-4, Fees Established; Payment Prerequisite to Issuance of Permit, 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 discussion from Council. None presented. Roll call vote indicated Baden (aye); Palczynski (aye); Adamson (aye); Brown (aye); Naumann (aye); and Sechser (aye). The motion passed 6-0.

ORDINANCE – FIRST READING AMENDING BETTENDORF CITY CODE SECTION 6-1-322, “VEHICLES ENTERING STOP OR YIELD INTERSECTION” BY ADDING A STOP INTERSECTION ON MEGHAN AVENUE AT CRISWELL STREET

Council Member Adamson presented the first reading of an ordinance amending Bettendorf City Code Section 6-1-322, “Vehicles Entering a Stop or Yield Intersection” by

adding a stop intersection on Meghan Avenue at Criswell Street, and made a motion to approve the ordinance at its first reading as presented. Council Member Brown seconded the motion. Mayor Gallagher asked for any discussion from Council. None presented. Roll call vote indicated Baden (aye); Palczynski (aye); Adamson (aye); Brown (aye); Naumann (aye); and Sechser (aye). The motion passed 6-0.

ORDINANCE – THIRD AND FINAL READING AMENDING THE FUTURE LAND USE MAP FOR LOT 2, CORELINE ADDITION, URBAN LOW INTENSITY TO COMMUNITY COMMERCIAL (CASE 23-071)

Council Member Brown presented the third and final reading of an ordinance amending the Bettendorf, Iowa Future Land Use Map for Lot 2, Coreline Addition, Urban Low Intensity to Community Commercial and made a motion to approve the ordinance at its final reading as presented. Council Member Adamson seconded the motion. Mayor Gallagher asked for any discussion from Council. None presented. Roll call vote indicated Baden (aye); Palczynski (aye); Adamson (aye); Brown (aye); Naumann (aye); and Sechser (aye). The motion passed 6-0.

ORDINANCE – THIRD AND FINAL READING AMENDING THE BETTENDORF, IOWA ZONE MAP FOR LOT 2, CORELINE ADDITION, R-2, SINGLE-FAMILY RESIDENCE DISTRICT TO C-3, GENERAL BUSINESS DISTRICT (CASE 23-068)

Council Member Baden presented the third and final reading of an ordinance amending the Bettendorf, Iowa, Zone Map for Lot 2, Coreline Addition, R-2, Single-Family Residence District to C-3, General Business District and made a motion to approve the ordinance at its final reading as presented. Council Member Sechser seconded the motion. Mayor Gallagher asked for any discussion from Council. None presented. Roll call vote indicated Baden (aye); Palczynski (aye); Adamson (aye); Brown (aye); Naumann (aye); and Sechser (aye). The motion passed 6-0.

CONSENT AGENDA

Mayor Gallagher asked for a motion to approve the Consent Agenda as presented. Council Member Sechser made a motion to approve the Consent Agenda as presented, and Council Member Adamson seconded the motion. Mayor Gallagher asked Council for any questions. Council Member commented that a lot of work has been done. Roll call vote indicated Baden (aye); Palczynski (aye); Adamson (aye); Brown (aye); Naumann (aye); and Sechser (aye). The motion passed 6-0.

SUPPLEMENTAL

Council Member Palczynski appreciated the Eagle Scout recognition this evening as it is no small feat to obtain the rank of Eagle Scout.

Council Member Naumann thanked Council Member Connors for his contributions to the community as a Council Member over the years and wished him and his wife well.

ADJOURNMENT

There being no further business, Council Member Naumann made a motion to adjourn, and Council Member Palczynski seconded the motion. The meeting was adjourned at approximately 7:30 p.m.

Mayor Robert S. Gallagher

Attest:

City Clerk Decker P. Ploehn

**CONSENT AGENDA
DECEMBER 19, 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 December 4 and 5, 2023 (Approve and Adopt)
- B. Resolution fixing the date for a meeting on the proposition of the issuance of not to exceed \$14,500,000 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)
- C. Resolution fixing the date for a meeting on the proposition of the issuance of not to exceed \$11,000,000 General Obligation Urban Renewal Bonds of the City of Bettendorf, State of Iowa (for Essential Corporate Urban Renewal Purposes), and providing for publication of notice thereof. (Approve and Adopt)
- D. Resolution approving the collective bargaining contracts for all bargaining units of the city for the dates of July 1, 2024 through June 30, 2028. (Approve and Adopt)
- E. Resolution awarding the contract and approving the contract and bond for the Heatherstone Road Streambank Stabilization Project. (Approve and Adopt)
- F. Resolution approving a Right of Way Agreement with the Iowa Department of Transportation for the Middle Road and I-80 Interchange Project. (Approve and Adopt)
- G. Resolution approving Change Order #1 for the 2023 NBIS Bridge Inspections. (Approve and Adopt)
- H. Resolution authorizing the Director of Public Works to issue a purchase order to Public Restroom Company for a new prefabricated restroom structure at Lincoln Park. (Approve and Adopt)
- I. Resolution setting the date for a public hearing for the Spencer Creek Lift Station State Revolving Fund (SRF) loan review. (Approve and Adopt)
- J. Resolution authorizing and directing the Mayor to sign a Non-Cash Charitable Contribution Form for the City to acquire Outlot A of Haley Heights 3rd Addition. (Approve and Adopt)
- K. Resolution accepting improvements for the 2023 Full Depth Patching Program. (Approve and Adopt)

- L. Resolution accepting improvements for the 2023 Alley Rehabilitation Program. (Approve and Adopt)
- M. Resolution approving a site development plan for Lot 2, Coreline Addition, submitted by Webster Properties, LLC (Case 23-075). (Approve and Adopt)
- N. Resolution setting a date for public hearing on an ordinance amending Title 8 Public Utilities and Services, Chapter 2, Sewer Use and Service, Section 8-2-9 Sewer Connection Fees; Disposition of Funds of the Bettendorf City Code. (Approve and Adopt)
- O. Resolution authorizing the Library Director or her designee to issue a purchase order to Tech Logic for the purchase of a replacement AMH (automated materials handler) for the library, cost not to exceed \$173,431.92. (Approve and Adopt)
- P. Resolution approving alcohol license renewals and requests for Five Cities Brewing; Swirl; and Zeke's Island Cafe. (Approve and Adopt)
- Q. Bills (Approve payment and direct City Clerk to issue checks in respective amounts)

COUNCIL LETTER

MEETING DATE: January 2nd, 2024
REQUESTED BY: Jason Schadt, Finance Director &
Kathleen Richlen, HR Director



Item Title

Resolution authorizing the purchase of a cyber insurance policy from CFC.

Explanation

The City of Bettendorf has made significant improvements to mitigate the risks of cyber crime, but even the best cybersecurity practices will not eliminate all risks. The sophistication, frequency and costs of cyber attacks and data breaches is at an all time high and continues to increase. In 2022, cyber attacks increased 38%. The average cost of a data breach is over \$4 million.

Cyber insurance is a critical component of our overall cybersecurity program. We will continue to harden our defenses against cyber threats. This cyber insurance policy will provide us access to all the resources required to recover from an attack, including financial resources, legal resources, and professional services.

Staff recommends the purchase of a cyber insurance policy from CFC. The first annual premium, as quoted, is \$48,707.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

The cost of premiums will be taken from the existing fund balance in the Risk Management fund and included in future budgets as a part of our Risk Management program.

List Attachments

Resolution

RESOLUTION NO. ____ - 24

**RESOLUTION AUTHORIZING THE PURCHASE OF A CYBER
INSURANCE POLICY FROM CFC**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF,
IOWA that the purchase of a cyber insurance policy from CFC is hereby approved.

PASSED, APPROVED, AND ADOPTED this 2nd day of January, 2024.

Mayor, Robert S. Gallagher

Attest:

Decker P. Ploehn

COUNCIL LETTER

MEETING DATE: January 2, 2024 (SPH)
January 16, 2024 (HPH)
REQUESTED BY: Mark Hunt



Item Title

Resolution setting a date for public hearing on an ordinance amending the Zoning Map for property generally located at the SE corner of Middle Road and Forest Grove Drive, A-1 Agricultural/Urban Reserve District to C-2 Community Commercial District, submitted by John H. Ven Horst Family Limited Partnership. (Case 23-085) (1/2/24)

Public hearing and first reading of an ordinance amending the Zoning Map for property generally located at the SE corner of Middle Road and Forest Grove Drive, A-1 Agricultural/Urban Reserve District to C-2 Community Commercial District, submitted by John H. Ven Horst Family Limited Partnership. (Case 23-085) (1/16/24)

Explanation

The John H. Ven Horst Family Limited Partnership has submitted a request to rezone approximately 11.3 acres of land located on the southeast corner of Forest Grove Drive and Middle Road from A-1, Agricultural/Urban Reserve District to C-2, Community Commercial District. Property contained within the tract of land and surrounding it is currently in agricultural production and zoned A-1. The proposed rezoning to C-2 will be the first rezoning in this sector of the Forest Grove Drive and Middle Road intersection and will allow for a conceptual use of commercial-office use. A submitted conceptual exhibit shows how a possible office use development could be situated on the tract proposed to be rezoned. Given the conceptual nature of the proposed use and the sufficient size of the tract of land being rezoned, staff is satisfied with the submitted exhibit for analyzing the rezoning request. Site specific considerations related to a commercial development will require further review at the final plat and site development plan review stages.

The development area is shown as Community Commercial (CC) on the Future Land Use Map. As an added note, the proposal is also consistent with the 2024 Draft Future Land Use Map. The proposed commercial-office use will complement the surrounding developments including Iron Tee Golf Complex. Furthermore, the size of the rezoned tract allows for ample buffering and transitioning of uses when considering future residential developments east of this location. The proposal is consistent with uses and character envisioned in an CC, Community Commercial Future Land Use area. The development proposal also supports Goal C: Attract and Retain Business and Industry and Goal E: Enhance Community Design and Character of the Comprehensive Plan.

The Planning and Zoning Commission made a recommendation for approval of the rezoning request at their December 20, 2023.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

N/A

List attachments

Resolution; Ordinance; (A) Staff Report with attachments; (B) Planning and Zoning Commission report to Mayor and City Council; (C) Excerpts from the Planning and Zoning Commission meeting minutes regarding this matter.

RESOLUTION NO. _____ - 24

**RESOLUTION SETTING A DATE FOR PUBLIC HEARING ON AN
ORDINANCE AMENDING THE ZONING MAP FOR PROPERTY GENERALLY LOCATED
AT THE SOUTHEAST CORNER OF MIDDLE ROAD AND FOREST GROVE DRIVE
A-1 AGRICULTURAL/URBAN RESERVE DISTRICT TO
C-2 COMMUNITY COMMERCIAL DISTRICT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that a date for public hearing be set for January 16, 2024 at 7:00 p.m., City Hall Council Chambers, 1609 State Street, on the matter of an ordinance amending the Zoning Map from A-1 Agricultural/Urban Reserve District to C-2 Community Commercial District for property generally located at the SE corner of Middle Road and Forest Grove Drive and legally described as follows:

Part of the southeast quarter of Section 2, Township 78 North, Range 4 East of the 5th Principal Meridian, in the City of Bettendorf, County of Scott, State of Iowa, more particularly described as follows:

Commencing at the at the northeast corner of the southeast quarter of said Section 2;

Thence South 01 degree 59 minutes 26 seconds East along the east line of the southeast quarter said Section 2, a distance of 59.83 feet to the southerly right of way line of Forest Grove Drive as established by Deed recorded as Document #2022-23610;

Thence South 87 degrees 14 minutes 39 seconds West along said southerly right of way line, a distance of 339.88 feet to the southerly right of way line of Forest Grove Drive as established by Deed recorded as Document #2023-18876;

Thence South 80 degrees 23 minutes 26 seconds West along said southerly right of way line, a distance of 56.87 feet;

Thence South 67 degrees 34 minutes 55 seconds West along said southerly right of way line, a distance of 50.84 feet to the Point of Beginning;

Thence South 02 degrees 45 minutes 21 seconds East, a distance of 465.00 feet;

Thence South 87 degrees 14 minutes 39 seconds West, a distance of 1,218.85 feet to the southeasterly right of way line of Middle Road;

Thence North 31 degrees 41 minutes 35 seconds East along said southeasterly right of way line, a distance of 80.86 feet;

Thence North 58 degrees 18 minutes 25 seconds West along said southeasterly right of way line, a distance of 5.00 feet;

Thence North 31 degrees 41 minutes 35 seconds East along said southeasterly right of way line, a distance of 437.35 feet to the southerly right of way line of Forest Grove Drive as established by Deed recorded as Document #2022-23610;

Thence North 46 degrees 34 minutes 10 seconds East along said southerly right of way line, a distance of 84.03 feet;

Thence North 74 degrees 01 minute 36 seconds East along said southerly right of way line, a distance of 17.34 feet;

Thence North 87 degrees 14 minutes 39 seconds East along said southerly right of way line, a distance of 643.63 feet;

Thence South 69 degrees 24 minutes 42 seconds East along said southerly right of way line, a distance of 103.47 feet;

Thence North 87 degrees 14 minutes 39 seconds East along said southerly right of way line and the southerly right of way line of Forest Grove Drive as established by Deed recorded as Document #2023-18876, a distance of 62.72 feet;

Thence North 67 degrees 34 minutes 55 seconds East along said southerly right of way line of Forest Grove Drive as established by Deed recorded as Document #2023-18876, a distance of 50.84 feet to the Point of Beginning.

The above-described parcel contains 509,542 square feet or 11.70 acres, more or less as shown by the attached Final Plat.

For the purpose of this description bearings are based on the Iowa State Plane Coordinate System, South Zone, North American Datum of 1983 (2011 Adjustment).

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

Return to: Michelle Spencer, City of Bettendorf, 1609 State Street, Bettendorf, IA 52722

ORDINANCE NO. _____ - 24

**ORDINANCE AMENDING THE BETTENDORF, IOWA ZONING MAP FOR
PROPERTY GENERALLY LOCATED AT THE
SE CORNER OF MIDDLE ROAD AND FOREST GROVE DRIVE
A-1 AGRICULTURAL/URBAN RESERVE DISTRICT TO
C-2, COMMUNITY COMMERCIAL DISTRICT**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA,

Section 1. That the Bettendorf, Iowa, Zoning Map referred to in Section 4, and being a part of the Zoning Ordinance of the City of Bettendorf, Iowa, 1959, insofar as the said map pertains to property generally located at the SE corner of Middle Road and Forest Grove Drive and which is legally described as follows:

Part of the southeast quarter of Section 2, Township 78 North, Range 4 East of the 5th Principal Meridian, in the City of Bettendorf, County of Scott, State of Iowa, more particularly described as follows:

Commencing at the at the northeast corner of the southeast quarter of said Section 2;

Thence South 01 degree 59 minutes 26 seconds East along the east line of the southeast quarter said Section 2, a distance of 59.83 feet to the southerly right of way line of Forest Grove Drive as established by Deed recorded as Document #2022-23610;

Thence South 87 degrees 14 minutes 39 seconds West along said southerly right of way line, a distance of 339.88 feet to the southerly right of way line of Forest Grove Drive as established by Deed recorded as Document #2023-18876;

Thence South 80 degrees 23 minutes 26 seconds West along said southerly right of way line, a distance of 56.87 feet;

Thence South 67 degrees 34 minutes 55 seconds West along said southerly right of way line, a distance of 50.84 feet to the Point of Beginning;

Thence South 02 degrees 45 minutes 21 seconds East, a distance of 465.00 feet;

Thence South 87 degrees 14 minutes 39 seconds West, a distance of 1,218.85 feet to the southeasterly right of way line of Middle Road;

Thence North 31 degrees 41 minutes 35 seconds East along said southeasterly right of way line, a distance of 80.86 feet;

Thence North 58 degrees 18 minutes 25 seconds West along said southeasterly right of way line, a distance of 5.00 feet;

Thence North 31 degrees 41 minutes 35 seconds East along said southeasterly right of way line, a distance of 437.35 feet to the southerly right of way line of Forest Grove Drive as established by Deed recorded as Document #2022-23610;

Thence North 46 degrees 34 minutes 10 seconds East along said southerly right of way line, a distance of 84.03 feet;

Thence North 74 degrees 01 minute 36 seconds East along said southerly right of way line, a distance of 17.34 feet;

Thence North 87 degrees 14 minutes 39 seconds East along said southerly right of way line, a distance of 643.63 feet;

Thence South 69 degrees 24 minutes 42 seconds East along said southerly right of way line, a distance of 103.47 feet;

Thence North 87 degrees 14 minutes 39 seconds East along said southerly right of way line and the southerly right of way line of Forest Grove Drive as established by Deed recorded as Document #2023-18876, a distance of 62.72 feet;

Thence North 67 degrees 34 minutes 55 seconds East along said southerly right of way line of Forest Grove Drive as established by Deed recorded as Document #2023-18876, a distance of 50.84 feet to the Point of Beginning.

The above-described parcel contains 509,542 square feet or 11.70 acres, more or less as shown by the attached Final Plat.

For the purpose of this description bearings are based on the Iowa State Plane Coordinate System, South Zone, North American Datum of 1983 (2011 Adjustment).

and which is now zoned A-1 Agricultural/Urban Reserve District, is hereby repealed and said described land shall hereinafter be zoned C-2, Community Commercial District, and the following Zoning Map, which is attached hereto and incorporated herewith and made a part thereof, as the same pertains to said area, is enacted as a substitute and in lieu of said District Map.

Section 2. Severability of Provisions. If any subsection, sentence, clause, phrase, or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

Section 3. Full Force and Effect. This ordinance shall be in full force and effect from the date of passage and publication as required by law.

Section 4. Repealer. This ordinance shall be construed to repeal any prior ordinance inconsistent herewith.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

STAFF REPORT

Subject: Planning and Zoning Commission
Author: Taylor Beswick
Department: Community Development
Date: December 20, 2023

Case No.: 23-085
Request: Rezoning
Location: Southeast Corner of Forest Grove Drive and Middle Road
Applicant: John H. Ven Horst Family Limited Partnership
Current Zoning: A-1, Agricultural/Urban Reserve District
Proposed Zoning: C-2, Community Commercial District
Future Land Use: CC, Community Commercial

Background Information & Facts

The John H. Ven Horst Family Limited Partnership has submitted a request to rezone approximately 11.3 acres of land located on the southeast corner of Forest Grove Drive and Middle Road from A-1, Agricultural/Urban Reserve District to C-2, Community Commercial District ([see Aerial Map - Attachment A](#)). Property contained within the tract of land and surrounding it is currently in agricultural production and zoned A-1 ([see Current Zoning – Attachment B](#)). The proposed rezoning to C-2 will be the first rezoning in this sector of the Forest Grove Drive and Middle Road intersection and will allow for a conceptual use of commercial-office use ([see Proposed Zoning - Attachment C](#)). A submitted conceptual exhibit shows how a possible office use development could be situated on the tract proposed to be rezoned ([see Applicant Rezoning Exhibit – Attachment D](#)). Given the conceptual nature of the proposed use and the sufficient size of the tract of land being rezoned, staff is satisfied with the submitted exhibit for analyzing the rezoning request. Site specific considerations related to a commercial development will require further review at the preliminary plat, final plat, and site development plan review stages.

Future Land Use and Comprehensive Plan

The development area is shown as Community Commercial (CC) on the Future Land Use Map ([see Adopted Future Land Use Map - Attachment E](#)). As an added note, the proposal is also consistent with the 2024 Draft Future Land Use Map ([see Draft Future Land Use Map - Attachment F](#)). The proposed commercial-office use will complement the surrounding developments including Iron Tee Golf Complex. Furthermore, the size of the rezoned tract allows for ample buffering and transitioning of uses when considering future residential developments east of this location. The proposal is consistent with uses and character envisioned in an CC, Community Commercial Future Land Use area. The development proposal also supports the following priorities in the Comprehensive Plan:

Goal C: Attract and Retain Business and Industry
Goal E: Enhance Community Design and Character

Zoning Compliance

A specific development for the rezoned tract has not been identified by the applicant but has been suggested to contain a commercial-office use. This use is permitted in the C-3 District. Pending further platting, the conceptual lot contains front yards on Forest Grove Drive, Middle Road, and a future unnamed street. All additional bulk standards and regulations have been sufficiently considered for the rezoning including floor area, height, and setbacks.

Rezoning requests must adequately address the following concerns, as outlined in Section 11-15-13(B). Staff has addressed each requirement:

1. *The rezoning conforms to the future land use map in the comprehensive plan, as described in the Preamble and further in subsection A-1-3 of Appendix 1.* – Yes, as described in the “Future Land Use and Comprehensive Plan” section of this report.
2. *The amendment is consistent with the goals and objectives of the comprehensive plan.* – Yes, as described in the “Future Land Use and Comprehensive Plan” section of this report.
3. *The subject property, after the city council approval of the requested rezoning, will be designed so as to permit characteristics of said zoning district that will not negatively impact the nearby parcels.* – The proposed commercial-office use is a desirable and attractive development at this location and has sufficient buffers from adjacent incompatible residentially zoned properties. Structural specifics will be reviewed at the site development plan stage.
4. *The potential externalities and applicable performance standards requirements governing factors (such as noise, neon lights, odors, etc.) of the rezoning request have been adequately considered.* – The proposed commercial-office use is sufficiently buffered from adjacent incompatible residentially zoned properties. Lighting, noise, and other externalities will be further mitigated and reviewed at the site development plan stage.
5. *There are adequate public utilities and services available to the land if rezoned. If not, there is an identified party who will pay to install them.* – Forest Grove Drive and Middle Road are adjacent to the proposed rezoning tract, and further access is described in the “Thoroughfare Plan & Access” section of this report. Connection to utilities, sanitary sewer, and stormwater detention are feasible given the location and size of the proposed rezoning tract. A more detailed analysis and review of these connections and requirements will be conducted at the site development plan stage.
6. *The pattern of development that has occurred surrounding the subject property is examined, as other characteristics of the subject property are considered, to make a determination regarding a request for an amendment change.* – A C-2 Zoning District is an appropriate district for this location and is consistent with the pattern of development occurring near the intersection of Forest Grove Drive and Middle Road. Future residential development will likely occur to the east of this rezoning tract, and staff will review appropriate buffers and structural locations at the site development plan stage.
7. *The proposed amendment is in the public interest and not solely in the interests of the applicant.* – The amendment is in the public interest due to goal consistencies described in the section “Future Land Use and Comprehensive Plan” of this report.

Thoroughfare Plan & Access

Vehicular access will be allowed onto Middle Road via a curb cut with sufficient spacing from the roundabout at Forest Grove Drive and Middle Road. City Engineering staff will require further analysis and review of this connection in order for it to work with the future widening of Middle Road. No direct connections will be allowed to Forest Grove Drive, instead a city street will be required to connect to the roundabout at Forest Grove Drive and Competition Drive. Curb cuts to this street will have similar spacing requirements for the roundabout. Due to the proposed commercial use, the southern access drive will not be required to be public. Further analysis and review will be conducted during the platting and site development plan stages.

Other Platting and Site Plan and Considerations

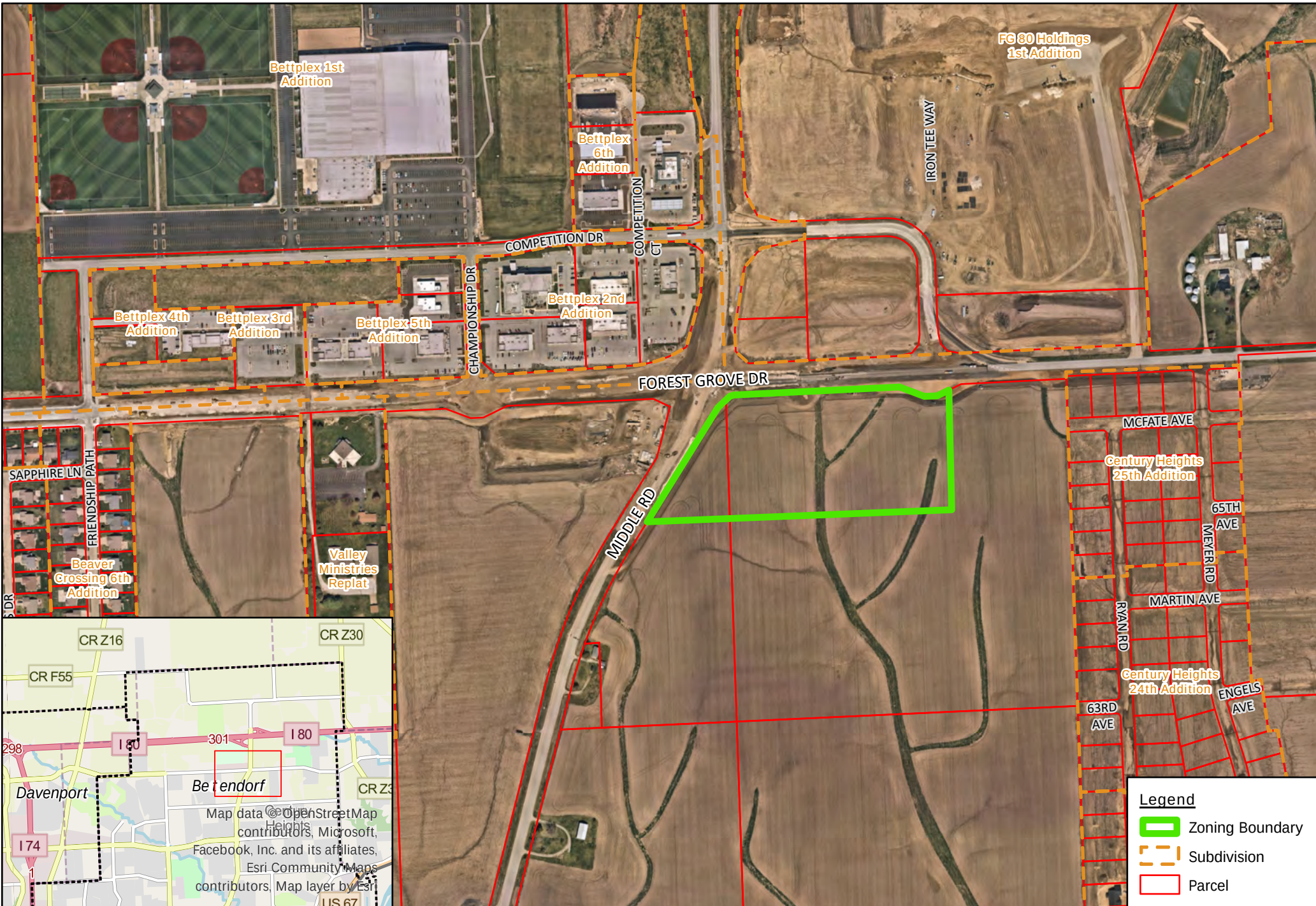
Staff contends the submitted rezoning exhibit and additional information addresses all relevant information for reviewing the rezoning request. Further details will be provided, analyzed, and reviewed at the platting and site development plan stages.

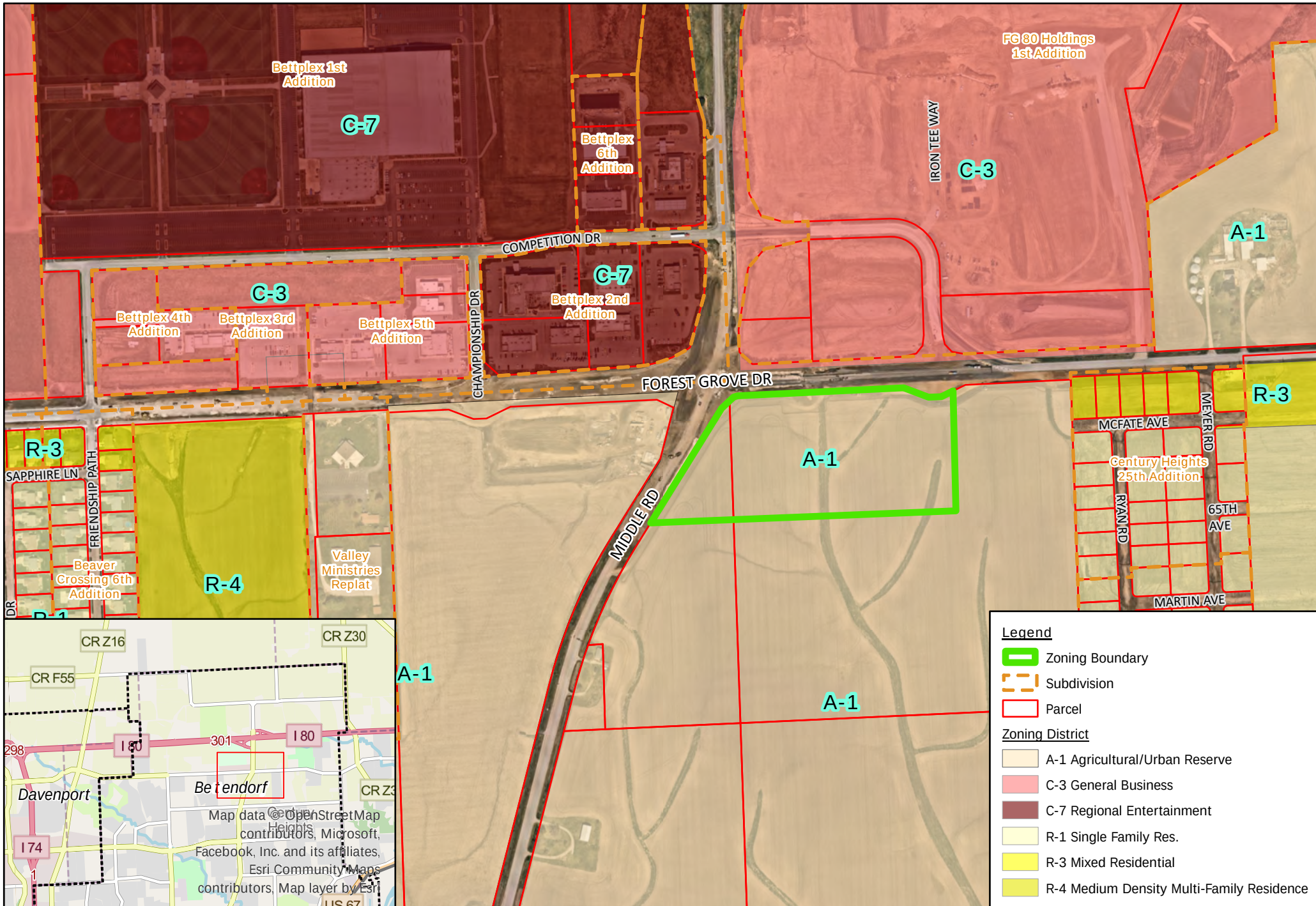
Staff Recommendation

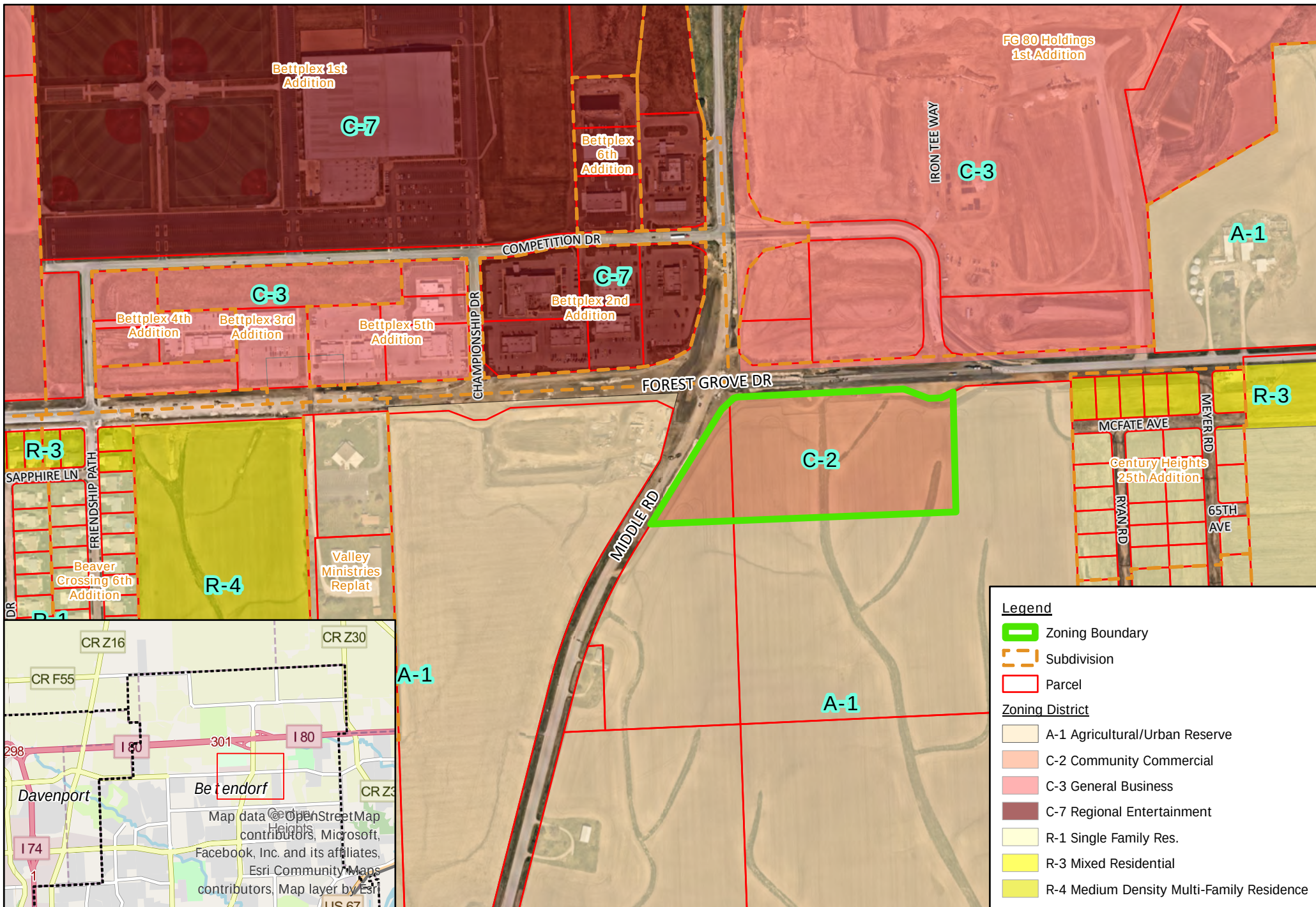
Given the evidence and reasons stated in the staff analysis of the request, staff recommends the Planning and Zoning Commission recommend **approval** of the proposed rezoning request from A-1 to C-2 (Case No. 23-085).

Respectfully submitted,

Taylor Beswick
Senior City Planner



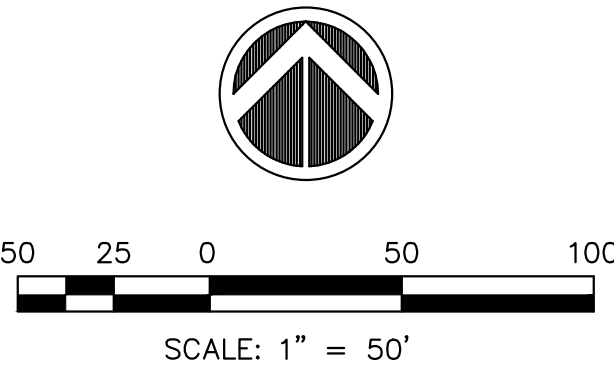




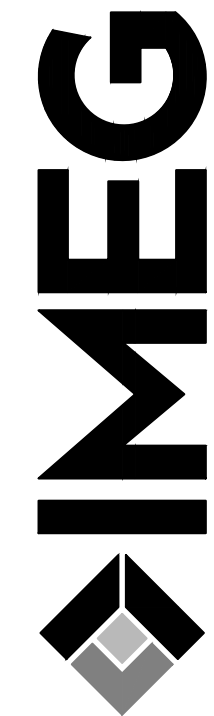
DRAFT
12-07-2023

TITLE
OF
PROJECT

11.7 Acres± adjacent to the east right of way line of Middle Road and the south
right of way line of Forest Grove Drive, located in the southeast quarter of
Section 2, Township 78 North, Range 4 East of the 5th Principal Meridian, in
the City of Bettendorf, County of Scott, State of Iowa



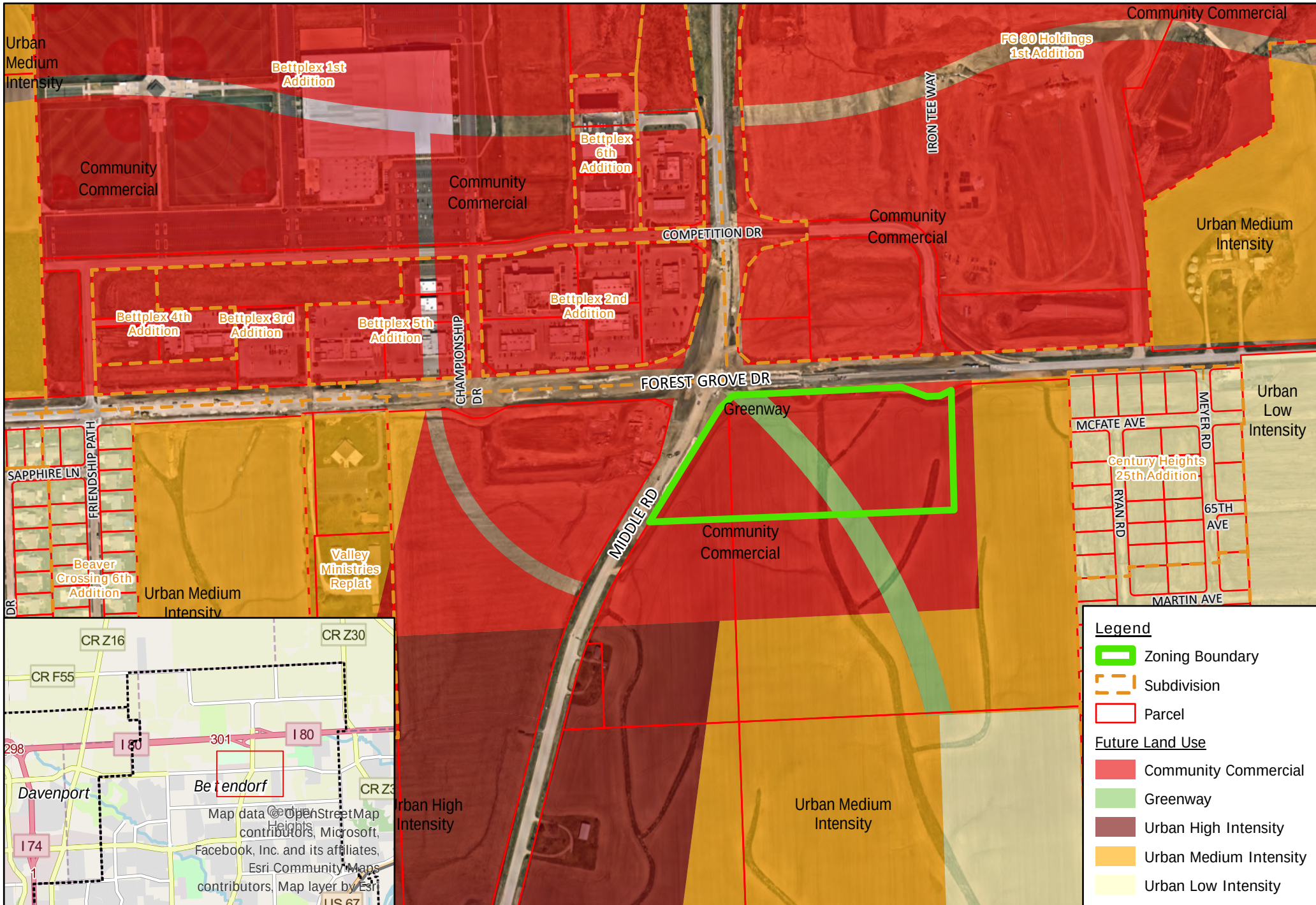
REVISIONS		DATE
No.	DESCRIPTION	

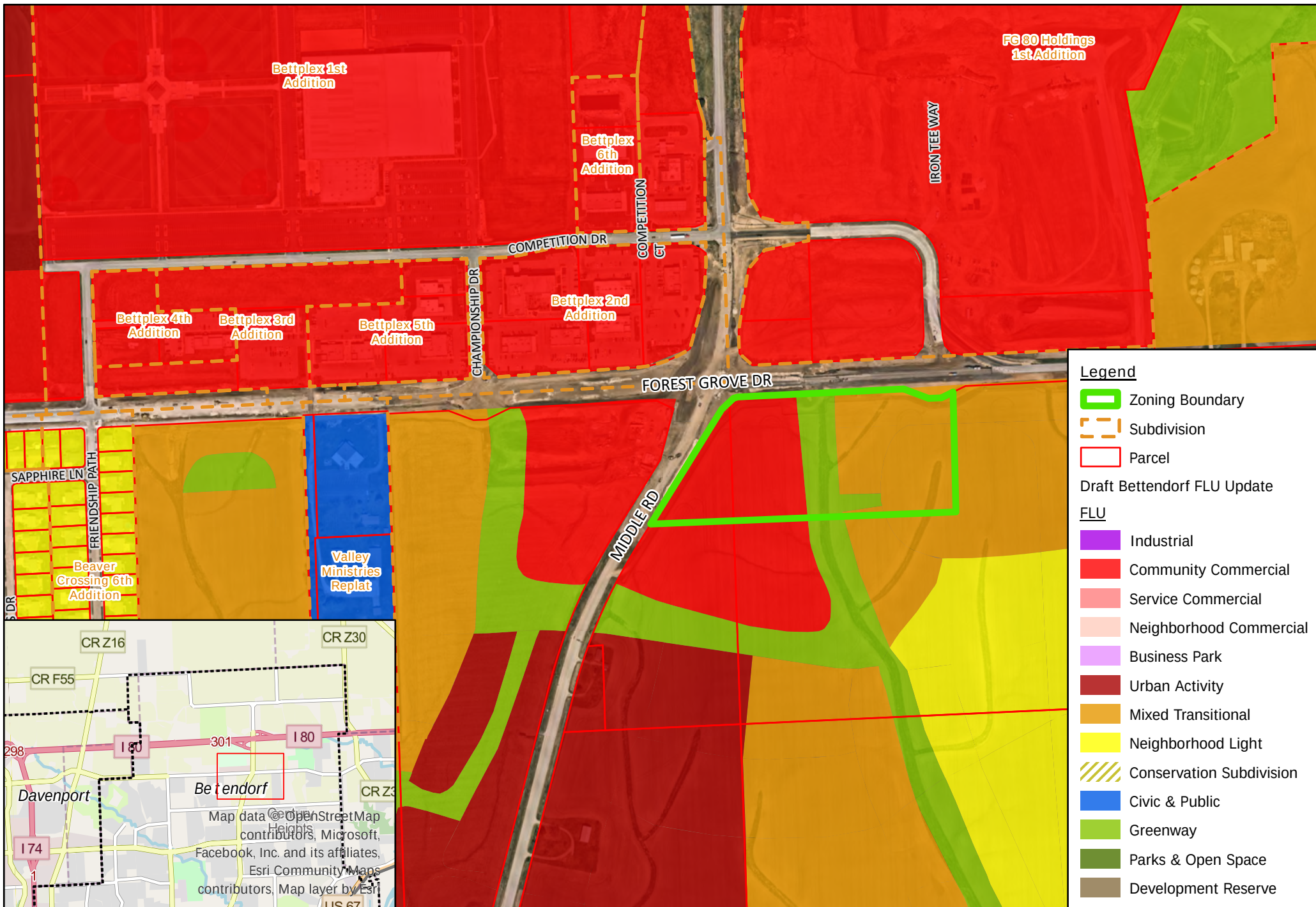


1171 STATE STREET
SUITE 201
BETTENDORF, IA 52722
PH: 563.344.0950
www.imegcorp.com

Middle Road & Forest Grove Drive Site Development
Bettendorf, Iowa
Zoning Exhibit

IMEG Project No:
23008525.00
File Name:
23008525.00 Property.dwg
© COPYRIGHT 2023
ALL RIGHTS RESERVED
Field Book No:
Drawn By: DAB
Checked By: ***
Date: 12/07/2023







December 27, 2023

Honorable Mayor and
Members of the City Council
City of Bettendorf
Bettendorf, Iowa 52722

SUBJECT: Planning and Zoning Commission's decision on rezoning request for property generally located at the SE corner of Middle Road and Forest Grove Drive, A-1 to C-2, submitted by John H. Ven Horst Family Limited Partnership.

Honorable Mayor and Members of the City Council:

On December 20, 2023, the Planning and Zoning Commission reviewed and recommended that your Honorable Body approve the above named rezoning request.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Sincerely,

Mark D. Hunt
Director, Community Development

4. Case 23-085; Public Hearing – Rezoning of SE corner of Middle Road and Forest Grove Drive, A-1 Agricultural/Urban Reserve District to C-2 Community Commercial District, submitted by John H. Ven Horst Family Limited Partnership. (Staff: Beswick)

*Kappeler arrived.

Beswick reviewed the staff report.

Wennlund opened the public hearing and asked if there is proof of publication. Hunt confirmed this.

There being no one present wishing to speak in favor or in opposition to the request, Wennlund closed the public hearing.

On motion by Stoltenberg, second by Satterfield, that rezoning of the SE corner of Middle Road and Forest Grove Drive, A-1 to C-2, be recommended for approval subject to staff recommendations.

ROLL CALL ON MOTION

AYE: Kappeler, Kulkarni, Ormsby, Satterfield, Stoltenberg, Wennlund

NAY: None

Motion carried.

COUNCIL LETTER

MEETING DATE: January 2, 2024 (SPH)
January 16, 2024 (HPH)
REQUESTED BY: Mark Hunt



Item Title

Resolution setting a date for public hearing on an ordinance amending Title 11 Zoning Regulations of the Bettendorf City Code, Section 11-6-1 Overlay Districts and Section 11-6-2 FD Floodway/Floodplain Overlay District. (Case 23-092)(1/2/24)

Public hearing and first reading of an ordinance amending Title 11 Zoning Regulations of the Bettendorf City Code, Section 11-6-1 Overlay Districts and Section 11-6-2 FD Floodway/Floodplain Overlay District. (Case 23-092)(1/16/24)

Resolution setting a date for public hearing on an ordinance amending Title 13 Flood Control of the Bettendorf City Code. (Case 23-093)(1/2/24)

Public hearing and first reading of an ordinance amending Title 13 Flood Control of the Bettendorf City Code. (Case 23-093)(1/16/24)

Explanation

On October 11, 2023 the Federal Emergency Management Agency (FEMA) issued new Flood Insurance Rate Maps (FIRMs) for panels including areas within the City Bettendorf. The maps will become effective on April 11, 2024, and the City is required to formally adopt the new maps by this time as a condition of our participation in the National Flood Insurance Program (NFIP). The new maps utilize updated modeling and elevations for urban waterways, creeks, and rivers which change the mapped regulatory floodplain for many properties in Bettendorf. Approximately 1,500 parcels located in Bettendorf have changes to either the 100-year floodplain and/or floodway. A majority these parcels, over 75%, have only reductions to the 100-year floodplain and/or floodway. The remaining parcels contain a mixture of decreases and increase or all increases. FEMA has published multiple resources for residents to see how their property is affected by the map changes, including map layers and an online GIS application which can be viewed via the following link: <https://fema.maps.arcgis.com/apps/webappviewer/index.html?id=e7a7dc3ebd7f4ad39bb8e485bb64ce44>.

The formal adoption process requires text updates to Title 13: Flood Control of the Bettendorf City Code. The Iowa Department of Natural Resources Floodplain Office encourages use of uniform model floodplain ordinance language, which evolves over time. These suggested changes along with new FIRM panel references are included in the text amendment to Title 13. Because the City has a standalone title for the floodplain regulations, staff is recommending removing a redundant section located within the Zoning Ordinance, Overlay Districts Section located in Section 11-6-1 and 11-6-2.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

N/A

List attachments

Resolutions; Ordinances; (A) Staff Report with attachments; (B) Planning and Zoning Commission report to Mayor and City Council; (C) Excerpts from the Planning and Zoning Commission meeting minutes regarding this matter.

RESOLUTION NO. ____ - 24

**RESOLUTION SETTING A DATE FOR PUBLIC HEARING
ON AN ORDINANCE AMENDING TITLE 11 ZONING REGULATIONS
OF THE BETTENDORF CITY CODE
SECTION 11-6-1 OVERLAY DISTRICTS AND
SECTION 11-6-2 FD FLOODWAY/FLOODPLAIN OVERLAY DISTRICT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that a date for public hearing be set for January 16, 2024 at 7:00 p.m., City Hall Council Chambers, 1609 State Street on the matter of an ordinance amending Title 11 of the Bettendorf City Code, Section 11-6-1 Overlay Districts and Section 11-6-2 FD Floodway/Floodplain Overlay District.

PASSED, APPROVED, AND ADOPTED this 2nd day of January, 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

Return to: Michelle Spencer, Bettendorf City Hall, 1609 State Street, Bettendorf, IA 52722

ORDINANCE NO. _____ - 24

**ORDINANCE AMENDING TITLE 11 ZONING REGULATIONS
OF THE BETTENDORF CITY CODE
SECTION 11-6-1 OVERLAY DISTRICTS AND
SECTION 11-6-2 FD FLOODWAY/FLOODPLAIN OVERLAY DISTRICT**

Section 1. BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that Title 11 Zoning Regulations of the Bettendorf City Code, Section 11-6-1 Overlay Districts and Section 11-6-2 FD Floodway/Floodplain Overlay District are hereby deleted and the following substituted therefor:

11-6-1: OVERLAY DISTRICTS:

A. Purpose: Overlay districts are used in combination with base districts to modify or expand base district regulations. These districts adapt to the special needs of areas of the city and further allow Bettendorf's zoning ordinance to evolve as the planning and development needs and trends of specific areas also change. The overlay districts are designed to achieve the following objectives:

1. To recognize special conditions in specific parts of the city which require specific regulations.
2. To provide for the protection of special features in the natural and built environment of the city.
3. To allow for change and adaptability to different needs and trends in land development.
4. To encourage comprehensive environmental planning in the city, and to protect the integrity of vital city services such as the water supply and parks.
5. To provide flexibility in development and to encourage innovative design through comprehensively planned projects.

B. Establishment Of Districts: The following overlay districts are hereby established.

1. RESERVED.
2. DMP: Downtown Master Plan Overlay District.
3. UTICOD: Utica Ridge Overlay District.

11-6-2: RESERVED.

Section 2. Severability of Provisions. If any subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

Section 3. Full Force and Effect. This ordinance shall be in full force and effect from the date of passage and publications as required by law.

Section 4. Repealer. This ordinance shall be construed to repeal any prior ordinance inconsistent herewith.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

RESOLUTION NO. ____ - 24

**RESOLUTION SETTING A DATE FOR PUBLIC HEARING
ON AN ORDINANCE AMENDING TITLE 13 FLOOD CONTROL
OF THE BETTENDORF CITY CODE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that a date for public hearing be set for January 16, 2024 at 7:00 p.m., City Hall Council Chambers, 1609 State Street on the matter of an ordinance amending Title 13 Flood Control of the Bettendorf City Code.

PASSED, APPROVED, AND ADOPTED this 2nd day of January, 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

Return to: Michelle Spencer, Bettendorf City Hall, 1609 State Street, Bettendorf, IA 52722

ORDINANCE NO. _____ - 24

**ORDINANCE AMENDING TITLE 13 FLOOD CONTROL
OF THE BETTENDORF CITY CODE**

Section 1. BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that Title 13 Flood Control of the Bettendorf City Code is hereby deleted and the following substituted therefor:

TITLE 13

FLOOD CONTROL

CHAPTER 1

FLOOD AREA MANAGEMENT

SECTION:

13-1-1: Legal Authority And Purpose

13-1-2: Findings Of Fact

13-1-3: Definitions

13-1-4: Interpretation

13-1-5: Compliance Required

13-1-6: Administrator, Appointment And Duties

13-1-7: Flood Area Development Permit Requirements

13-1-8: Lands To Which Regulations Apply

13-1-9: Rules For Interpretation Of District Boundaries

13-1-10: Variances

13-1-11: Floodplain Area Standards

13-1-12: Floodway Area

13-1-13: Amendments

13-1-14: Warning And Disclaimer Of Liability

13-1-15: Abrogation And Greater Restrictions

13-1-16: Penalties For Violations

13-1-17: Severability

13-1-1: LEGAL AUTHORITY AND PURPOSE:

A. Legal Authority: Iowa Code chapter 364 grants cities the authority, except as expressly limited by the constitution and if not inconsistent with the laws of the general assembly, to exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the city or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents.

B. Purpose: These regulations are established for the purpose of meeting the needs of the rivers and streams to carry floodwaters and to protect the rivers, creek channels, and floodplains from encroachment so that flood heights and flood damage will not be appreciably increased; to provide the necessary regulations for the protection of the public health and safety in areas subject to flooding; and to reduce the financial burdens imposed upon the community by floods. (2008 Code app. C art. I; amd. Ord. 03-21, 2-16-2021)

13-1-2: FINDINGS OF FACT:

A. The flood hazard areas of Bettendorf are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the peace, safety, health, welfare, comfort, and convenience of its residents.

B. These flood losses, hazards, and related adverse effects are caused by:

1. The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise unprotected from flooding; and

2. The cumulative effect of obstructions on the floodplain causing increases in flood heights and velocities.

C. This chapter relies upon engineering methodology for analyzing flood hazards which includes the extensive study on flood drainage undertaken by the city. This approach is consistent with the standards established by the Department of Natural Resources.

13-1-3: DEFINITIONS:

For the purpose of this chapter, the following terms shall have the meanings ascribed to them in this section:

APPURTENANT STRUCTURE:

A structure which is on the same parcel of the property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

BASE FLOOD:

A flood having a one percent (1%) chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE):

The elevation floodwaters would reach at a particular site during the occurrence of a base flood event.

BASEMENT:

Any enclosed area of a building which has its floor or lowest level below ground level (subgrade) on all sides. Also, see definition of Lowest Floor.

DEVELOPMENT:

Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. "Development" does not include "minor projects" or "routine maintenance of existing buildings and facilities" as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve filling, grading, or excavating.

ENCLOSED AREA BELOW LOWEST FLOOR:

The floor of the lowest enclosed area in a building when all the following criteria are met:

- A. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of section 13-1-11(H)(1) of this chapter, and
- B. The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as building access, parking or storage, and
- C. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least two feet (2') above the base flood elevation, and
- D. The enclosed area is not a "basement" as defined in this section.

EXISTING CONSTRUCTION:

Any structure for which the "start of construction" commenced before the effective date of the first floodplain management regulations adopted by the City.

EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION:

A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory built homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is complete before the effective date of the floodplain management's regulations adopted by a community.

EXPANSION OF EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION:

The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FACTORY-BUILT HOME PARK OR SUBDIVISION:

A parcel (or contiguous parcels) of land divided into two (2) or more factory-built home lots for rent or sale.

FACTORY-BUILT HOME:

Any structure, designed for residential use which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this ordinance, factory-built homes include mobile homes, factory-built homes, and modular homes; and also include "recreational vehicles" which are placed on a site for greater than one hundred eighty (180) consecutive days and not fully licensed for and ready for highway use.

FIVE HUNDRED (500) YEAR FLOOD:

A flood, the magnitude of which has a two-tenths percent (0.2%) chance of being equaled or exceeded in any given year or which, on average, will be equaled or exceeded at least once every five hundred (500) years.

FLOOD INSURANCE RATE MAP (FIRM):

The official map prepared as part of (but published separately from) the Flood Insurance Study which delineates both the flood hazard areas and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY:

A report published by FEMA for a community issued along with the community's Flood Insurance Rate Map(s). The study contains such background data as the base flood discharge and water surface elevations that were used to prepare the FIRM.

FLOOD OR FLOODING:

A general and temporary condition of partial or complete inundation of normally dry land areas from: a) the overflow of inland or tidal waters; b) the usual and rapid accumulation of runoff of surface waters from any source.

FLOODPLAIN:

Any land area susceptible to being inundated by water from any source (see definition of Flood or Flooding).

FLOODPLAIN MANAGEMENT:

An overall program of corrective and preventive measures for reducing flood damages and promoting the wise use of floodplains, including but not limited to emergency preparedness plans, flood control works, floodproofing and floodplain management regulations.

FLOODPROOFING:

Any combination of structural and nonstructural additions, changes, or adjustments to structures, including utility and sanitary facilities, which will reduce or eliminate flood damage to such structures.

FLOODWAY OR REGULATORY FLOODWAY:

The channel of a river or other watercourse and the floodplain adjoining the channel, which are reasonably required to carry and discharge floodwaters or flood flows so that confinement of flood flow to the floodway area will not cumulatively increase the water surface elevation of the base flood by more than one foot (1').

FLOODWAY FRINGE:

That area of the special flood hazard area outside of the floodway.

FREEBOARD:

A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.

HIGHEST ADJACENT GRADE:

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE:

Any structure that is: a) listed individually in the national register of historic places (a listing maintained by the department of the interior) or preliminarily determined by the secretary of the interior as meeting the requirements for individual listing on the national register; b) certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district; c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the secretary of the interior; or d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: 1) by an approved state program as determined by the secretary of the interior; or 2) directly by the secretary of the interior in states without approved programs.

LOWEST FLOOR:

The floor of the lowest enclosed area in a building including a basement except when the criteria listed in the definition of "enclosed area below lowest floor" are met.

MAXIMUM DAMAGE POTENTIAL DEVELOPMENT:

Hospitals and like institutions; buildings or building complexes containing documents, data, or instruments of great public value; buildings or building complexes containing materials

dangerous to the public or fuel storage facilities; power installations needed in emergency or other buildings or building complexes similar in nature or use.

MINOR PROJECTS:

Small development activities (except for filling, grading, and excavating) valued at less than five hundred dollars (\$500.00).

NEW CONSTRUCTION:

For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NEW FACTORY-BUILT HOME PARK OR SUBDIVISION:

A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the first floodplain management regulations adopted by the community.

OVERLAY DISTRICT:

A district in which additional requirements act in conjunction with the underlying zoning districts. The original zoning district designation does not change.

PRINCIPALLY ABOVEGROUND:

At least fifty percent (50%) of the actual cash value of the structure is aboveground.

RECREATIONAL VEHICLE:

A vehicle which is: a) built on a single chassis; b) four hundred (400) square feet or less when measured at the largest horizontal projection; c) designed to be self-propelled or permanently towable by a light duty truck; and d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES:

Repairs necessary to keep a structure in a safe and habitable condition that do not require a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:

- A. Normal maintenance of structures such as reroofing, replacing roofing tiles, and replacing siding;
- B. Exterior and interior painting, wallpapering, tiling, carpeting, cabinets, countertops and similar finish work;
- C. Basement sealing;
- D. Repairing or replacing damaged or broken window panes;

E. Repairing plumbing systems, electrical systems, heating or air conditioning systems, and repairing wells or septic systems.

SPECIAL FLOOD HAZARD AREA:

The land within a community subject to the "base flood". This land is identified on the community's Flood Insurance Rate Map as Zone A, A1-30, AE, AH, AO, AR, and/or A99.

START OF CONSTRUCTION:

For other than new construction or substantial improvements under the coastal barrier resources act (PB. 1. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

STRUCTURE:

Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factory-built homes, storage tanks, grain storage facilities and/or other similar uses.

SUBSTANTIAL DAMAGE:

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. Substantial damage also means flood related damage sustained by a structure on two (2) separate occasions during a ten (10) year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty five percent (25%) of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair.

SUBSTANTIAL IMPROVEMENT:

Any improvement to a structure which satisfies either of the following criteria:

A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either (i) before the "start of construction" of the improvement, or (ii) if the structure has been "substantially damaged"

and is being restored, before the damage occurred. The term does not, however, include either: a) any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to ensure safe living conditions; or b) any alteration of a "historic structure"; provided, that the alterations will not preclude the structure's continued designation as a "historic structure".

B. Any addition which increases the original floor area of a building by twenty five percent (25%) or more. All additions constructed after the effective date of the first floodplain management regulations adopted by the community shall be added to any proposed addition in determining whether the total increase in original floor space would exceed twenty five percent (25%).

VARIANCES:

A grant of relief to a person from the requirements of this chapter which permits construction in a manner otherwise prohibited by this chapter where specific enforcement would result in unnecessary hardship.

VIOLATION:

The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in these regulations is presumed to be in violation until such time as that documentation is provided.

13-1-4: INTERPRETATION:

In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by state statutes.

13-1-5: COMPLIANCE REQUIRED:

No structure or land shall hereafter be used and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this chapter and other applicable regulations which apply to uses within the jurisdiction of this chapter.

13-1-6: ADMINISTRATOR, APPOINTMENT AND DUTIES:

A. Enforcement Official: The zoning and building inspector shall administer and enforce the provisions of this chapter and will herein be referred to as the administrator.

B. Duties And Responsibilities: Duties and responsibilities of the administrator shall include, but not necessarily be limited to, the following:

1. Review all floodplain development permit applications to ensure that the provisions of this chapter will be satisfied.

2. Review all floodplain development permit applications to ensure that all necessary permits have been obtained from federal, state or local governmental agencies, including approval when required from the Department of Natural Resources for floodplain construction.

3. Record and maintain a record of: a) the elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of all new or substantially improved buildings; or b) the elevation to which new or substantially improved structures have been floodproofed. Lowest floor elevation figures of structures in zone A need not be maintained unless base flood elevation data from a source other than the flood insurance rate map is obtained.

4. Notify adjacent communities and/or counties and the Department of Natural Resources prior to any proposed alteration or relocation of a watercourse and submit evidence of such notifications to the Federal Emergency Management Agency.

5. Keep a record of all permits, appeals, variances and such other transactions and correspondence pertaining to the administration of this chapter.

6. Submit to the Federal Insurance Administration an annual report concerning the community's participation, utilizing the annual report form supplied by the Federal Insurance Administrator.

7. Notify the Federal Insurance Administration of any annexations or modifications to the community's boundaries.

8. Review subdivision proposals to ensure such proposals are consistent with the purpose of this ordinance and advise the Board of Adjustment of potential conflict.

9. Maintain the accuracy of the community's Flood Insurance Rate Maps when: a) development placed within the floodway results in any of the following: (i) an increase in the base flood elevations, or (ii) alteration to the floodway boundary; b) development placed in zones A, AE, AH, and A1-30 that does not include a designated floodway that will cause a rise of more than one foot in the base elevation; or c) development relocates or alters the channel. Within six (6) months of the completion of the development, the applicant shall submit to FEMA all scientific and technical data necessary for a Letter of Map Revision.

10. Perform site inspections to ensure compliance with the standards of this chapter.

13-1-7: FLOOD AREA DEVELOPMENT PERMIT REQUIREMENTS:

A. Permit Required: A flood area development permit issued by the administrator shall be secured prior to initiation of any floodplain development (any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, filling, grading, paving, storage of materials and equipment, excavation or drilling operations) including the placement of factory-built homes.

B. Application For Permit: Application for a floodplain development permit shall be made on forms supplied by the administrator and shall include the following information:

1. Description of the work to be covered by the permit for which application is to be made.

2. Description of the land on which the proposed work is to be done (i.e., lot, block, tract, street, or similar description) that will readily identify and locate the work to be done.

3. Indication of the use or occupancy for which the proposed work is intended.

4. Elevation of the base flood.
5. Elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of buildings or of the level to which a building is to be floodproofed.
6. Location and dimensions of all structures and additions.
7. For structures being improved or rebuilt, the estimated cost of improvements and market value of the structure prior to the improvements.
8. Such other information as the administrator deems reasonably necessary for the purpose of this chapter.

C. Action On Permit Application: The administrator shall, within a reasonable time, make a determination as to whether the proposed floodplain development meets the applicable standards of this chapter and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefor. The administrator shall not issue permits for variances except as directed by the appropriate board.

D. Construction And Use As Provided In Application And Plans:

1. Floodplain development permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this chapter. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the state of Iowa, that the finished fill, building floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this chapter, prior to the use or occupancy of any structure.

2. The administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, as criteria for requiring that new construction, substantial improvements, or other development in zone A meets the requirements of this chapter.

13-1-8: LANDS TO WHICH REGULATIONS APPLY:

The provisions of this chapter shall apply to all lands and uses which have significant flood hazards. The flood insurance rate map (FIRM) for Scott County and incorporated areas, city of Bettendorf, panels 19163C0360H, 0367H, 0370H, 0376H, 0377H, 0378H, 0379H, 0381H, 0383H, 0386H, 0387H, 0388H, 0391H, dated April 11, 2024 and panel 19163C0369G, dated June 9, 2014, which were prepared as part of the Scott County flood insurance study, shall be used to identify such flood hazard areas and all areas shown thereon to be within the boundaries of the base flood shall be considered as having significant flood hazards. The Scott County flood insurance study is hereby adopted by reference and is made a part of this chapter for the purpose of administering floodplain management regulations.

13-1-9: RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES:

The boundaries of the special flood hazard areas shall be determined by scaling distances on the official flood insurance rate map. Where uncertainty exists with respect to the precise location of the base flood boundary, the location shall be determined on the basis of the base flood elevation at the particular site in question. Where interpretation is needed as to the exact location of the boundaries as shown on the official map, the administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to present their case and submit technical evidence. (2008 Code app. C art. III; amd. Ord. 03-21, 2-16-2021)

13-1-10: VARIANCES:

A. Variances Authorized For Certain Building Construction Items: Except for first floor elevation requirements, the Board of Appeals may authorize, upon request, a variance from the requirements of this chapter as it relates to the following building construction items:

1. Foundation construction.
2. Floodproofing requirements.
3. Any item closely allied to the aforementioned items.

B. Other Variance Requests: The Board of Adjustment may authorize a variance from the terms of this chapter on all other requests.

C. Meeting Certain Standards: Variances granted must not be contrary to the public interests and meet the following applicable standards:

1. No variance shall be granted for any development which would result in any increase in flood heights during the occurrence of the base flood.
2. Variances shall only be granted upon: a) a showing of good and sufficient cause; and b) a determination that owing to special conditions failure to grant the variance would result in exceptional hardship to the applicant; and c) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public.
3. Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
4. All variances granted shall have the concurrence or approval of the Department of Natural Resources.

D. Decision Based Upon Certain Factors: In passing upon applications for variances, consideration shall be given to relevant factors specified in other sections of this chapter, and:

1. The danger to life and property due to increased flood heights or velocities caused by encroachments.
2. The danger that materials may be swept onto other land or downstream to the injury of others.

3. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.
4. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
5. The importance of the services provided by the proposed facility to the city.
6. The requirements of the facility for a floodplain location.
7. The availability of alternative locations not subject to flooding for the proposed use.
8. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
9. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
10. The safety of access to the property in times of flood for ordinary and emergency vehicles.
11. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwater expected at the site.
12. Such other factors which are relevant to the purpose of this chapter.

E. Conditions Attached To Variances: Upon consideration of the factors listed above, conditions may be attached to the granting of variances as deemed necessary to further the purpose of this chapter. Such conditions may include, but not necessarily be limited to:

1. Modification of waste disposal and water supply facilities.
2. Limitation of periods of use and operation.
3. Imposition of operational controls, sureties, and deed restrictions.
4. Requirements for construction of channel modifications, dikes, levees, and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practicable alternative to achieving the purpose of this chapter.
5. Floodproofing measures. (2008 Code app. C art. II; amd. Ord. 03- 21, 2-16-2021)

13-1-11: FLOODPLAIN AREA STANDARDS:

A. Location: The location of this area is based on the Special Flood Hazard Area boundary as delineated on the Scott County flood insurance rate maps dated April 11, 2024 and June 9, 2014 as revised and provided by the Federal Emergency Management Agency. The requirements of this section shall take precedence over any conflicting requirement of the city.

B. Uses Allowed: Permitted, special, temporary and accessory uses as set forth and regulated in the Bettendorf zoning ordinance are permitted in this area.

C. Site And Structure Requirements:

1. All development and structures shall conform to the requirements of the Bettendorf building code and to the requirements of the district in which the development is located in

the Bettendorf zoning ordinance except for the additional requirements which are noted in this chapter.

2. All regulations in regard to area, width, yards, height, floor area ratio, and minimum size of dwelling shall conform to the zoning regulations of the city.

3. All proposed building sites will be reasonably safe from flooding. Earth fill or other materials may be used to raise the elevation of the land, provided it does not increase the flood level more than one foot (1') above the base flood elevation at any point. The amount of fill should not be greater than is necessary to achieve the purpose and requirements of this chapter, as demonstrated by a plan filed by the applicant showing the uses to which the filled land shall be put and the final dimensions of the proposed fill or other materials. Fill or other materials shall be protected against erosion by riprap, vegetative cover, or bulkheading.

4. All development must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Where base flood elevations have not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to determine (i) whether the land involved is either wholly or partly within the floodway or floodway fringe and (ii) the base flood elevation. Until a regulatory floodway is designated, no development may increase the Base Flood Elevation more than one foot (1'). The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

D. Outside Storage:

1. The outside storage or processing of materials, machinery, or equipment that in the time of flooding are buoyant, flammable, explosive, pollutant or could be injurious to human, animal or plant life, may be permitted, if placed on a fill above the level of inundation for a base flood, or if adequately protected by a dike revetment, levee or similar structure. Storage of other material or equipment may be allowed without flood protection if firmly anchored to prevent flotation or if easily moved.

2. Due to the relative slow rise of the Mississippi River compared to its tributaries, the storage restrictions of this chapter will not be required if located exclusively in the Mississippi floodplain area and if the landowner or tenant can provide assurances in writing to the satisfaction of the building administrator that the aforementioned storage can be removed within a forty eight (48) hour period.

E. Anchoring Requirements: All new and substantially improved structures shall be: 1) designed and adequately anchored to prevent flotation, collapse or lateral movement of the structure; 2) constructed with materials and utility equipment resistant to flood damage; and 3) constructed by methods and practices that minimize flood damage.

F. Residential Elevation Requirements: All new or substantially improved residential structures shall have the lowest floor, including basement, elevated a minimum of two feet (2') above the base flood elevation. All new residential structures located in areas that would become isolated due to flooding of surrounding ground shall be provided with a means of access that will be passable by wheeled vehicles during the base flood. However, this criterion shall not apply where the Administrator determines there is sufficient flood warning

time for the protection of life and property. When estimating flood warning time, consideration shall be given to the criteria listed in 567-75.2(3), Iowa Administrative Code.

G. Nonresidential Elevation Requirements:

1. All new or substantially improved nonresidential structures shall have the first floor (including basement) elevated a minimum of two feet (2') above the base flood elevation, or together with attendant utility and sanitary systems, be floodproofed to such a level.

2. When floodproofing is utilized, a professional engineer registered in the state of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood; and that the structure, below the base flood elevation, is watertight with walls substantially impermeable to the passage of water.

3. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the administrator.

H. Foundation And Facilities: Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:

1. A minimum of two (2) openings located to permit automatic entry and exit of floodwaters and having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.

2. The bottom of all openings shall be no higher than one foot above grade.

3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and other similar machinery and equipment elevated (or in the case on non-residential structures, optionally floodproofed to) a minimum of two feet (2') above the base flood elevation.

5. Such areas shall be used solely for parking of vehicles, building access, and low damage potential storage.

6. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

7. New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of two feet (2') above the base flood elevation or designed to be watertight and withstand inundation to such a level.

I. Factory-built homes:

1. All new and substantially improved factory-built homes including those placed in existing factory-built home parks or subdivisions shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. Anchorage systems may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Building Code.

2. All new and substantially improved factory-built homes including those placed in existing factory-built home parks or subdivisions shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of two feet (2') above the base flood elevation.

J. Utility And Sanitary Systems:

1. All new and replacement sanitary sewers must be sealed to prevent undue infiltration. Such infiltration shall not exceed the rate of fifteen (15) gallons per day per one hundred feet (100') of four-inch (4") sewer pipe, or twenty-two (22) gallons per day per one hundred feet (100') of six-inch (6") sewer pipe, or thirty (30) gallons per day per one hundred feet (100') of eight-inch (8") sewer pipe.

2. On site waste disposal and water supply systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.

3. New or replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system. Water supply treatment facilities shall be provided with a level of protection equal to or greater than two feet (2') above the base flood elevation.

4. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than two feet (2') above the base flood elevation.

5. Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood-damaged or impaired systems.

K. No development shall affect the capacity of conveyance of the channel of floodway of any tributary to the main stream, drainage ditch, or other drainage facility or system.

L. Floodplain Area Standards; Subdivision Requirements:

1. Subdivision proposals intended for residential use shall provide all lots with a means of access which will be passable by wheeled vehicles during a base flood.

2. All proposals for subdivisions, regardless of size or number of lots, shall include base flood elevation data for those areas located within the area of significant flood hazard.

3. Subdivision proposals shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage.

4. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this chapter.

M. Outbuildings And Non-major Buildings: Detached garages, sheds, and similar accessory type structures that are incidental to a residential use are exempt from the base flood elevation requirements when the following criteria are satisfied:

1. The structure shall be designed to have low flood damage potential. Its size shall not exceed six hundred (600) square feet in size. Those portions of the structure located less than two feet (2') above the base flood elevation must be constructed of flood-resistant materials.

2. The structure shall be designed to have low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.

3. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.

4. Structures shall be firmly anchored to prevent flotation, collapse, and lateral movement which may result in damage to other structures.

5. The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least two feet (2') above the base flood elevation.

6. The structure's walls shall include openings that satisfy the provision of subsection H of this section.

N. Recreational Vehicles:

1. Recreational vehicles are exempt from the requirements of subsection I of this section regarding anchoring and elevation of factory-built homes when the following criteria are satisfied:

a. The recreational vehicle shall be located on the site for less than one hundred eighty (180) consecutive days; and

b. The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

2. Recreational vehicles that are located on the site for more than one hundred eighty (180) consecutive days or are not ready for highway use must satisfy requirements of subsection I of this section regarding anchoring and elevation of factory-built homes.

O. Flood Control Structural Works: Flood control structural works such as levees, floodwalls, etc., shall provide, at a minimum, protection from a base flood with a minimum of three feet (3') of design freeboard and shall provide for adequate interior drainage. In addition, the Department of Natural Resources shall approve structural flood control works.

P. Watercourse Alterations: Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.

Q. Stream Crossings: Pipeline river or stream crossings shall be buried in the stream bed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.

R. Maximum Damage Potential Development: All new or substantially improved maximum damage potential development shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the elevation of the five hundred (500) year flood or, together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the two tenths percent (0.2%) annual chance flood and that the structure, below the two tenths percent (0.2%) annual chance flood elevation, is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator. Where two tenths percent (0.2%) chance flood elevation data has not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determinations.

13-1-12: FLOODWAY AREA:

A. Location: The location of the floodway area is based on the Scott County Flood Insurance Rate Maps dated April 11, 2024 and June 9, 2014, as revised and provided by the Federal Emergency Management Agency. In addition to the Floodplain Area Standards, development within the floodway must meet the following applicable standards. The floodway is that portion of the floodplain which must be protected from developmental encroachment to allow the free flow of flood waters. The requirements of this section shall take precedence over any conflicting requirements of the city.

B. Special Floodway Provisions:

1. Where no floodway data has been provided, the Department of Natural Resources shall be contacted to provide a floodway delineation.

2. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

3. No development shall be permitted in the floodway area that would result in any increase in the base flood elevation. Consideration of the effects of any development on the flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly-situated lands.

4. No development shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or other drainage facility or system.

C. Uses Permitted: Uses are permitted and regulated in the floodplain area, except:

1. Any development considered to have flood damage potential such as, but not limited to, storage of materials and equipment, fill and a use which could obstruct flood flows is prohibited.

2. Encroachment by fill is prohibited.

3. The erection of a new structure, the expansion of an existing building, or the placement of a structure is prohibited.

D. Watercourse Alterations: Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood-carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.

E. Stream Crossings: Pipeline river or stream crossings shall be buried in the stream bed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.

F. Site Requirements: Conformance to all zoning regulations in regard to area, width, and yards is required.

13-1-13: AMENDMENTS:

The regulations and standards set forth in this chapter may from time to time be amended, supplemented, changed, or repealed. No amendment, supplement, change, or modification shall be undertaken without prior approval of the Department of Natural Resources.

13-1-14: WARNING AND DISCLAIMER OF LIABILITY:

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This chapter does not imply that areas outside the regulated areas or that uses permitted within the regulated areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Bettendorf or any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

13-1-15: ABROGATION AND GREATER RESTRICTIONS:

It is not intended by this chapter to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail. All ordinances inconsistent with this chapter are hereby repealed to the extent of the inconsistency only.

13-1-16: PENALTIES FOR VIOLATIONS:

Violations of the provisions of this chapter or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with

any of its requirements shall, upon conviction thereof, be subject to penalty as provided in Section 1-4-1 of this code. Nothing herein contained shall prevent Bettendorf or a citizen from taking such other lawful action as is necessary to prevent or remedy any violation.

13-1-17: SEVERABILITY:

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 2. Severability of Provisions. If any subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

Section 3. Full Force and Effect. This ordinance shall be in full force and effect from the date of passage and publications as required by law.

Section 4. Repealer. This ordinance shall be construed to repeal any prior ordinance inconsistent herewith.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

STAFF REPORT

Subject: Planning and Zoning Commission
Author: Taylor Beswick
Department: Community Development
Date: December 20, 2023



Case No.: 23-092 and 23-093
Request: Ordinance Text Amendments – Related to Floodplain Regulations
Applicant: City of Bettendorf
Code Sections: Title 11-6-1, 11-6-2 Overlay Districts and Title 13 Flood Control

Background Information & Facts

On October 11, 2023 the Federal Emergency Management Agency (FEMA) issued new Flood Insurance Rate Maps (FIRMs) for panels including areas within the City Bettendorf. The maps will become effective on April 11, 2024, and the City is required to formally adopt the new maps by this time as a condition of our participation in the National Flood Insurance Program (NFIP) (see FEMA SOMA Letter – Attachment A). The new maps utilize updated modeling and elevations for urban waterways, creeks, and rivers which change the mapped regulatory floodplain for many properties in Bettendorf. Approximately 1,500 parcels located in Bettendorf have changes to either the 100-year floodplain and/or floodway. A majority these parcels, over 75%, have only reductions to the 100-year floodplain and/or floodway. The remaining parcels contain a mixture of decreases and increase or all increases (see Affected Bettendorf Parcels Map – Attachment B). FEMA has published multiple resources for residents to see how their property is affected by the map changes, including map layers (see Bettendorf Changes Since Last FIRM Map – Attachment C) and an online GIS application which can be viewed via the following link:

<https://fema.maps.arcgis.com/apps/webappviewer/index.html?id=e7a7dc3ebd7f4ad39bb8e485bb64ce44>.

The formal adoption process requires text updates to Title 13: Flood Control of the Bettendorf City Code. The Iowa Department of Natural Resources (IDNR) Floodplain Office encourages use of uniform model floodplain ordinance language, which evolves over time. These suggested changes along with new FIRM panel references are included in the text amendment to Title 13 (see Redlined Proposed Title 13 Changes – Attachment D). Because the City has a standalone title for the floodplain regulations, staff is recommending removing a redundant section located within the Zoning Ordinance, Overlay Districts Section located in Section 11-6-1 and 11-6-2 (see Redlined Proposed Title 11 Changes – Attachment E).

Staff Recommendation

Staff recommends approval of City Code text amendments to both Title 11-6-1, 11-6-2 (Case No. 23-092) and Title 13 (Case No. 23-093).

Respectfully submitted,

Taylor Beswick
Senior City Planner



Federal Emergency Management Agency

Washington, D.C. 20472

October 11, 2023

RECEIVED
OCT 16 2023
CITY CLERK'S OFFICE
CITY OF BETTENDORF

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
19P

The Honorable Robert Gallagher
Mayor, City of Bettendorf
City Hall
1609 State Street
Bettendorf, Iowa 52722

Community Name: City of Bettendorf,
Scott County,
Iowa
Community No.: 190240
Map Panels Affected: See FIRM Index

Dear Mayor Gallagher:

This is to notify you of the final flood hazard determination for Scott County, Iowa and Incorporated Areas, in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR). This section requires that notice of final flood hazards shall be sent to the Chief Executive Officer of the community, all individual appellants, and the State Coordinating Agency, and shall be published in the *Federal Register*.

The statutory 90-day appeal period that was initiated for your community when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed flood hazard determinations for your community in the local newspaper has elapsed. FEMA did not receive any appeals of the proposed flood hazard determinations or submittals regarding the Preliminary Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) during that time.

Accordingly, the flood hazard determinations for your community are considered final. The final notice for flood hazard determinations will be published in the *Federal Register* as soon as possible. The FIS report and FIRM for your community will become effective on April 11, 2024. Before the effective date, we will send your community final printed copies of the FIS report and FIRM. For insurance purposes, the community number and new suffix code for the panels being revised are indicated on the FIRM and must be used for all new policies and renewals.

Because the FIS report for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter.

It must be emphasized that all the standards specified in 44 CFR Part 60.3(d) of the National Flood Insurance Program (NFIP) regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the regulations

apply and other modifications made by this map revision. Some of the standards should already have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions in this paragraph of the NFIP regulations:

1. Amending existing regulations to incorporate any additional requirements of 44 CFR Part 60.3(d);
2. Adopting all the standards of 44 CFR Part 60.3(d) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of 44 CFR Part 60.3(d).

Also, prior to the effective date, your community is required, as a condition of continued eligibility in the NFIP, to adopt or show evidence of adoption of the floodplain management regulations that meet the standards of 44 CFR Part 60.3(d) of the NFIP regulations by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

Many states and communities have adopted building codes based on the International Codes (I-Codes); the model I-Codes (2009 and more recent editions) contain flood provisions that either meet or exceed the minimum requirements of the NFIP for buildings and structures. The model codes also contain provisions, currently found in an appendix to the International Building Code, that apply to other types of development and NFIP requirements. In these cases, communities should request review by the NFIP State Coordinator to ensure that local floodplain management regulations are coordinated (not duplicative or inconsistent) with the State or Local building code. FEMA's resource, *Reducing Flood Losses through the International Code: Coordinating Building Codes and Floodplain Management Regulations, 5th Edition (2019)*, provides some guidance on this subject and is available at <https://www.fema.gov/emergency-managers/risk-management/building-science/building-codes/flood>.

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) as amended, and 44 CFR Part 59.24.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions (SOMA) to document previous Letters of Map Change (LOMC) actions (i.e., Letters of Map Amendment, Letters of Map Revision) that will be affected when the revised FIRM panels referenced above become effective. If no LOMCs were issued previously for your community, you are receiving a SOMA for informational purposes only.

Once the FIS report and FIRM are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided for use in a computer mapping system. These

files can be used in conjunction with other thematic data for floodplain management purposes, insurance requirements, and many other planning applications. Copies of the digital files of the FIRM panels may be obtained by calling our FEMA Mapping and Insurance eXchange (FMIX), toll free, at (877) 336-2627 (877-FEMA MAP) or by visiting the Map Service Center at <https://www.msc.fema.gov>. In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

For assistance with your floodplain management ordinance or enacting the floodplain management regulations, please contact Jason Conn, NFIP State Coordinator for Iowa by telephone at (515) 725-8333. If you should require any additional information, we suggest that you contact the Director, Federal Insurance and Mitigation Division of FEMA in Kansas City, Missouri, at (816) 283-7004 for assistance. If you have any questions concerning mapping issues in general or the enclosed SOMA, please call our FMIX at the telephone number shown above. Additional information and resources you may find helpful regarding the NFIP and floodplain management can be found on our website at <https://www.fema.gov/flood-maps>. Copies of these documents may also be obtained by calling our FMIX.

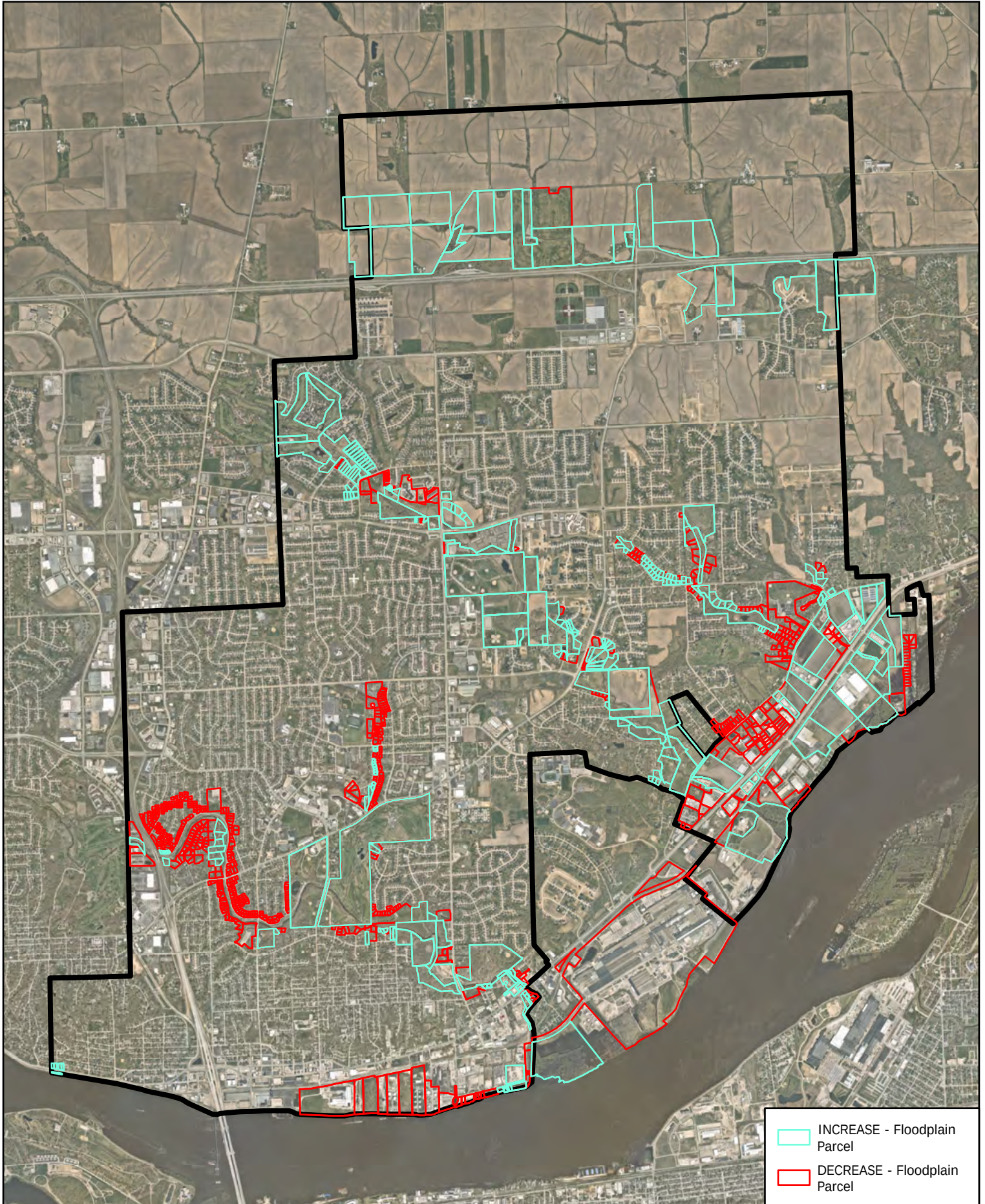
Sincerely,

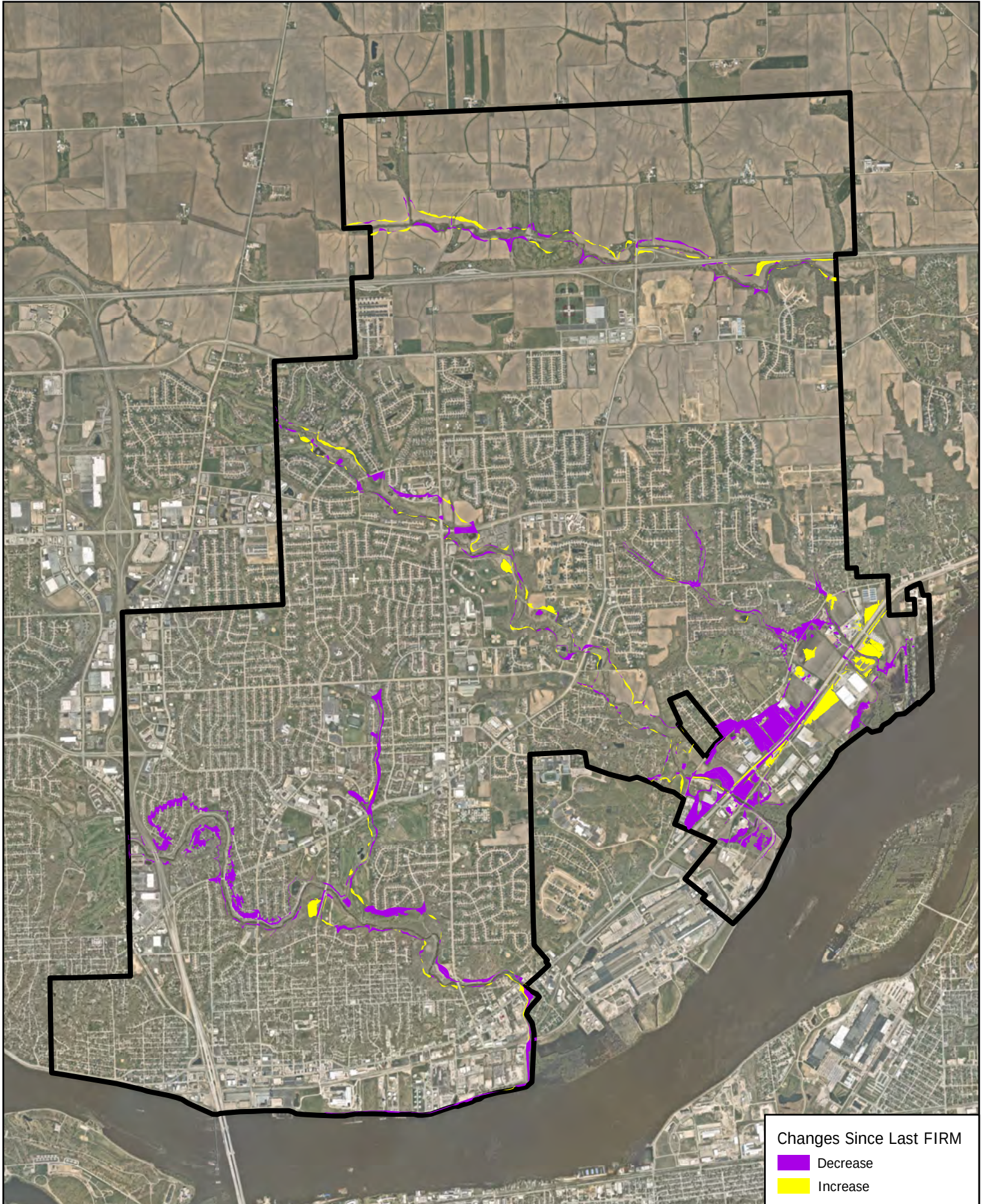
A handwritten signature in dark ink, appearing to read 'Luis Rodriguez', with a stylized flourish at the end.

Luis Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

Enclosure:
Final SOMA

cc: Community Map Repository
Taylor Beswick, City Planner, City of Bettendorf





TITLE 13
FLOOD CONTROL

CHAPTER 1
FLOOD AREA MANAGEMENT

SECTION:

- 13-1-1: Legal Authority And Purpose
- 13-1-2: Findings Of Fact
- 13-1-3: Definitions
- 13-1-4: Interpretation
- 13-1-5: Compliance Required
- 13-1-6: Administrator, Appointment And Duties
- 13-1-7: Flood Area Development Permit Requirements
- 13-1-8: Lands To Which Regulations Apply
- 13-1-9: Rules For Interpretation Of District Boundaries
- 13-1-10: Variances
- 13-1-11: Floodplain Area Standards
- 13-1-12: Floodway Area
- 13-1-13: Amendments
- 13-1-14: Warning And Disclaimer Of Liability
- 13-1-15: Abrogation And Greater Restrictions
- 13-1-16: Penalties For Violations
- 13-1-17: Severability

13-1-1: LEGAL AUTHORITY AND PURPOSE:

A. Legal Authority: Iowa Code chapter 364 grants cities the authority, except as expressly limited by the constitution and if not inconsistent with the laws of the general assembly, to exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the city or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents.

B. Purpose: These regulations are established for the purpose of meeting the needs of the rivers and streams to carry floodwaters and to protect the rivers, creek channels, and floodplains from encroachment so that flood heights and flood damage will not be appreciably increased; to provide the necessary regulations for the protection of the public health and safety in areas subject to flooding; and to reduce the financial burdens imposed upon the community by floods. (2008 Code app. C art. I; amd. Ord. 03-21, 2-16-2021)

13-1-2: FINDINGS OF FACT:

A. The flood hazard areas of Bettendorf are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the peace, safety, health, welfare, comfort, and convenience of its residents.

B. These flood losses, hazards, and related adverse effects are caused by:

1. The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise unprotected from flooding; and

2. The cumulative effect of obstructions on the floodplain causing increases in flood heights and velocities.

C. This chapter relies upon engineering methodology for analyzing flood hazards which includes the extensive study on flood drainage undertaken by the city. This approach is consistent with the standards established by the Department of Natural Resources. (2008 Code app. C art. I; amd. Ord. 03-21, 2-16-2021)

13-1-3: DEFINITIONS:

For the purpose of this chapter, the following terms shall have the meanings ascribed to them in this section:

APPURTENANT STRUCTURE:

A structure which is on the same parcel of the property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

BASE FLOOD:

A flood having a one percent (1%) chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE):

The elevation floodwaters would reach at a particular site during the occurrence of a base flood event.

BASEMENT:

Any enclosed area of a building which has its floor or lowest level below ground level (subgrade) on all sides. Also, see definition of Lowest Floor.

DEVELOPMENT:

Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. "Development" does not include "minor projects" or "routine maintenance of existing buildings and facilities" as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve filling, grading, or excavating.

ENCLOSED AREA BELOW LOWEST FLOOR:

The floor of the lowest enclosed area in a building when all the following criteria are met:

- A. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of section 13-1-11(H)(1) of this chapter, and
- B. The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as building access, parking or storage, and
- C. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least ~~one-two feet~~ (1'-2') above the base flood elevation, and
- D. The enclosed area is not a "basement" as defined in this section.

EXISTING CONSTRUCTION:

~~For the purposes of determining rates, Any~~ structures for which the "start of construction" commenced before the effective date of the ~~FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures"~~first floodplain management regulations adopted by the City.

EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION:

A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory built homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is complete before the effective date of the floodplain management's regulations adopted by a community.

EXPANSION OF EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION:

The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of

utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FACTORY-BUILT HOME PARK OR SUBDIVISION:

A parcel (or contiguous parcels) of land divided into two (2) or more factory-built home lots for rent or sale.

FACTORY-BUILT HOME:

Any structure, designed for residential use which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this ordinance, factory-built homes include mobile homes, factory-built homes, and modular homes; and also include "recreational vehicles" which are placed on a site for greater than one hundred eighty (180) consecutive days and not fully licensed for and ready for highway use.

FIVE HUNDRED (500) YEAR FLOOD:

A flood, the magnitude of which has a two-tenths percent (0.2%) chance of being equaled or exceeded in any given year or which, on average, will be equaled or exceeded at least once every five hundred (500) years.

FLOOD INSURANCE RATE MAP (FIRM):

The official map prepared as part of (but published separately from) the Flood Insurance Study which delineates both the flood hazard areas and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY:

A report published by FEMA for a community issued along with the community's Flood Insurance Rate Map(s). The study contains such background data as the base flood discharge and water surface elevations that were used to prepare the FIRM.

FLOOD OR FLOODING:

A general and temporary condition of partial or complete inundation of normally dry land areas from: a) the overflow of inland or tidal waters; b) the usual and rapid accumulation of runoff of surface waters from any source.

FLOODPLAIN:

Any land area susceptible to being inundated by water from any source (see definition of Flood or Flooding).

FLOODPLAIN MANAGEMENT:

An overall program of corrective and preventive measures for reducing flood damages and promoting the wise use of floodplains, including but not limited to emergency

preparedness plans, flood control works, floodproofing and floodplain management regulations.

FLOODPROOFING:

Any combination of structural and nonstructural additions, changes, or adjustments to structures, including utility and sanitary facilities, which will reduce or eliminate flood damage to such structures.

FLOODWAY OR REGULATORY FLOODWAY:

The channel of a river or other watercourse and the floodplain adjoining the channel, which are reasonably required to carry and discharge floodwaters or flood flows so that confinement of flood flow to the floodway area will not~~adjacent land areas that must be reserved in order to discharge the base flood without~~ cumulatively increasing the water surface elevation of the base flood by more than one foot (1').

FLOODWAY FRINGE:

That area of the special flood hazard area outside of the floodway.

FREEBOARD:

A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.

HIGHEST ADJACENT GRADE:

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE:

Any structure that is: a) listed individually in the national register of historic places (a listing maintained by the department of the interior) or preliminarily determined by the secretary of the interior as meeting the requirements for individual listing on the national register; b) certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district; c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the secretary of the interior; or d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: 1) by an approved state program as determined by the secretary of the interior; or 2) directly by the secretary of the interior in states without approved programs.

LOWEST FLOOR:

The floor of the lowest enclosed area in a building including a basement except when the criteria listed in the definition of "enclosed area below lowest floor" are met.

MAXIMUM DAMAGE POTENTIAL DEVELOPMENT:

Hospitals and like institutions; buildings or building complexes containing documents, data, or instruments of great public value; buildings or building complexes containing materials dangerous to the public or fuel storage facilities; power installations needed in emergency or other buildings or building complexes similar in nature or use.

MINOR PROJECTS:

Small development activities (except for filling, grading, and excavating) valued at less than five hundred dollars (\$500.00).

NEW CONSTRUCTION:

For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NEW FACTORY-BUILT HOME PARK OR SUBDIVISION:

A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the first floodplain management regulations adopted by the community.

OVERLAY DISTRICT:

A district in which additional requirements act in conjunction with the underlying zoning districts. The original zoning district designation does not change.

PRINCIPALLY ABOVEGROUND:

At least fifty percent (50%) of the actual cash value of the structure is aboveground.

RECREATIONAL VEHICLE:

A vehicle which is: a) built on a single chassis; b) four hundred (400) square feet or less when measured at the largest horizontal projection; c) designed to be self-propelled or permanently towable by a light duty truck; and d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES:

Repairs necessary to keep a structure in a safe and habitable condition that do not require a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:

- A. Normal maintenance of structures such as reroofing, replacing roofing tiles, and replacing siding;
- B. Exterior and interior painting, wallpapering, tiling, carpeting, cabinets, countertops and similar finish work;
- C. Basement sealing;
- D. Repairing or replacing damaged or broken window panes;
- E. Repairing plumbing systems, electrical systems, heating or air conditioning systems, and repairing wells or septic systems.

SPECIAL FLOOD HAZARD AREA:

The land within a community subject to the "base flood". This land is identified on the community's Flood Insurance Rate Map as Zone A, A1-30, AE, AH, AO, AR, and/or A99.

START OF CONSTRUCTION:

For other than new construction or substantial improvements under the coastal barrier resources act (PB. 1. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

STRUCTURE:

Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factory-built homes, storage tanks, grain storage facilities and/or other similar uses.

SUBSTANTIAL DAMAGE:

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. Substantial damage also means flood related damage sustained by a structure on two (2) separate occasions during a ten (10) year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty five percent (25%) of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair.

SUBSTANTIAL IMPROVEMENT:

Any improvement to a structure which satisfies either of the following criteria:

A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either (i) before the "start of construction" of the improvement, or (ii) if the structure has been "substantially damaged" and is being restored, before the damage occurred. The term does not, however, include either: a) any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to ensure safe living conditions; or b) any alteration of a "historic structure"; provided, that the alterations will not preclude the structure's continued designation as a "historic structure".

B. Any addition which increases the original floor area of a building by twenty five percent (25%) or more. All additions constructed after the effective date of the first floodplain management regulations adopted by the community shall be added to any proposed addition in determining whether the total increase in original floor space would exceed twenty five percent (25%).

VARIANCES:

A grant of relief to a person from the requirements of this chapter which permits construction in a manner otherwise prohibited by this chapter where specific enforcement would result in unnecessary hardship.

VIOLATION:

The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in these regulations is presumed to be in violation until such time as that documentation is provided. (2008 Code app. C art. VIII; amd. Ord. 02-14, 2-18-2014; Ord. 01-16, 1-5-2016; Ord. 03-21, 2-16-2021)

13-1-4: INTERPRETATION:

In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by state statutes. (2008 Code app. C art. III; amd. Ord. 03-21, 2-16-20212)

13-1-5: COMPLIANCE REQUIRED:

No structure or land shall hereafter be used and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this chapter and other applicable regulations which apply to uses within the jurisdiction of this chapter. (2008 Code app. C art. III; amd. Ord. 03-21, 2-16-2021)

13-1-6: ADMINISTRATOR, APPOINTMENT AND DUTIES:

A. Enforcement Official: The zoning and building inspector shall administer and enforce the provisions of this chapter and will herein be referred to as the administrator.

B. Duties And Responsibilities: Duties and responsibilities of the administrator shall include, but not necessarily be limited to, the following:

1. Review all floodplain development permit applications to ensure that the provisions of this chapter will be satisfied.

2. Review all floodplain development permit applications to ensure that all necessary permits have been obtained from federal, state or local governmental agencies, including approval when required from the Department of Natural Resources for floodplain construction.

3. Record and maintain a record of: a) the elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of all new or substantially improved buildings; or b) the elevation to which new or substantially improved structures have been floodproofed. Lowest floor elevation figures of structures in zone A need not be maintained unless base flood elevation data from a source other than the flood insurance rate map is obtained.

4. Notify adjacent communities and/or counties and the Department of Natural Resources prior to any proposed alteration or relocation of a watercourse and submit evidence of such notifications to the Federal Emergency Management Agency.

5. Keep a record of all permits, appeals, variances and such other transactions and correspondence pertaining to the administration of this chapter.

6. Submit to the Federal Insurance Administration an annual report concerning the community's participation, utilizing the annual report form supplied by the Federal Insurance Administrator.

7. Notify the Federal Insurance Administration of any annexations or modifications to the community's boundaries.

8. Review subdivision proposals to ensure such proposals are consistent with the purpose of this ordinance and advise the ~~(BOARD OF APPEALS)~~Board of Adjustment of potential conflict.

9. Maintain the accuracy of the community's Flood Insurance Rate Maps when: a) development placed within the floodway results in any of the following: (i) an increase in the base flood elevations, or (ii) alteration to the floodway boundary; b) development placed in zones A, AE, AH, and A1-30 that does not include a designated floodway that will cause a rise of more than one foot in the base elevation; or c) development relocates or alters the channel. Within six (6) months of the completion of the development, the applicant shall submit to FEMA all scientific and technical data necessary for a Letter of Map Revision.

10. Perform site inspections to ensure compliance with the standards of this chapter. (2008 Code app. C art. II; amd. Ord. 03-21, 2-16-2021)

13-1-7: FLOOD AREA DEVELOPMENT PERMIT REQUIREMENTS:

A. Permit Required: A flood area development permit issued by the administrator shall be secured prior to initiation of any floodplain development (any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, filling, grading, paving, storage of materials and equipment, excavation or drilling operations) including the placement of factory-built homes.

B. Application For Permit: Application for a floodplain development permit shall be made on forms supplied by the administrator and shall include the following information:

1. Description of the work to be covered by the permit for which application is to be made.

2. Description of the land on which the proposed work is to be done (i.e., lot, block, tract, street, or similar description) that will readily identify and locate the work to be done.

3. Indication of the use or occupancy for which the proposed work is intended.

4. Elevation of the base flood.

5. Elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of buildings or of the level to which a building is to be floodproofed.

6. Location and dimensions of all structures and additions.

7. For structures being improved or rebuilt, the estimated cost of improvements and market value of the structure prior to the improvements.

8. Such other information as the administrator deems reasonably necessary for the purpose of this chapter.

C. Action On Permit Application: The administrator shall, within a reasonable time, make a determination as to whether the proposed floodplain development meets the applicable standards of this chapter and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefor. The administrator shall not issue permits for variances except as directed by the appropriate board.

D. Construction And Use As Provided In Application And Plans:

1. Floodplain development permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this chapter. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the state of Iowa, that the finished fill, building floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this chapter, prior to the use or occupancy of any structure.

2. The administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, as criteria for requiring that new construction, substantial improvements, or other development in zone A meets the requirements of this chapter. (2008 Code app. C art. II; amd. Ord. 03-21, 2-16-2021)

13-1-8: LANDS TO WHICH REGULATIONS APPLY:

The provisions of this chapter shall apply to all lands and uses which have significant flood hazards. The flood insurance rate map (FIRM) for Scott County and incorporated areas, city of Bettendorf, panels 19163C0360H, 0367H, 0370H, 0376H, 0377H, 0378H, 0379H, 0381H, 0383H, 0386H, 0387H, 0388H, 0391H, dated April 11, 2024 and panel 19163C0369G, dated June 9, 2014~~19163C0360G, 0367G, 0369G, 0370G, 0376G, 0377G, 0378G, 0379G, 0381G, 0383G, 0386G, 0387G, 0388G, 0391G, dated March 23, 2021~~, which were prepared as part of the Scott County flood insurance study, shall be used to identify such flood hazard areas and all areas shown thereon to be within the boundaries of the base flood shall be considered as having significant flood hazards. The Scott County flood insurance study is hereby adopted by reference and is made a part of this chapter for the purpose of administering floodplain management regulations. (Ord. 02-14, 2-18-2014; amd. Ord. 03-21, 2-16-2021)

13-1-9: RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES:

The boundaries of the special flood hazard areas shall be determined by scaling distances on the official flood insurance rate map. Where uncertainty exists with respect to the precise location of the base flood boundary, the location shall be determined on the basis of the base flood elevation at the particular site in question. Where interpretation is needed as to the exact location of the boundaries as shown on the official map, the administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to present their case and submit technical evidence. (2008 Code app. C art. III; amd. Ord. 03-21, 2-16-2021)

13-1-10: VARIANCES:

A. Variances Authorized For Certain Building Construction Items: Except for first floor elevation requirements, the Board of Appeals may authorize, upon request, a variance from the requirements of this chapter as it relates to the following building construction items:

1. Foundation construction.
2. Floodproofing requirements.
3. Any item closely allied to the aforementioned items.

B. Other Variance Requests: The Board of Adjustment may authorize a variance from the terms of this chapter on all other requests.

C. Meeting Certain Standards: Variances granted must not be contrary to the public interests and meet the following applicable standards:

1. No variance shall be granted for any development which would result in any increase in flood heights during the occurrence of the base flood.
2. Variances shall only be granted upon: a) a showing of good and sufficient cause; and b) a determination that owing to special conditions failure to grant the variance would result in exceptional hardship to the applicant; and c) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public.
3. Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
4. All variances granted shall have the concurrence or approval of the Department of Natural Resources.

D. Decision Based Upon Certain Factors: In passing upon applications for variances, consideration shall be given to relevant factors specified in other sections of this chapter, and:

1. The danger to life and property due to increased flood heights or velocities caused by encroachments.

2. The danger that materials may be swept onto other land or downstream to the injury of others.

3. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.

4. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.

5. The importance of the services provided by the proposed facility to the city.

6. The requirements of the facility for a floodplain location.

7. The availability of alternative locations not subject to flooding for the proposed use.

8. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.

9. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.

10. The safety of access to the property in times of flood for ordinary and emergency vehicles.

11. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwater expected at the site.

12. Such other factors which are relevant to the purpose of this chapter.

E. Conditions Attached To Variances: Upon consideration of the factors listed above, conditions may be attached to the granting of variances as deemed necessary to further the purpose of this chapter. Such conditions may include, but not necessarily be limited to:

1. Modification of waste disposal and water supply facilities.

2. Limitation of periods of use and operation.

3. Imposition of operational controls, sureties, and deed restrictions.

4. Requirements for construction of channel modifications, dikes, levees, and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practicable alternative to achieving the purpose of this chapter.

5. Floodproofing measures. (2008 Code app. C art. II; amd. Ord. 03- 21, 2-16-2021)

13-1-11: FLOODPLAIN AREA STANDARDS:

A. Location: The location of this area is based on the ~~base flood~~ Special Flood Hazard Area boundary as delineated on the Scott County flood insurance rate maps dated March 23, 2021 April 11, 2024, and June 9, 2014 ~~and~~ as revised and provided by the Federal

Emergency Management Agency. The requirements of this section shall take precedence over any conflicting requirement of the city.

B. Uses Allowed: Permitted, special, temporary and accessory uses as set forth and regulated in the Bettendorf zoning ordinance are permitted in this area.

C. Site And Structure Requirements:

1. All development and structures shall conform to the requirements of the Bettendorf building code and to the requirements of the district in which the development is located in the Bettendorf zoning ordinance except for the additional requirements which are noted in this chapter.~~All uses and buildings shall conform to the requirements of the Bettendorf building code and to the requirements of the district in which the use is located in the Bettendorf zoning ordinance except for the additional requirements which are noted in this chapter.~~

2. All regulations in regard to area, width, yards, height, floor area ratio, and minimum size of dwelling shall conform to the zoning regulations of the city.

3. All proposed building sites will be reasonably safe from flooding. Earth fill or other materials may be used to raise the elevation of the land, provided it does not increase the flood level more than one foot (1') above the base flood elevation at any point. The amount of fill should not be greater than is necessary to achieve the purpose and requirements of this chapter, as demonstrated by a plan filed by the applicant showing the uses to which the filled land shall be put and the final dimensions of the proposed fill or other materials. Fill or other materials shall be protected against erosion by riprap, vegetative cover, or bulkheading.

4. All development must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Where base flood elevations have not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to determine (i) whether the land involved is either wholly or partly within the floodway or floodway fringe and (ii) the base flood elevation. Until a regulatory floodway is designated, no development may increase the Base Flood Elevation more than one foot (1'). The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

D. Outside Storage:

1. The outside storage or processing of materials, machinery, or equipment that in the time of flooding are buoyant, flammable, explosive, pollutant or could be injurious to human, animal or plant life, may be permitted, if placed on a fill above the level of inundation for a base flood, or if adequately protected by a dike revetment, levee or similar structure. Storage of other material or equipment may be allowed without flood protection if firmly anchored to prevent flotation or if easily moved.

2. Due to the relative slow rise of the Mississippi River compared to its tributaries, the storage restrictions of this chapter will not be required if located exclusively in the Mississippi floodplain area and if the landowner or tenant can provide assurances in

writing to the satisfaction of the building administrator that the aforementioned storage can be removed within a forty eight (48) hour period.

E. Anchoring Requirements: All new and substantially improved structures shall be: 1) designed and adequately anchored to prevent flotation, collapse or lateral movement of the structure; 2) constructed with materials and utility equipment resistant to flood damage; and 3) constructed by methods and practices that minimize flood damage.

F. Residential Elevation Requirements: All new or substantially improved residential structures shall have the lowest floor, including basement, elevated a minimum of two feet (2') above the base flood elevation. All new residential structures located in areas that would become isolated due to flooding of surrounding ground shall be provided with a means of access that will be passable by wheeled vehicles during the base flood. However, this criterion shall not apply where the Administrator determines there is sufficient flood warning time for the protection of life and property. When estimating flood warning time, consideration shall be given to the criteria listed in 567-75.2(3), Iowa Administrative Code.

G. Nonresidential Elevation Requirements:

1. All new or substantially improved nonresidential ~~buildings~~ structures shall have the first floor (including basement) elevated a minimum of two feet (2') above the base flood elevation, or together with attendant utility and sanitary systems, be floodproofed to such a level.

2. When floodproofing is utilized, a professional engineer registered in the state of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood; and that the structure, below the base flood elevation, is watertight with walls substantially impermeable to the passage of water.

3. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the administrator.

H. Foundation And Facilities: Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:

1. A minimum of two (2) openings located to permit automatic entry and exit of floodwaters and having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.

2. The bottom of all openings shall be no higher than one foot above grade.

3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and other similar machinery and equipment elevated (or in the case on non-residential structures, optionally floodproofed to) a minimum of two feet (2') above the base flood elevation.~~New and substantially improved structures must be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Flood drains and other openings to sanitary sewers shall be provided with gate valves or similar devices to prevent inflow either directly or indirectly into the public sanitary sewer system.~~

5. Such areas shall be used solely for parking of vehicles, building access, and low damage potential storage.

6. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

7. New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of two feet (2') above the base flood elevation or designed to be watertight and withstand inundation to such a level.

I. Factory-built homes:

1. All new and substantially improved factory-built homes including those placed in existing factory-built home parks or subdivisions shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. Anchorage systems may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Building Code.

2. All new and substantially improved factory-built homes including those placed in existing factory-built home parks or subdivisions shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of two feet (2') above the base flood elevation.

J. Utility And Sanitary Systems:

1. All new and replacement sanitary sewers must be sealed to prevent undue infiltration. Such infiltration shall not exceed the rate of fifteen (15) gallons per day per one hundred feet (100') of four-inch (4") sewer pipe, or twenty-two (22) gallons per day per one hundred feet (100') of six-inch (6") sewer pipe, or thirty (30) gallons per day per one hundred feet (100') of eight-inch (8") sewer pipe.
2. On site waste disposal and water supply systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.

3. New or replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system. Water supply treatment facilities shall be provided with a level of protection equal to or greater than two feet (2') above the base flood elevation.

~~3.4. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than two feet (2') above the base flood elevation.~~

4.5. Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood-damaged or impaired systems.

K. ~~No development shall affect the capacity of conveyance of the channel of floodway of any tributary to the main stream, drainage ditch, or other drainage facility or system. Capacity Of Flood Area: No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or other drainage facility or system.~~

L. Floodplain Area Standards; Subdivision Requirements:

1. Subdivision proposals intended for residential use shall provide all lots with a means of access which will be passable by wheeled vehicles during a base flood.

2. All proposals for subdivisions, regardless of size or number of lots, shall include base flood elevation data for those areas located within the area of significant flood hazard.

3. Subdivision proposals shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage.

4. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this chapter.

M. Outbuildings And Non-major Buildings: Detached garages, sheds, and similar accessory type structures that are incidental to a residential use are exempt from the base flood elevation requirements when the following criteria are satisfied:

1. The structure shall be designed to have low flood damage potential. Its size shall not exceed six hundred (600) square feet in size. Those portions of the structure located less than two feet (2') above the base flood elevation must be constructed of flood-resistant materials.

2. The structure shall be designed to have low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.

3. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.

4. Structures shall be firmly anchored to prevent flotation, collapse, and lateral movement which may result in damage to other structures.

5. The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least two feet (2') above the base flood elevation.

6. The structure's walls shall include openings that satisfy the provision of subsection H of this section.

N. Recreational Vehicles:

1. Recreational vehicles are exempt from the requirements of subsection I of this section regarding anchoring and elevation of factory-built homes when the following criteria are satisfied:

a. The recreational vehicle shall be located on the site for less than one hundred eighty (180) consecutive days; and

b. The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

2. Recreational vehicles that are located on the site for more than one hundred eighty (180) consecutive days or are not ready for highway use must satisfy requirements of subsection I of this section regarding anchoring and elevation of factory-built homes.

O. Flood Control Structural Works: Flood control structural works such as levees, floodwalls, etc., shall provide, at a minimum, protection from a base flood with a minimum of three feet (3') of design freeboard and shall provide for adequate interior drainage. In addition, the Department of Natural Resources shall approve structural flood control works.

P. Watercourse Alterations: Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.

Q. Stream Crossings: Pipeline river or stream crossings shall be buried in the stream bed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.

R. Maximum Damage Potential Development: All new or substantially improved maximum damage potential development shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the elevation of the five hundred (500) year flood or, together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the two tenths percent (0.2%) annual chance flood and that the structure, below the two tenths percent (0.2%) annual chance flood elevation, is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific

elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator. Where two tenths percent (0.2%) chance flood elevation data has not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determinations. (Ord. 01-16, 1-5-2016; amd. Ord. 03-21, 2-16-2021)

13-1-12: FLOODWAY AREA:

A. Location: The location of ~~this the floodway~~ area is based on the Scott County Flood Insurance Rate Maps dated ~~March 23, 2021~~ April 11, 2024 and June 9, 2014, as revised and provided by the Federal ~~Insurance Administrator of the Department of Housing and Urban Development~~ Emergency Management Agency. In addition to the Floodplain Area Standards, development within the floodway must meet the following applicable standards. The floodway is that portion of the floodplain which must be protected from developmental encroachment to allow the free flow of flood waters. The requirements of this section shall take precedence over any conflicting requirements of the city.

B. Special Floodway Provisions:

1. Where no floodway data has been provided, the Department of Natural Resources shall be contacted to provide a floodway delineation.
2. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.
3. ~~No development shall be permitted in the floodway area that would result in any increase in the base flood elevation. Consideration of the effects of any development on the flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands. No use shall be permitted in the floodway area that would result in any increase in the base flood elevation. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.~~
4. ~~No development shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or other drainage facility or system. No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or any other drainage facility or system.~~

C. Uses Permitted: Uses are permitted and regulated in the floodplain area, except:

1. ~~Any development considered to have flood damage potential such as, but not limited to, storage of materials and equipment, fill and a use which could obstruct flood flows is prohibited. Any use considered to have flood damage potential such as, but not limited to, storage of materials and equipment, fill and a use which could obstruct flood flows is prohibited.~~

2. Encroachment by fill is prohibited.

3. The erection of a new buildingstructures, the expansion of an existing building or the placement of a structure is prohibited.

D. Watercourse Alterations: Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood-carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.

E. Stream Crossings: Pipeline river or stream crossings shall be buried in the stream bed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.

F. Site Requirements: Conformance to all zoning regulations in regard to area, width, and yards is required. (2008 Code app. C art. V; amd. Ord. 02-14, 2-18-2014; Ord. 03-21, 2-16-2021)

13-1-13: AMENDMENTS:

The regulations and standards set forth in this chapter may from time to time be amended, supplemented, changed, or repealed. No amendment, supplement, change, or modification shall be undertaken without prior approval of the Department of Natural Resources. (2008 Code app. C art. VII; amd. Ord. 03-21, 2-16-2021)

13-1-14: WARNING AND DISCLAIMER OF LIABILITY:

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This chapter does not imply that areas outside the regulated areas or that uses permitted within the regulated areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Bettendorf or any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder. (2008 Code app. C art. III; amd. Ord. 03-21, 2-16-2021)

13-1-15: ABROGATION AND GREATER RESTRICTIONS:

It is not intended by this chapter to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail. All ordinances inconsistent with this chapter are hereby repealed to the extent of the inconsistency only. (2008 Code app. C art. III; amd. Ord. 03-21, 2-16-2021)

13-1-16: PENALTIES FOR VIOLATIONS:

Violations of the provisions of this chapter or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be subject to penalty as provided in Section 1-4-1 of this code. Nothing herein contained shall prevent Bettendorf or a citizen from taking such other lawful action as is necessary to prevent or remedy any violation. (2008 Code app. C art. VI; amd. 2015 Code; amd. Ord. 03-21, 2-16-2021)

13-1-17: SEVERABILITY:

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. (Ord. 03-21, 2-16-2021)

11-6-1: OVERLAY DISTRICTS:

A. Purpose: Overlay districts are used in combination with base districts to modify or expand base district regulations. These districts adapt to the special needs of areas of the city and further allow Bettendorf's zoning ordinance to evolve as the planning and development needs and trends of specific areas also change. The overlay districts are designed to achieve the following objectives:

1. To recognize special conditions in specific parts of the city which require specific regulations.
2. To provide for the protection of special features in the natural and built environment of the city.
3. To allow for change and adaptability to different needs and trends in land development.
4. To encourage comprehensive environmental planning in the city, and to protect the integrity of vital city services such as the water supply and parks.
5. To provide flexibility in development and to encourage innovative design through comprehensively planned projects.

B. Establishment Of Districts: The following overlay districts are hereby established.

1. ~~FD: Floodway/Floodplain Overlay District.~~RESERVED.
2. DMP: Downtown Master Plan Overlay District.
3. UTICOD: Utica Ridge Overlay District (UTICOD). (Ord. 35-17, 10-17-2017)

11-6-2: ~~FD FLOODWAY/FLOODPLAIN OVERLAY DISTRICT:~~

~~A. Legal Authority and Purpose:~~

~~1. Legal Authority: Iowa Code Chapter 364 grants cities the authority, except as expressly limited by the constitution and if not inconsistent with the laws of the general assembly, to exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the city or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents.~~

~~2. Purpose: These regulations are established for the purpose of meeting the needs of the rivers and streams to carry floodwaters and to protect the rivers, creek channels, and floodplains from encroachment so that flood heights and flood damage will not be appreciably increased, to provide the necessary regulations for the protection of the public~~

health and safety in areas subject to flooding, and to reduce the financial burdens imposed upon the community by floods.

~~—B. Findings of Fact:~~

~~—1. The flood hazard areas of Bettendorf are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the peace, safety, health, welfare, comfort, and convenience of its residents.~~

~~—2. These flood losses, hazards, and related adverse effects are caused by:~~

~~—a. The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise unprotected from flooding, and~~

~~—b. The cumulative effect of obstructions on the floodplain causing increases in flood heights and velocities.~~

~~—3. This chapter relies upon engineering methodology for analyzing flood hazards which includes the extensive study on flood drainage undertaken by the city. This approach is consistent with the standards established by the Department of Natural Resources.~~

~~—C. Definitions: For the purpose of this chapter, the following terms shall have the meanings ascribed to them in this section:~~

~~BASE FLOOD: A flood having a one percent (1%) chance of being equaled or exceeded in any given year.~~

~~BASEMENT: Any enclosed area of a building which has its floor or lowest level below ground level (subgrade) on all sides. Also, see definition of lowest floor.~~

~~DEVELOPMENT: Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials. "Development" does not include "minor projects" or "routine maintenance of existing buildings and facilities" as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve filling, grading, or excavating.~~

~~EXISTING CONSTRUCTION: For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."~~

~~EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION: A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is~~

complete before the effective date of the floodplain management's regulations adopted by a community.

~~EXPANSION OF EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION:~~ The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

~~FACTORY-BUILT HOME PARK OR SUBDIVISION:~~ A parcel (or contiguous parcels) of land divided into two (2) or more factory-built home lots for rent or sale.

~~FACTORY-BUILT HOMES:~~ A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

~~FLOOD FRINGE:~~ That area of the floodplain, outside of the floodway, that on the average is likely to be flooded once every one hundred (100) years (i.e., that has a one percent (1%) chance of flood occurrence in any one year).

~~FLOOD INSURANCE RATE MAP (FIRM):~~ An official map of a community on which the flood insurance study has delineated the flood hazard boundaries and the zones establishing insurance rates applicable to the community.

~~FLOOD INSURANCE STUDY:~~ The official report provided by the federal emergency management agency. The report contains flood profiles, as well as the Scott County flood insurance rate maps and the water surface elevation of the base flood.

~~FLOOD OR FLOODING:~~ A general and temporary condition of partial or complete inundation of normally dry land areas from:

- ~~—a.—~~ The overflow of inland or tidal waters.
- ~~—b.—~~ The usual and rapid accumulation of runoff of surface waters from any source.

~~FLOODPLAIN:~~ Any land area susceptible to being inundated by water from any source (see definition of flood or flooding).

~~FLOODWAY OR REGULATORY FLOODWAY:~~ The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

~~FREEBOARD:~~ A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.

~~HIGHEST ADJACENT GRADE:~~ The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

~~HISTORIC STRUCTURE: Any structure that is: a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district; c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: —(1) By an approved state program as determined by the Secretary of the Interior; or —(2) Directly by the Secretary of the Interior in states without approved programs.~~

~~LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.~~

~~MINOR PROJECTS: Small development activities (except for filling, grading, and excavating) valued at less than five hundred dollars (\$500.00).~~

~~NEW CONSTRUCTION: For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.~~

~~NEW FACTORY-BUILT HOME PARK OR SUBDIVISION: A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the first floodplain management regulations adopted by the community.~~

~~OVERLAY DISTRICT: A district in which additional requirements act in conjunction with the underlying zoning districts. The original zoning district designation does not change.~~

~~PRINCIPALLY ABOVEGROUND: At least fifty percent (50%) of the actual cash value of the structure is aboveground.~~

~~RECREATIONAL VEHICLE: A vehicle which is:~~

- ~~—a.— Built on a single chassis;~~
- ~~—b.— Four hundred (400) square feet or less when measured at the largest horizontal projection;~~
- ~~—c.— Designed to be self-propelled or permanently towable by a light duty truck; and~~

—d.— Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES: Repairs necessary to keep a structure in a safe and habitable condition that do not require a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include: a. Normal maintenance of structures such as reroofing, replacing roofing tiles, and replacing siding; b. Exterior and interior painting, wallpapering, tiling, carpeting, cabinets, countertops, and similar finish work; c. Basement sealing; d. Repairing or replacing damaged or broken window panes; and e. Repairing plumbing systems, electrical systems, heating or air conditioning systems, and repairing wells or septic systems.

SPECIAL FLOOD HAZARD AREA: The land in the floodplain within a community subject to one percent (1%) or greater chance of flooding in any given year.

START OF CONSTRUCTION: For other than new construction or substantial improvements under the coastal barrier resources act (PB. 1. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

STRUCTURE: A walled and roofed building that is principally aboveground, as well as a manufactured home, and a gas or liquid storage tank that is principally aboveground.

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. Substantial damage also means flood-related damage sustained by a structure on two (2) separate occasions during a ten (10)-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty five percent (25%) of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds twenty five percent (25%) of the market value of the structure before "start of construction" of the improvement. This

includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- a.— Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to ensure safe living conditions; or
- b.— Any alteration of a "historic structure," provided that the alterations will not preclude the structure's continued designation as a "historic structure."

VARIANCES: A grant of relief to a person from the requirements of this chapter which permits construction in a manner otherwise prohibited by this chapter where specific enforcement would result in unnecessary hardship.

VIOLATION: The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in these regulations is presumed to be in violation until such time as that documentation is provided.

—D.— Interpretation: In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by state statutes.

—E.— Compliance Required: No structure or land shall hereafter be used and no structure shall be located, extended, converted, or structurally altered without full compliance with the terms of this chapter and other applicable regulations which apply to uses within the jurisdiction of this chapter.

—F.— Administrator, Appointment, And Duties:

—1.— Enforcement Official: The zoning and building inspector shall administer and enforce the provisions of this chapter and will herein be referred to as the administrator.

—2.— Duties and Responsibilities: Duties and responsibilities of the administrator shall include, but not necessarily be limited to, the following:

—a.— Review all floodplain development permit applications to ensure that the provisions of this chapter will be satisfied.

—b.— Review all floodplain development permit applications to ensure that all necessary permits have been obtained from federal, state, or local governmental agencies.

—c.— Record and maintain a record of:

—(1)— The elevation (in relation to national geodetic vertical datum) of the lowest floor of all new or substantially improved buildings; or

~~—(2) The elevation to which new or substantially improved structures have been floodproofed. Lowest floor elevation figures of structures in Zone A need not be maintained unless base flood elevation data from a source other than the flood insurance rate map is obtained.~~

~~—d. Notify adjacent communities and/or counties and the Department of Natural Resources prior to any proposed alteration or relocation of a watercourse.~~

~~—d. Keep a record of all permits, appeals, variances, and such other transactions and correspondence pertaining to the administration of this chapter.~~

~~—G. Flood Area Development Permit Requirements:~~

~~—1. Permit Required: A flood area development permit issued by the administrator shall be secured prior to initiation of any floodplain development (any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, filling, grading, paving, excavation or drilling operations) including the placement of homes.~~

~~—2. Application For Permit: Application for a floodplain development permit shall be made on forms supplied by the administrator and shall include the following information:~~

~~—a. Description of the work to be covered by the permit for which application is to be made.~~

~~—b. Description of the land on which the proposed work is to be done (i.e., lot, block, tract, street address, or similar description) that will readily identify and locate the work to be done.~~

~~—c. Indication of the use or occupancy for which the proposed work is intended.~~

~~—d. Elevation of the 100-year flood. Elevation (in relation to national geodetic vertical datum) of the lowest floor (including basement) of buildings or of the level to which a building is to be floodproofed.~~

~~—d. Such other information as the administrator deems reasonably necessary for the purpose of this chapter.~~

~~—3. Action On Permit Application: The administrator shall, within a reasonable time, make a determination as to whether the proposed floodplain development meets the applicable standards of this chapter and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefor. The administrator shall not issue permits for variances except as directed by the appropriate board.~~

~~—4. Construction And Use As Provided In Application And Plans:~~

~~—a. Floodplain development permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement, or construction. Any use,~~

~~arrangement, or construction at variance with that authorized shall be deemed a violation of this chapter. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the state of Iowa, that the finished fill, building floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this chapter, prior to the use or occupancy of any structure.~~

~~—b. The administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, as criteria for requiring that new construction, substantial improvements, or other development in Zone A meets the requirements of this chapter.~~

~~—H. Lands To Which Regulations Apply: The provisions of this chapter shall apply to all lands and uses which have significant flood hazards. The flood insurance rate map (FIRM) for Scott County and incorporated areas, city of Bettendorf, Panels 19163C0360F, 0367F, 0370F, 0376F, 0377F, 0378F, 0379F, 0381F, 0383F, 0387F, 0391F, dated February 18, 2011, and Panels 190163C0369G, 0386G, 0388G, dated June 9, 2014, which were prepared as part of the Scott County flood insurance study, shall be used to identify such flood hazard areas and all areas shown thereon to be within the boundaries of the one hundred (100)-year flood shall be considered as having significant flood hazards. Where uncertainty exists with respect to the precise location of the one hundred (100)-year flood boundary, the location shall be determined on the basis of the one hundred (100)-year flood elevation at the particular site in question. The Scott County flood insurance study is hereby adopted by reference and is made a part of this chapter for the purpose of administering floodplain management regulations.~~

~~—I. Rules For Interpretation Of District Boundaries: The boundaries of the flood area districts shall be determined by scaling distances on the official floodplain map. Where interpretation is needed as to the exact location of the boundaries as shown on the official map, the administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to present their case and submit technical evidence.~~

~~—J. Variances:~~

~~—1. Variances Authorized For Certain Building Construction Items: Except for first floor elevation requirements, the building board of appeals may authorize, upon request, a variance from the requirements of this chapter as it relates to the following building construction items:~~

~~—a. Foundation construction.~~

~~—b. Floodproofing requirements.~~

~~—c. Any item closely allied to the aforementioned items.~~

~~—2. Other Variance Requests: The zoning board of adjustment may authorize a variance from the terms of this chapter on all other requests.~~

~~—3. Meeting Certain Standards: Variances granted must not be contrary to the public interests and meet the following applicable standards:~~

~~—a. No variance shall be granted for any development which would result in any increase in flood heights during the occurrence of the one hundred (100)-year flood.~~

~~—b. Variances shall only be granted upon:~~

~~—(1) A showing of good and sufficient cause; and~~

~~—(2) A determination that owing to special conditions failure to grant the variance would result in exceptional hardship to the applicant; and~~

~~—(3) A determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on, or victimization of the public.~~

~~—c. Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.~~

~~—d. All variances granted shall have the concurrence or approval of the Department of Natural Resources.~~

~~—4. Decision Based Upon Certain Factors: In passing upon applications for variances, consideration shall be given to relevant factors specified in other sections of this chapter, and:~~

~~—a. The danger to life and property due to increased flood heights or velocities caused by encroachments.~~

~~—b. The danger that materials may be swept onto other land or downstream to the injury of others.~~

~~—c. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.~~

~~—d. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.~~

~~—d. The importance of the services provided by the proposed facility to the city.~~

~~—f. The requirements of the facility for a floodplain location.~~

~~—g. The availability of alternative locations not subject to flooding for the proposed use.~~

~~—h. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.~~

~~—i. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.~~

~~—j. The safety of access to the property in times of flood for ordinary and emergency vehicles.~~

~~—k. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwater expected at the site.~~

~~—l. Such other factors which are relevant to the purpose of this chapter.~~

~~—5. Conditions Attached To Variances: Upon consideration of the factors listed above, conditions may be attached to the granting of variances as deemed necessary to further the purpose of this chapter. Such conditions may include, but not necessarily be limited to:~~

~~—a. Modification of waste disposal and water supply facilities.~~

~~—b. Limitation of periods of use and operation.~~

~~—c. Imposition of operational controls, sureties, and deed restrictions.~~

~~—d. Requirements for construction of channel modifications, dikes, levees, and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practicable alternative to achieving the purpose of this chapter.~~

~~—d. Floodproofing measures.~~

~~—K. Floodplain Area Standards:~~

~~—1. Location: The location of this area is based on the Base Flood boundary as delineated on the Scott County flood insurance rate maps dated February 18, 2011, and June 9, 2014, and as revised and provided by the Federal Emergency Management Agency. The requirements of this section shall take precedence over any conflicting requirement of the city.~~

~~—2. Uses Allowed: Permitted, special, temporary and accessory uses as set forth and regulated in the Bettendorf zoning ordinance are permitted in this area.~~

~~—3. Site And Structure Requirements:~~

~~—a. All uses and buildings shall conform to the requirements of the Bettendorf building code and to the requirements of the district in which the use is located in the Bettendorf zoning ordinance except for the additional requirements which are noted in this chapter.~~

~~—b. All regulations in regard to area, width, yards, height, floor area ratio, and minimum size of dwelling shall conform to the zoning regulations of the city.~~

~~—c. All proposed building sites will be reasonably safe from flooding. Earth fill or other materials may be used to raise the elevation of the land, provided it does not increase the flood level more than one foot (1') above the base flood level at any point. The amount of fill should not be greater than is necessary to achieve the purpose and requirements of this chapter, as demonstrated by a plan filed by the applicant showing the uses to which the filled land shall be put and the final dimensions of the proposed fill or other materials. Fill~~

or other materials shall be protected against erosion by riprap, vegetative cover, or bulkheading.

~~—4. Outside Storage:~~

~~—a. The outside storage or processing of materials, machinery, or equipment that in the time of flooding are buoyant, flammable, explosive, pollutant or could be injurious to human, animal or plant life, may be permitted, if placed on a fill above the level of inundation for a Base Flood, or if adequately protected by a dike revetment, levee or similar structure. Storage of other material or equipment may be allowed without flood protection if firmly anchored to prevent flotation or if easily moved.~~

~~—b. Due to the relative slow rise of the Mississippi River compared to its tributaries, the storage restrictions of this chapter will not be required if located exclusively in the Mississippi floodplain area and if the landowner or tenant can provide assurances in writing to the satisfaction of the building administrator that the aforementioned storage can be removed within a forty eight (48) hour period.~~

~~—5. Anchoring Requirements: All new and substantially improved structures shall be:~~

~~—a. Adequately anchored to prevent flotation, collapse or lateral movement of the structure;~~

~~—b. Constructed with materials and utility equipment resistant to flood damage; and~~

~~—c. Constructed by methods and practices that minimize flood damage.~~

~~—6. Residential Elevation Requirements: All new or substantially improved residential structures shall have the lowest floor, including basement, elevated a minimum of two feet (2') above the base flood level.~~

~~—7. Non-Residential Elevation Requirements:~~

~~—a. All new or substantially improved nonresidential buildings shall have the first floor (including basement) elevated a minimum of two feet (2') above the base flood level, or together with attendant utility and sanitary systems, be floodproofed to such a level.~~

~~—b. When floodproofing is utilized, a professional engineer registered in the state of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood; and that the structure, below the base flood level, is watertight with walls substantially impermeable to the passage of water.~~

~~—c. A record of the certification indicating the specific elevation (in relation to national geodetic vertical datum) to which any structures are floodproofed shall be maintained by the administrator.~~

~~—8. Foundation And Facilities: Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of~~

floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:

— a. A minimum of two (2) openings located to permit automatic entry and exit of floodwaters and having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

— b. Openings may be equipped with screens, louvers, valves, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

— c. New and substantially improved structures must be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Flood drains and other openings to sanitary sewers shall be provided with gate valves or similar devices to prevent inflow either directly or indirectly into the public sanitary sewer system.

— d. Such areas shall be used solely for parking of vehicles, building access, and low damage potential storage.

— 9. Manufactured Homes:

— a. Manufactured homes including those placed in existing factory-built home parks or subdivisions shall be anchored to resist flotation, collapse, or lateral movement.

— b. Manufactured homes including those placed in existing factory built home parks or subdivisions shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of two feet (2') above the base flood level.

— 10. Utility And Sanitary Systems:

— a. All new and replacement sanitary sewers must be sealed to prevent undue infiltration. Such infiltration shall not exceed the rate of fifteen (15) gallons per day per one hundred feet (100') of four (4)-inch sewer pipe, or twenty two (22) gallons per day per one hundred feet (100') of six (6)-inch sewer pipe, or thirty (30) gallons per day per one hundred feet (100') of eight-inch (8") sewer pipe.

— b. On-site waste disposal shall be located or designed to avoid impairment to the system or contamination from the system during flooding.

— c. New or replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system. Water supply treatment facilities shall be provided with a level of protection equal to or greater than two feet (2') above the base flood elevation.

— d. Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.

~~— 11. Capacity Of Flood Area: No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or other drainage facility or system.~~

~~— 12. Floodplain Area Standards; Subdivision Requirements:~~

~~— a. Subdivision proposals intended for residential use shall provide all lots with a means of access which will be passable by wheeled vehicles during a base flood.~~

~~— b. All proposals for subdivisions, regardless of size or number of lots, shall include base flood elevation data for those areas located within the area of significant flood hazard.~~

~~— c. Subdivision proposals shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage.~~

~~— d. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this chapter.~~

~~— 13. Outbuildings And Non-Major Buildings: Detached garages, sheds, and similar accessory type structures that are incidental to a residential use are exempt from the base flood elevation requirements when the following criteria are satisfied:~~

~~— a. The structure shall be designed to have low flood damage potential. Its size shall not exceed six hundred (600) square feet in size. Those portions of the structure located less than two feet (2') above the base flood elevation must be constructed of flood resistant materials.~~

~~— b. The structure shall be designed to have low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.~~

~~— c. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.~~

~~— d. Structures shall be firmly anchored to prevent flotation which may result in damage to other structures.~~

~~— e. The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least two feet (2') above the base flood level.~~

~~— f. The structure's walls shall include openings that satisfy the provision of subsection 11-6-2 K.8. of this section.~~

~~— 14. Recreational Vehicles:~~

~~— a. Recreational vehicles are exempt from the requirements of Subsection 11-6-2 K.9. of this section regarding anchoring and elevation of factory-built homes when the following criteria are satisfied:~~

~~— (1) The recreational vehicle shall be located on the site for less than one hundred eighty (180) consecutive days; and~~

~~——(2) The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick-disconnect-type utilities and security devices and has no permanently attached additions.~~

~~——b. Recreational vehicles that are located on the site for more than one hundred (180) consecutive days or are not ready for highway use must satisfy requirements of Subsection 11-6-2 K.9. of this section regarding anchoring and elevation of factory-built homes.~~

~~——15. Flood Control Structural Works: Flood control structural works such as levees, floodwalls, etc., shall provide, at a minimum, protection from a base flood with a minimum of three feet (3') of design freeboard and shall provide for adequate interior drainage. In addition, the department of natural resources shall approve structural flood control works.~~

~~——L. Floodway Area:~~

~~——1. Location: The location of this area is based on the Scott County flood insurance rate maps dated February 18, 2011, as revised and provided by the federal insurance administrator of the department of housing and urban development. The requirements of this section shall take precedence over any conflicting requirements of the city.~~

~~——2. Special Floodway Provisions:~~

~~——a. Where no floodway data has been provided, the Department of Natural Resources shall be contacted to provide a floodway delineation.~~

~~——b. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.~~

~~——c. No use shall be permitted in the floodway area that would result in any increase in the one hundred (100) year flood level. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.~~

~~——d. No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or any other drainage facility or system.~~

~~——3. Uses Permitted: Uses are permitted and regulated in the floodplain area, except:~~

~~——a. Any use considered to have flood damage potential such as, but not limited to, storage of materials and equipment, fill, and a use which could obstruct flood flows is prohibited.~~

~~——b. Encroachment by fill is prohibited.~~

~~——c. The erection of a new building, the expansion of an existing building, or the placement of a structure, unless it is a manufactured home in a manufactured home park, existing previously to this amendment, is prohibited.~~

~~——4. Watercourse Alterations: Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood-carrying capacity within the~~

altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.

~~—5. Stream Crossings: Pipeline river or stream crossings shall be buried in the stream bed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.~~

~~—6. Site Requirements: Conformance to all zoning regulations in regard to area, width, and yards is required.~~

~~—M. Amendments: The regulations and standards set forth in this chapter may from time to time be amended, supplemented, changed, or repealed. No amendment, supplement, change, or modification shall be undertaken without prior approval of the Department of Natural Resources.~~

~~—N. Warning And Disclaimer of Liability: The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This chapter does not imply that areas outside the regulated areas or that uses permitted within the regulated areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Bettendorf or any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.~~

~~—O. Abrogation And Greater Restrictions: It is not intended by this chapter to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail. All ordinances inconsistent with this chapter are hereby repealed to the extent of the inconsistency only.~~

~~—P. Penalties For Violations: Violations of the provisions of this chapter or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be subject to penalty as provided in Section 1-4-1 of this code. Nothing herein contained shall prevent Bettendorf or a citizen from taking such other lawful action as is necessary to prevent or remedy any violation. (Ord. 35-17, 10-17-2017)RESERVED.~~



December 27, 2023

Honorable Mayor and
Members of the City Council
City of Bettendorf
Bettendorf, Iowa 52722

SUBJECT: Planning and Zoning Commission's decision on the following ordinance amendments:

Case 23-092	Title 11 Zoning Regulations Section 11-6-1 Overlay Districts Section 11-6-2 FD Floodway/Floodplain Overlay District
-------------	---

Case 23-093	Title 13 Flood Control
-------------	------------------------

Honorable Mayor and Members of the City Council:

On December 20, 2023, the Planning and Zoning Commission reviewed and recommended that your Honorable Body approve the above named ordinance amendments.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Sincerely,

Mark D. Hunt
Director, Community Development

5. Case 23-092; Public Hearing – Ordinance amending Title 11 Zoning Regulations, Section 11-6-1 Overlay Districts and Section 11-6-2 FD Floodway/Floodplain Overlay District of the City Code, submitted by City of Bettendorf. (Staff: Beswick)
6. Case 23-093; Public Hearing – Ordinance amending Title 13 Flood Control of the City Code, submitted by City of Bettendorf. (Staff: Beswick)

****Gibson arrived.**

Beswick reviewed the staff report. Hunt commented that the city is required to adopt the ordinance amendments by the National Flood Insurance Program. He added that the revised flood maps show a reduction in the amount of floodway in the city.

Wennlund opened the public hearing for Case 23-092 and asked if there is proof of publication. Hunt confirmed this.

There being no one present wishing to speak in favor or in opposition to the ordinance amendment, Wennlund closed the public hearing.

Ormsby asked how affected residents are notified. Beswick explained that FEMA does not require individual notification, adding that notice was published announcing the map revisions at the start of the process. He stated that the city serves as the regulator of the flood maps and can't apply to change them. He indicated that individual property owners would have to hire a surveyor and request a letter of map amendment based on the actual elevation of their property. Beswick stated that notices would not be sent to every property owner affected.

Wennlund asked for clarification of the reason for the regularly-shaped boxes shown in blue on the Affected Parcels map as compared to the odd-shaped labels. Beswick explained that many of those larger parcels might be parks, greenway, watershed area, or unsubdivided land. He added that at such time as that type of parcel is subdivided, the developer is required to separate the floodway in an outlot which is a proactive way to preclude an insurance company or mortgage lender from requiring flood insurance. Beswick added that the separation of the floodway does not prevent a future map update from increasing or decreasing the size of those floodway areas.

A brief discussion was held regarding how the revised maps affect existing and future developments. Beswick explained that some developers may modify current requests or submit new projects based on the revised maps, adding that engineers hired by them are aware of the pending changes and are able to advise their clients accordingly.

On motion by Satterfield, second by Kappeler, that ordinance amending Sections 11-6-1 and 11-6-2 of the City Code be recommended for approval subject to staff recommendations.

ROLL CALL ON MOTION

AYE: Gibson, Kappeler, Kulkarni, Ormsby, Satterfield, Stoltenberg, Wennlund
NAY: None

Motion carried.

Wennlund opened the public hearing for Case 23-093 and asked if there is proof of publication. Hunt confirmed this.

There being no one present wishing to speak in favor or in opposition to the ordinance amendment, Wennlund closed the public hearing.

On motion by Satterfield, second by Kappeler, that ordinance amending Title 13 of the City Code be recommended for approval subject to staff recommendations.

ROLL CALL ON MOTION

AYE: Gibson, Kappeler, Kulkarni, Ormsby, Satterfield, Stoltenberg, Wennlund

NAY: None

Motion carried.

COUNCIL LETTER

MEETING DATE: January 2, 2024
REQUESTED BY: Mark Hunt



Item Title

Resolution approving the final plat of Duggleby 2nd Addition (replat), submitted by Scott Swearingner. (Case 23-087)

Explanation

Scott Swearingner has submitted the final plat of Duggleby 2nd Addition consisting of two single-family residential lots. The proposal is a replat of Lots 18 and 19 of an Auditor's Plat named Duggleby Subdivision. The property is located in the R-2, Single-Family Residence District. Two single-family detached residences exist on the tract today addressed 804 and 806 30th Street. The house addressed 804 30th Street is partially located on Lot 18, which creates a non-conformance in the R-2 District. Each house was built in 1930, and the proposed plat brings each structure into conformance with code. The northern house addressed 806 30th Street will retain a majority of the rear yard. Pending approval, the owner would like to construct an accessory garage building in the rear yard of the proposed Lot 2.

The proposed plat meets the zoning bulk standards for the R-2 District and meets all applicable Subdivision Ordinance requirements. Other items including utilities and vehicle/pedestrian access are unaffected by the proposed plat.

The Planning and Zoning Commission made a recommendation for approval of the final plat at their December 20, 2023 meeting.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

N/A

List attachments

Resolution; (A) Staff Report with attachments; (B) Planning and Zoning Commission report to Mayor and City Council; (C) Excerpts from the Planning and Zoning Commission meeting minutes regarding this matter.

RESOLUTION NO. _____ - 24

**RESOLUTION APPROVING THE FINAL PLAT OF
DUGGLEBY 2ND ADDITION
REPLAT OF LOTS 18 AND 19, DUGGLEBY SUBDIVISION**

WHEREAS, Scott Swearinger has submitted the final plat of Duggleby 2nd Addition (replat of Lots 18 and 19, Duggleby Subdivision), and

WHEREAS, the Planning and Zoning Commission has reviewed said final plat and recommended approval of it, and

WHEREAS, the City Council concurs with the Planning and Zoning Commission's recommendation, and

WHEREAS, approval of the final plat does not waive any other federal, state, or local government provisions as required by law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the final of Duggleby 2nd Addition.

PASSED, APPROVED, AND ADOPTED this 2nd day of January, 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

STAFF REPORT

Subject: Planning and Zoning Commission
Author: Taylor Beswick
Department: Community Development
Date: December 20, 2023



Case No.: 23-087
Request: Duggleby 2nd Addition - Final Plat (replat)
Location: 806 30th Street
Legal Description: Lot 19, Duggleby Subdivision - Parcel ID # [8427332191](#)
Applicant: Scott Swearingen
Current Zoning: R-2, Single-Family Residence
Future Land Use: ULI, Urban Light Intensity

Background Information & Facts

Scott Swearingen has submitted the final plat of Duggleby 2nd Addition consisting of two single-family residential lots. The proposal is a replat of Lots 18 and 19 of an Auditor's Plat named Duggleby Subdivision ([see Aerial Map - Attachment A](#)). The property is located in the R-2, Single-Family Residence District ([see Zoning Map - Attachment B](#)). Two single-family detached residences exist on the tract today addressed 804 and 806 30th Street. The house addressed 804 30th Street is partially located on Lot 18, which creates a non-conformance in the R-2 District. Each house was built in 1930, and the proposed plat brings each structure into conformance with code. The northern house addressed 806 30th Street will retain a majority of the rear yard ([see Final Plat - Attachment C](#)). Pending approval, the owner would like to construct an accessory garage building in the rear yard of the proposed Lot 2.

Staff Analysis

The proposed plat meets the zoning bulk standards for the R-2 District and meets all applicable Subdivision Ordinance requirements.

Other items including utilities and vehicle/pedestrian access are unaffected by the proposed plat.

Staff Recommendation

Staff contends the proposed plat meets code requirements and is consistent with the Comprehensive Plan. Staff recommends approval of Case No. 23-087, Final Plat of Duggleby 2nd Addition.

Respectfully submitted,

Taylor Beswick
Senior City Planner

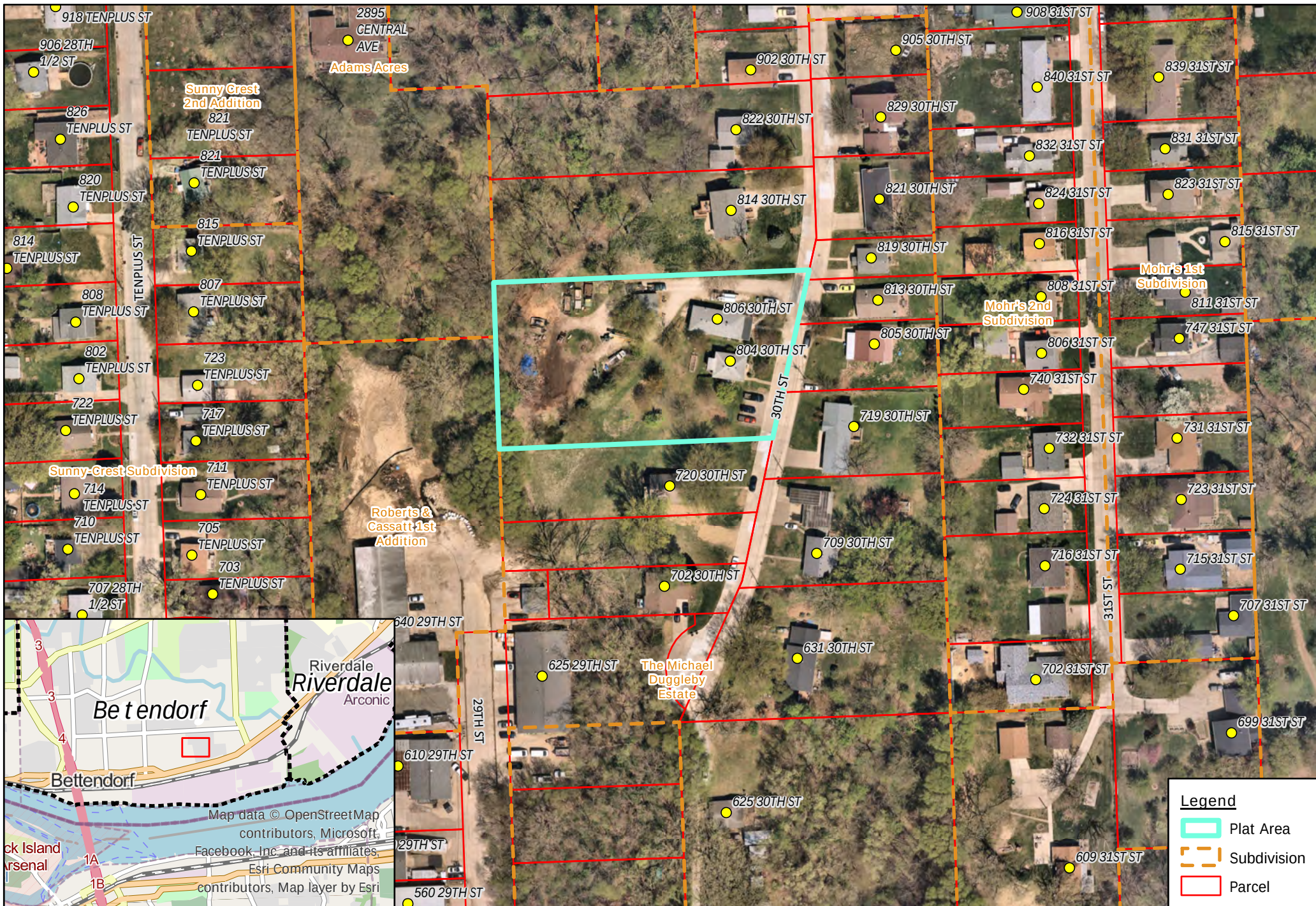
Case No. 23-087: Duggleby 2nd Addition

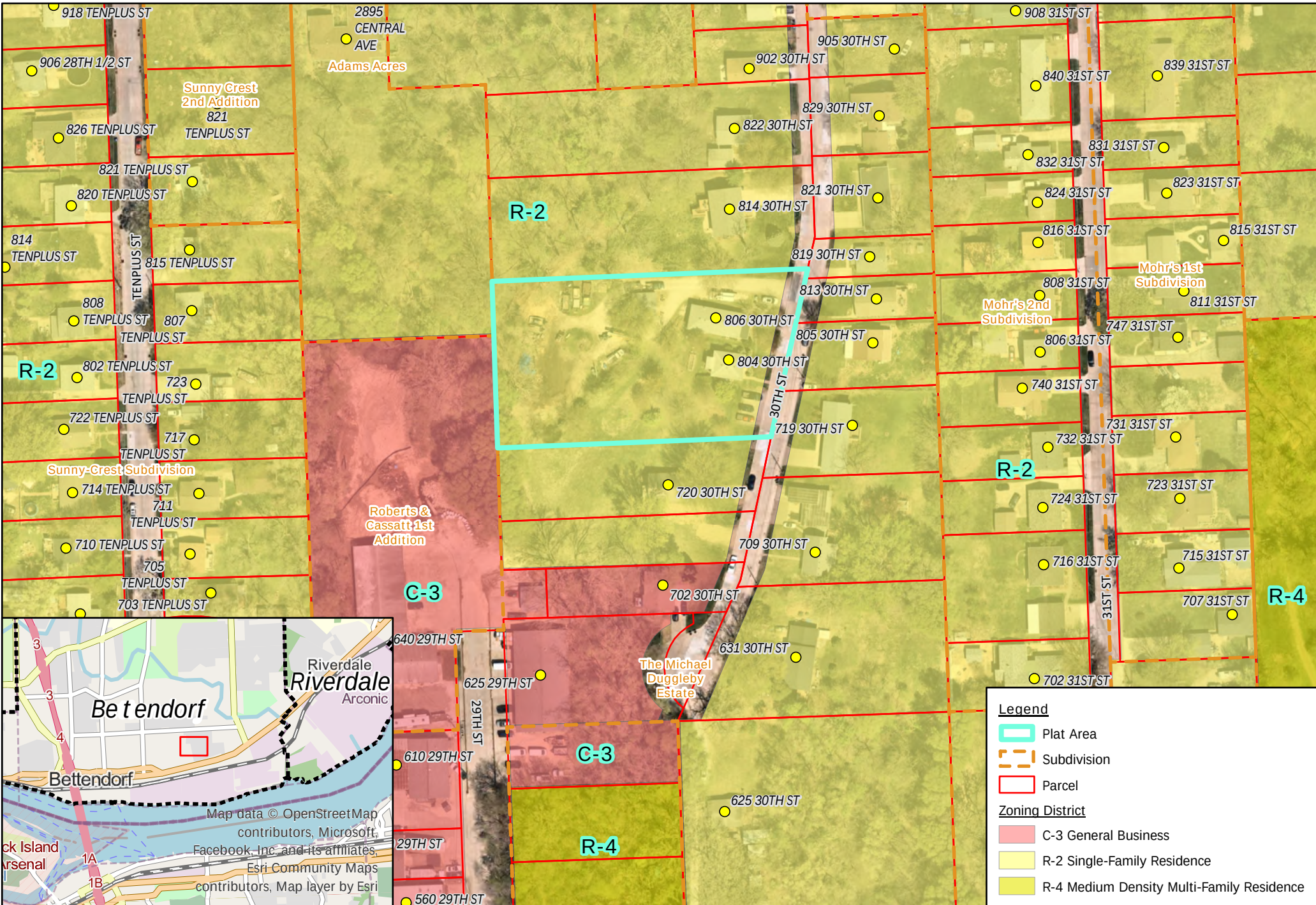
Final Plat (replat)

Aerial

1 Inch = 125 Feet

0 45 90 180 270 Feet

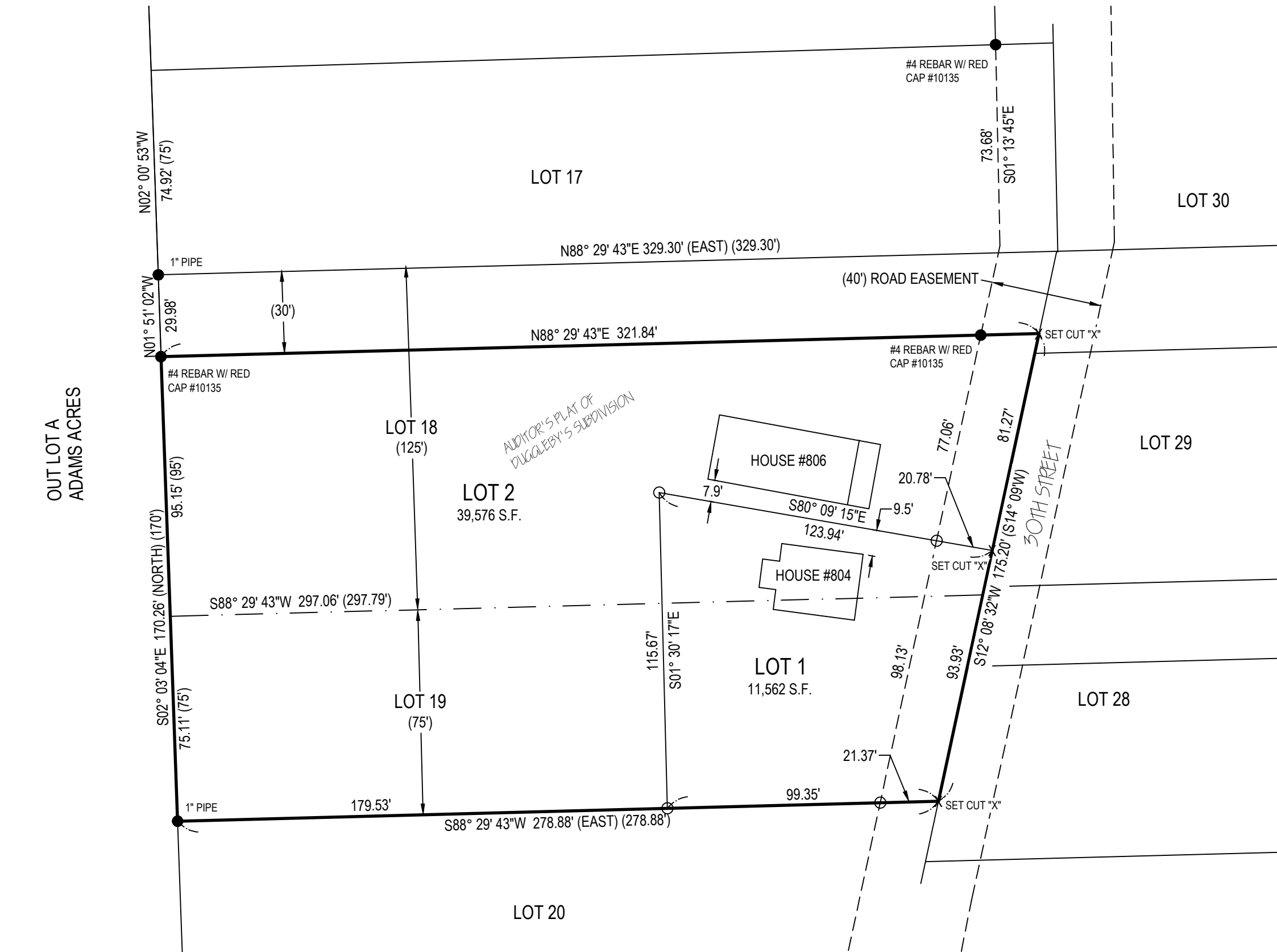




FINAL PLAT

DUGGLEBY 2ND ADDITION

BEING A REPLAT OF LOT 19 AND THE SOUTH 95 FEET OF LOT 18 IN THE
AUDITOR'S PLAT OF DUGGLEBY SUBDIVISION IN THE CITY OF BETTENDORF,
IOWA, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP
78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT COUNTY, IOWA



NOTES:

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.

COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.

ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF BETTENDORF STANDARD SPECIFICATIONS.

"UTILITY EASEMENTS" SHALL ACCOMMODATE GAS, ELECTRIC, WATER, SANITARY SEWER AND COMMUNICATION LINES AS NEEDED.

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.

THE SUBJECT PROPERTY ZONED R-2.

PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE CITY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO ALTER OR AMEND ANY PLAT NOTE, OR TO SELL OR VACATE ANY RIGHT OF WAY OR UTILITY EASEMENT DEDICATED WITHIN THE PLAT. FURTHER, THE CITY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES OR ALLOW GROUND TO BE REPLATTED.

APPROVAL SIGNATURES:

MAYOR DATE:

CITY CLERK DATE:

CHAIRMAN PLAN & ZONE DATE:

CENTURY LINK DATE:

IOWA - AMERICAN WATER COMPANY DATE:

MEDIACOM DATE:

METRONET DATE:

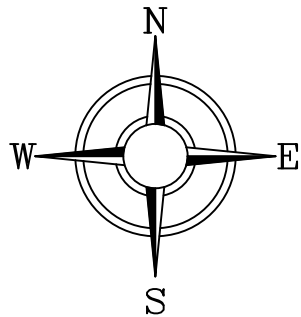
MIDAMERICAN ENERGY DATE:
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD M.E.C.

PLAT INFORMATION

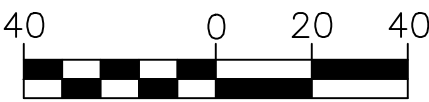
- Owner:
Economy Tree Service LLC
806 30th Street
Bettendorf, Iowa 52722
- Engineer:
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
- Surveyor:
Jerry D. Rogers
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
- Attorney:
Benjamin Yeggy
2322 E. Kimberly Road Ste. 120W
Davenport, Iowa 52807

LEGEND:

DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED = ●
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 = ○
BOUNDARY LINE = ————
FENCE LINE = — x — x — x —
EASEMENT LINE = - - - - -
SETBACK LINE = - . - . -
SECTION LINE = — + — + —



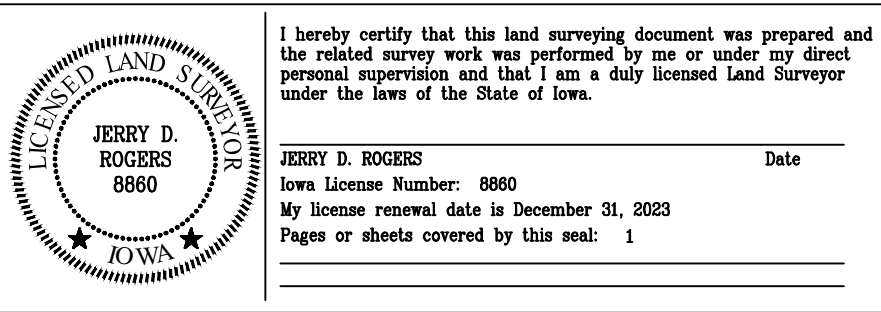
GRAPHIC SCALE

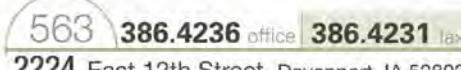


(IN FEET)

1" = 40' (18x24)

THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US STATE
PLANE COORDINATE SYSTEM, IOWA
SOUTH ZONE (1402) GEOID 12A, NAD 83
(2011) EPOCH 2010.00.



	DATE: 10/11/2023  2224 East 12th Street, Davenport, IA 52803	DRAWN BY: KLC CHECKED BY: JDR DRAWING LOCATION S: \SWEARINGER, SCOTT	NO.	REVISIONS:	DATE	PROJECT FINAL PLAT DUGGLEBY 2ND ADDITION BETTENDORF, IOWA	PREPARED FOR: SCOTT SWEARINGER 806 30TH STREET BETTENDORF, IOWA 52722	SHEET NO. 1 OF 1
				DESCRIPTION				



December 27, 2023

Honorable Mayor and
Members of the City Council
City of Bettendorf
Bettendorf, Iowa 52722

SUBJECT: Planning and Zoning Commission's decision on the final plat of Duggleby 2nd Addition,
submitted by Scott Swearingen. (Case 23-087)

Honorable Mayor and Members of the City Council:

On December 20, 2023, the Planning and Zoning Commission reviewed and recommended that
your Honorable Body approve the above named final plat.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Sincerely,

Mark D. Hunt
Director, Community Development

8. Case 23-087; Final Plat of Duggleby 2nd Addition, submitted by Scott Swearingen. (Staff: Beswick)

Beswick reviewed the staff report.

On motion by Kappeler, seconded by Ormsby, that the final plat of Duggleby 2nd Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

COUNCIL LETTER

MEETING DATE: January 2, 2024
REQUESTED BY: Mark Hunt



Item Title

Resolution approving the final plat of Belmont at Towne Centre 2nd Addition (replat), submitted by Dan Elias/Towne Centre, LLC. (Case 23-090)

Explanation

Dan Elias of Towne Centre, LLC has submitted a replat of a property located on the east side of Devils Glen Road and south of Belmont Road. His intent is to split this lot into two smaller lots of record so that the existing buildings are on separate lots.

The future land use designation is Community Commercial with a comparable zoning of C-3, General Business District. The proposed subdivision contains approximately 1.59 acres. Currently this parcel contains a multi-unit commercial building and car wash. All necessary cross easements and setbacks remain intact with the proposed subdivision.

The replat is in keeping with Comprehensive Plan Economic Development Goal C: Attract and Retain Business and Industry.

The Planning and Zoning Commission made a recommendation for approval of the final plat at their December 20, 2023 meeting subject to correction of the title block on the plat and the addition of a cross access parking easement. The engineer has submitted an updated final plat which addresses both conditions.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

N/A

List attachments

Resolution; (A) 12/28/23 Final Plat Belmont at Towne Centre 2nd Addition; (B) Staff Report with attachments; (C) Planning and Zoning Commission report to Mayor and City Council; (D) Excerpts from the Planning and Zoning Commission meeting minutes regarding this matter.

RESOLUTION NO. _____ - 24

**RESOLUTION APPROVING THE FINAL PLAT OF
BELMONT AT TOWNE CENTRE 2ND ADDITION
REPLAT OF LOT 2 OF HARTZ FIFTH ADDITION AND
PART OF LOT 1 OF HARTZ FIRST ADDITION**

WHEREAS, Dan Elias/Towne Centre, LLC has submitted the final plat of Belmont at Towne Centre 2nd Addition (replat of Lot 2, Hartz Fifth Addition and part of Lot 1, Hartz First Addition), and

WHEREAS, the Planning and Zoning Commission has reviewed said final plat and recommended approval of it, and

WHEREAS, the City Council concurs with the Planning and Zoning Commission's recommendation, and

WHEREAS, approval of the final plat does not waive any other federal, state, or local government provisions as required by law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the final of Belmont at Towne Centre 2nd Addition.

PASSED, APPROVED, AND ADOPTED this 2nd day of January, 2024.

Robert S. Gallagher, Mayor

ATTEST:

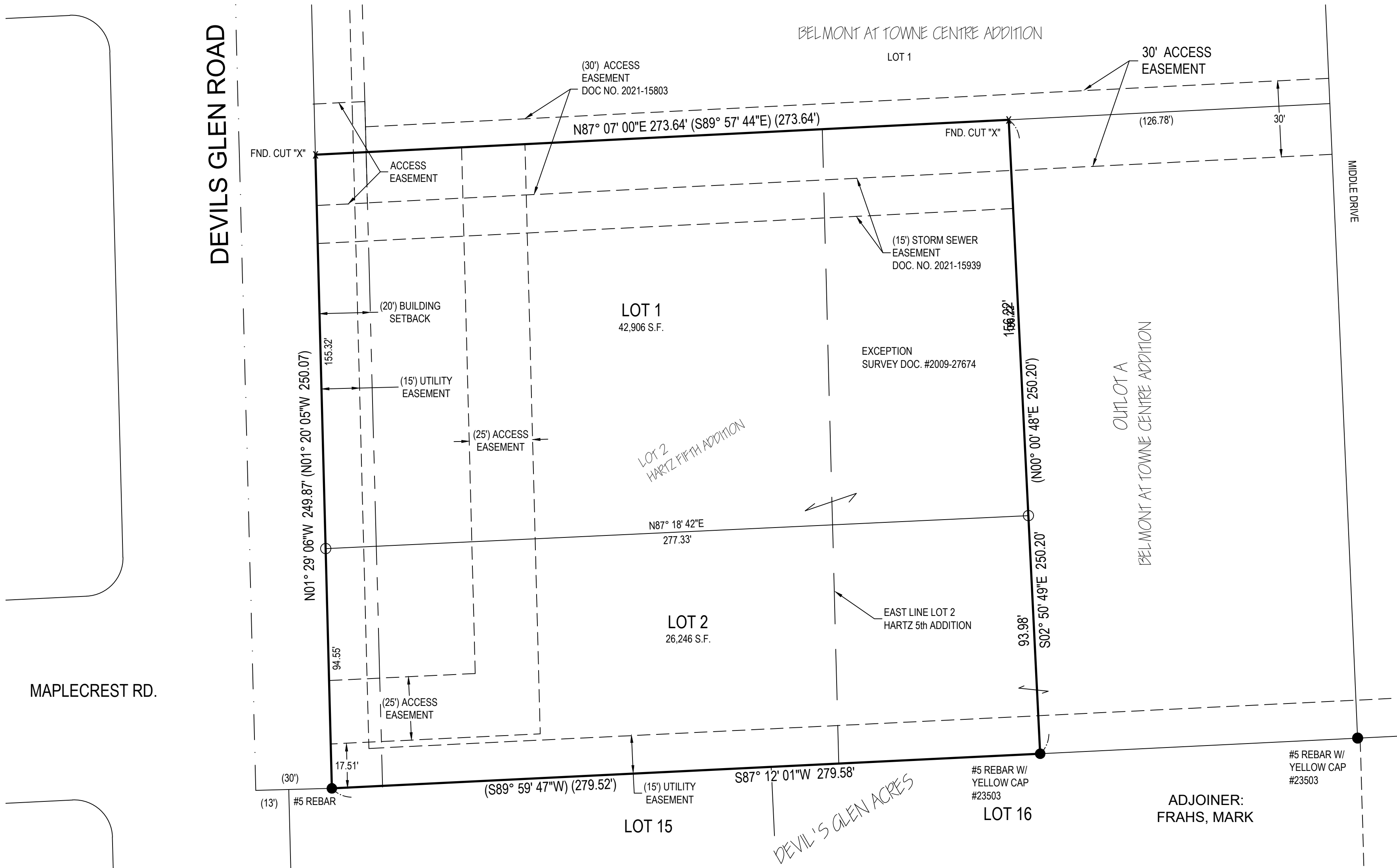
Decker P. Ploehn, City Clerk

FINAL PLAT

BELMONT AT TOWNE CENTRE 2ND ADDITION

AN ADDITION TO THE CITY OF BETTENDORF, IOWA

BEING PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th P.M. CITY OF BETTENDORF, SCOTT COUNTY, IOWA, BEING A REPLAT OF LOT 2 OF HARTZ 5th ADDITION AND PART OF LOT 1 HARTZ 1st ADDITION



APPROVAL SIGNATURES:

MAYOR	DATE:
CITY CLERK	DATE:
CHAIRMAN PLAN & ZONE	DATE:
CENTURY LINK	DATE:
IOWA - AMERICAN WATER COMPANY	DATE:
METRONET	DATE
MEDIACOM	DATE:
MIDAMERICAN ENERGY	DATE:
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD M.E.C.	

NOTES:

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.

COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.

ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF BETTENDORF STANDARD SPECIFICATIONS.

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.

ZONING SETBACK LINES ARE BASED ON ZONING REQUIREMENTS AS OF THE DATE OF CITY COUNCIL APPROVAL, IN CASE OF CONFLICT BETWEEN LINES SHOWN AND FUTURE CODE REQUIREMENTS THE CODE REQUIREMENTS SHALL GOVERN.

NO PORTION OF THE SUBDIVISION ARE LOCATED WITHIN THE FEMA DETERMINED SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS SHOWN ON FLOOD INSURANCE RATE MAPS #19163C0386G, EFFECTIVE DATE JUNE 9, 2014.

OUTLOT A SHALL BE DESIGNATED FOR STORM WATER DETENTION AND SHALL BE OWNED AND MAINTAINED BY THE OWNERS ASSOCIATION.

PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE CITY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO ALTER OR AMEND ANY PLAT NOTE, OR TO SELL OR VACATE ANY RIGHT OF WAY OR UTILITY EASEMENT DEDICATED WITHIN THE PLAT. FURTHER, THE CITY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES OR ALLOW GROUND TO BE REPLATTED.

STORM WATER QUALITY MUST BE PROVIDED BY EACH LOT OWNER.

A CROSS ACCESS AND PARKING EASEMENT SHALL EXIST FOR LOTS 1 AND 2.

PLAT INFORMATION

1. Owners:

Towne Centre, LLC
P.O. Box 69
Bettendorf, Iowa 52722
2. Engineer:

Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
3. Surveyor:

Jerry D. Rogers
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
4. Attorney:

Lane and Waterman
220 N. Main Street, Ste. 600
Davenport, IA 52801
Ph: (563) 333-6660

THE MEASURED BEARINGS SHOWN HEREON ARE BASED ON THE US STATE PLANE COORDINATE SYSTEM, IOWA SOUTH ZONE (1402) GEOID 12A, NAD 83 (2011) EPOCH 2010.00.

JERRY D. ROGERS

8860

LEWIS & CLARK LAND SURVEYOR

I hereby certify that this land surveying document was prepared and the related survey work was performed 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.

JERRY D. ROGERS

Iowa License Number: 8860

My license renewal date is December 31, 2023

Pages or sheets covered by this seal: 1

LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED =
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 =
BOUNDARY LINE =
EASEMENT LINE =
SETBACK LINE =
EXISTING LOT LINE =

GRAPHIC SCALE

(IN FEET)
1" = 30' (24x36)

	DATE: 05/25/2021 PROJECT NO: TOWNE CTR 2020 563 386.4236 office 386.4231 fax 2224 East 12th Street, Davenport, IA 52803	DRAWN BY: KLC CHECKED BY: JDR DRAWING LOCATION S:\ELIAS-DAN\TOWNE CENTER II\CARWASH SUBD	REVISIONS:		PROJECT FINAL PLAT BELMONT AT TOWNE CENTRE 2nd ADDITION BETTENDORF, IOWA 52722	OWNER TOWNE CENTRE LLC P.O. BOX 69 BETTENDORF, IOWA 52722	SHEET NO. 1 OF 1
			NO.	DESCRIPTION			

STAFF REPORT

Subject: Belmont at Towne Pointe Centre 2nd Addition
Author: Greg Beck
Department: Community Development
Date: December 20, 2023



Case No.: 23-090
Request: Belmont at Towne Pointe Centre 2nd Addition – Replat
Location: East of Maplecrest Road and Devils Glen Road
Legal Description: Parcel No. 8415536021
Applicant: Dan Elias of Towne Centre LLC
Current Zoning: C-3, General Business District
Future Land Uses: Community Commercial

Background Information & Facts

Dan Elias of Towne Centre, LLC has submitted a replat of a property located on the east side of Devils Glen Road and south of Belmont Road (see Aerial Map. Attachment A). His intent is to split this lot into two smaller lots of record so that the existing buildings are on separate lots.

Zoning, Future Land Use, and Comprehensive Plan

The future land use designation is Community Commercial with a comparable zoning of C-3, General Business District (see Future Land Use Map and Zoning Map, Attachments B and C). The replat is in keeping with Comprehensive Plan Economic Development Goal C: Attract and Retain Business and Industry

Lot Configuration & Zoning Compliance

The proposed subdivision contains approximately 1.59 acres (see Current and Proposed Plats, Attachments D and E). Currently this parcel contains a multi-unit commercial building and car wash. All necessary cross easements and setbacks remain intact with the proposed subdivision.

Utilities

Utilities are present along Devils Glen Road and are already serving the two structures.

Thoroughfare Plan & Access

The subdivision has access from Devils Glen Road from two entries. These locations will be open for access for both proposed lots.

Pedestrian and Trail Access

A recreational trail is located to the west of the proposed subdivision along Devils Glen Road. No further expansion of right-of-way improvements along Devils Glen Road are required.

Stormwater Detention

No additional stormwater detention is required for this subdivision. Detention is provided regionally within Outlot A of Belmont at Towne Centre Addition.

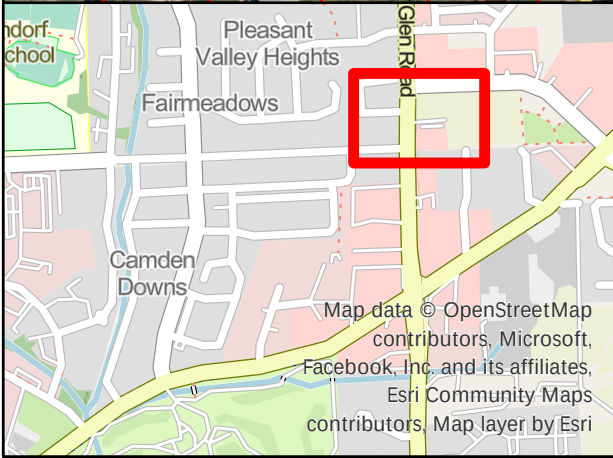
Staff Recommendation

Staff finds this final plat to be compliant with State and City law. Thus, we recommend approval with the following condition:

1. That the title block correctly reflects the subdivision being replatted.
- 2.

Respectfully submitted,

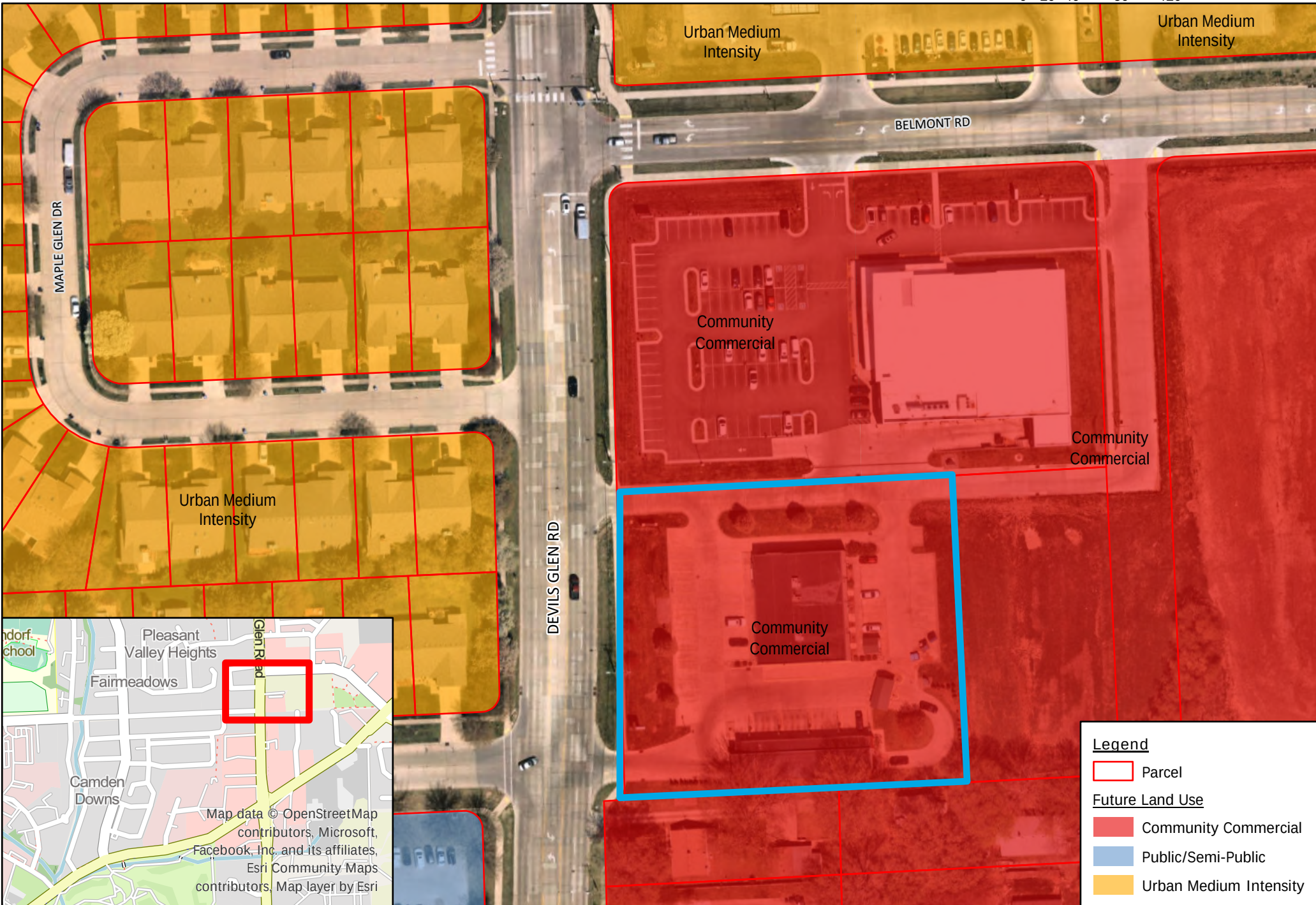
Greg Beck
City Planner

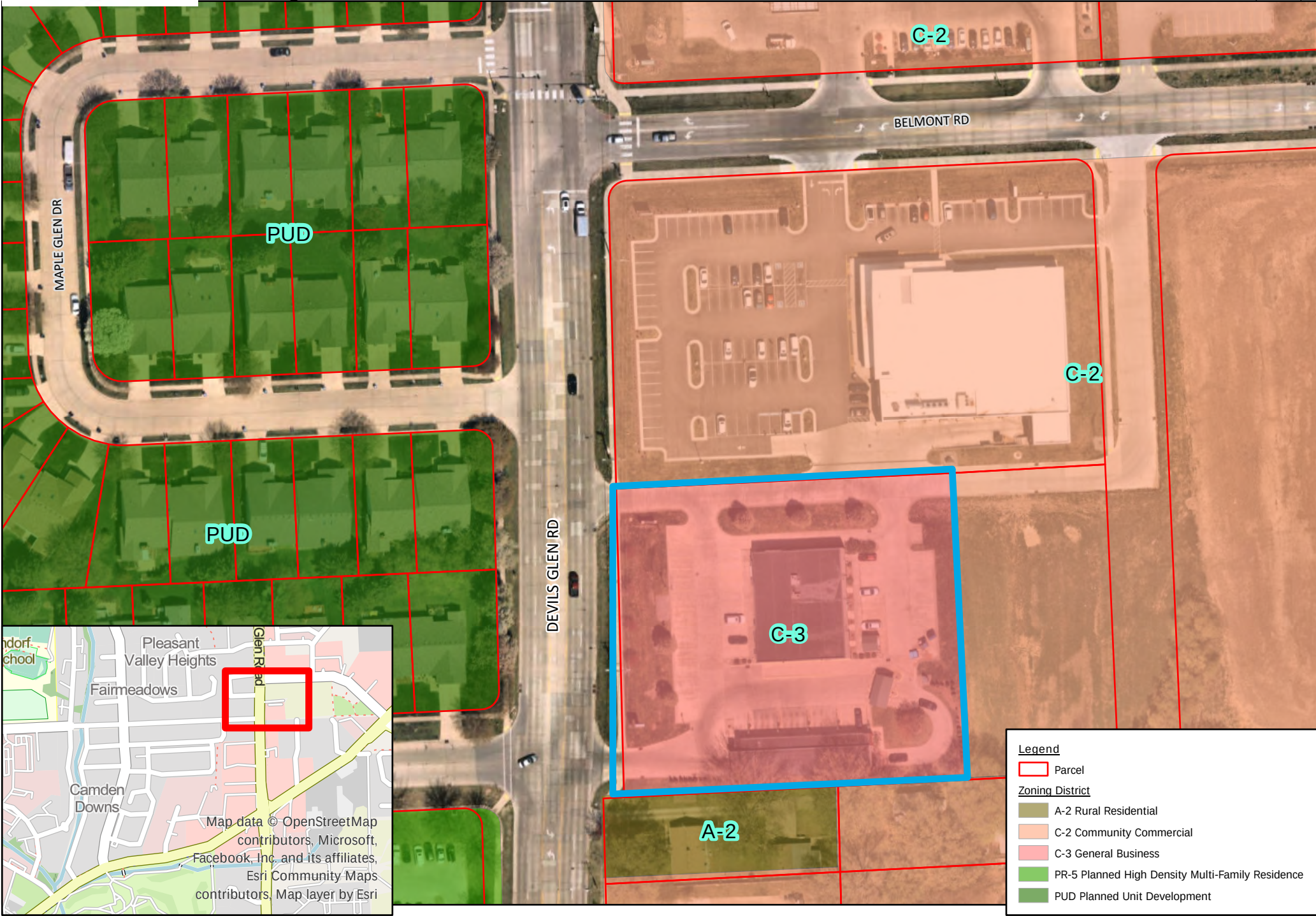


Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri

Legend

Parcel





FINAL PLAT

Belmont at Towne Centre Addition

AN ADDITION TO THE CITY OF BETTENDORF, IOWA

BEING PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th P.M. CITY OF BETTENDORF, SCOTT COUNTY, IOWA AND BEING A REPLAT OF PART OF LOT 1 OF HARTZ 1ST ADDITION AND LOT 1 HARTZ 5TH ADDITION

APPROVAL SIGNATURES:

[Signature]

MAYOR

[Signature]

CITY CLERK

[Signature]

CHAIRMAN PLAN & ZONE

[Signature]

CENTURY LINK

[Signature]

IOWA - AMERICAN WATER COMPANY

[Signature]

METRONET

[Signature]

MEDIACOM

[Signature]

MIDAMERICAN ENERGY

APPROVED SUBJECT TO ENCUMBRANCES OF RECORD M.E.C.

8-25-21

DATE:

8-25-21

DATE:

8-24-21

DATE:

8-23-2021

DATE:

8-23-2021

DATE:

8-23-2021

DATE:

8/23/21

DATE:

8-23-21

DATE:

NOTES:

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.

COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.

ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF BETTENDORF STANDARD SPECIFICATIONS.

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.

ZONING SETBACK LINES ARE BASED ON ZONING REQUIREMENTS AS OF THE DATE OF CITY COUNCIL APPROVAL, IN CASE OF CONFLICT BETWEEN LINES SHOWN AND FUTURE CODE REQUIREMENTS THE CODE REQUIREMENTS SHALL GOVERN.

NO PORTION OF THE SUBDIVISION ARE LOCATED WITHIN THE FEMA DETERMINED SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS SHOWN ON FLOOD INSURANCE RATE MAPS #19163C0386G, EFFECTIVE DATE JUNE 9, 2014.

OUTLOT A SHALL BE DESIGNATED FOR STORM WATER DETENTION AND SHALL BE OWNED AND MAINTAINED BY THE OWNERS ASSOCIATION.

PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE CITY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO ALTER OR AMEND ANY PLAT NOTE, OR TO SELL OR VACATE ANY RIGHT OF WAY OR UTILITY EASEMENT DEDICATED WITHIN THE PLAT. FURTHER, THE CITY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES OR ALLOW GROUND TO BE REPLATTED.

STORM WATER QUALITY MUST BE PROVIDED BY EACH LOT OWNER.

THE 10' UTILITY EASEMENT ALONG THE EAST LINE OF LOT 1 OF HARTZ FIFTH ADDITION TO BE VACATED WITH THE RECORDATION OF THE PLAT OF SUBDIVISION.

Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	23.21' (23.21')	15.00' (15.00')	88°38'25" (88°39'55")	20.96' (20.96')	N42°54'22"E
C2	23.64'	15.00'	90°17'00"	21.27'	N47°38'56"W
C3	23.49'	15.00'	89°43'00"	21.16'	S42°21'04"W
C4	60.35' (60.42')	485.00' (485.00')	07°07'44" (07°08'18")	60.31' (60.38')	S89°31'27"E

PLAT INFORMATION

1. Owners:
DFCA INC,
Towne Centre, LLC
P.O. Box 69
Bettendorf, Iowa 52722

2. Engineer:
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236

3. Surveyor:
Michael D. Richmond
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236

4. Attorney:
Lane and Waterman
220 N. Main Street, Ste. 600
Davenport, IA 52801
Ph: (563) 333-6660

THE MEASURED BEARINGS SHOWN HEREON
ARE BASED ON THE US STATE PLANE
COORDINATE SYSTEM, IOWA SOUTH ZONE
(1402) GEOID 12A, NAD 83 (2011) EPOCH 2010.00.



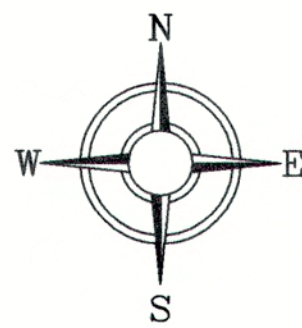
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Michael D. Richmond 8-23-21

MICHAEL D. RICHMOND
Iowa License Number: 23503
My license renewal date is December 31, 2021
Pages or sheets covered by this seal: 1

LEGEND:

DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED =
MONUMENTS SET:
#5 REBAR W/ YELLOW CAP #23503 = ○
BOUNDARY LINE = ———
EASEMENT LINE = - - - - -
SETBACK LINE = - · - · -
EXISTING LOT LINE = - - - - -



GRAPHIC SCALE

30 0 15 30
(IN FEET)
1" = 30' (24x36)

Area of Subdivision:

Gross: 8.405 Acres ±
R.O.W.: 0.599 Acres ±
Lots 1-2: 7.082 Acres ±
Outlot A: 0.724 Acres ±

TOWNSEND
ENGINEERING
CIVIL • STRUCTURAL • LAND DEVELOPMENT

DATE: 05/25/2021 TE PROJECT NO:
TOWNE CTR 2020

563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY: MDR
CHECKED BY: MDR

DRAWING LOCATION
S:\ELIAS-DAN\TOWNE CENTER II\TOWNE CENTER 2020

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT
FINAL PLAT
BELMONT AT TOWNE CENTRE ADDITION
BETTENDORF, IOWA 52722

DEVELOPER
DFCA INC.
P.O. BOX 69
BETTENDORF, IOWA 52722

SHEET NO.
1 OF 1

FINAL PLAT

BELMONT AT TOWNE CENTRE 2ND ADDITION

AN ADDITION TO THE CITY OF BETTENDORF, IOWA

BEING PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th P.M. CITY OF BETTENDORF, SCOTT COUNTY, IOWA, BEING A REPLAT OF PART OF OUTLOT A IN BELMONT AT TOWNE CENTRE ADDITION, PART OF LOT 2 OF HARTZ 5th ADDITION AND PART OF LOT 1 HARTZ 1st ADDITION

APPROVAL SIGNATURES:

MAYOR DATE:

CITY CLERK DATE:

CHAIRMAN PLAN & ZONE DATE:

CENTURY LINK DATE:

IOWA - AMERICAN WATER COMPANY DATE:

METRONET DATE

MEDIACOM DATE:

MIDAMERICAN ENERGY DATE:
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD M.E.C.

NOTES:

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.

COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.

ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF BETTENDORF STANDARD SPECIFICATIONS.

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.

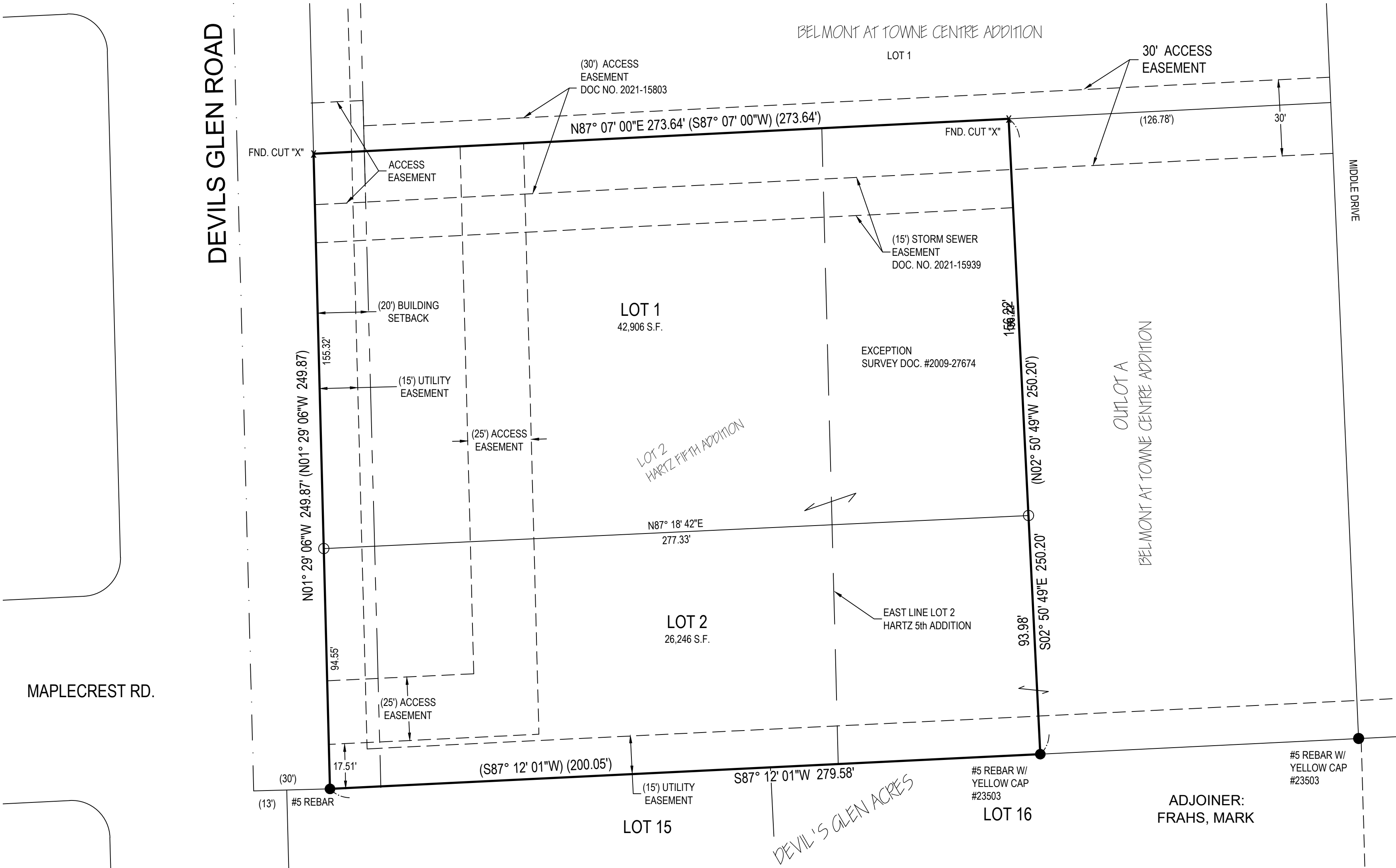
ZONING SETBACK LINES ARE BASED ON ZONING REQUIREMENTS AS OF THE DATE OF CITY COUNCIL APPROVAL, IN CASE OF CONFLICT BETWEEN LINES SHOWN AND FUTURE CODE REQUIREMENTS THE CODE REQUIREMENTS SHALL GOVERN.

NO PORTION OF THE SUBDIVISION ARE LOCATED WITHIN THE FEMA DETERMINED SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS SHOWN ON FLOOD INSURANCE RATE MAPS #19163C0386G, EFFECTIVE DATE JUNE 9, 2014.

OUTLOT A SHALL BE DESIGNATED FOR STORM WATER DETENTION AND SHALL BE OWNED AND MAINTAINED BY THE OWNERS' ASSOCIATION.

PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE CITY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO ALTER OR AMEND ANY PLAT NOTE, OR TO SELL OR VACATE ANY RIGHT OF WAY OR UTILITY EASEMENT DEDICATED WITHIN THE PLAT. FURTHER, THE CITY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES OR ALLOW GROUND TO BE REPLATTED.

STORM WATER QUALITY MUST BE PROVIDED BY EACH LOT OWNER.



PLAT INFORMATION

1. Owners:
Towne Centre, LLC
P.O. Box 69
Bettendorf, Iowa 52722
2. Engineer:
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
3. Surveyor:
Jerry D. Rogers
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
4. Attorney:
Lane and Waterman
220 N. Main Street, Ste. 600
Davenport, IA 52801
Ph: (563) 333-6660

THE MEASURED BEARINGS SHOWN HEREON
ARE BASED ON THE US STATE PLANE
COORDINATE SYSTEM, IOWA SOUTH ZONE
(1402) GEOID 12A, NAD 83 (2011) EPOCH 2010.00.

	I hereby certify that this land surveying document was prepared and the related survey work was performed 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.	
	JERRY D. ROGERS Iowa License Number: 8860	Date
	My license renewal date is December 31, 2023	
	Pages or sheets covered by this seal: 1	

LEGEND:

DEED DIMENSION = (0.00')

FIELD DIMENSION = 0.00'

MONUMENTS FOUND:

AS NOTED =

MONUMENTS SET:

#5 REBAR W/ PINK CAP #8860 =

BOUNDARY LINE =

EASEMENT LINE =

SETBACK LINE =

EXISTING LOT LINE =

GRAPHIC SCALE

30 0 15 30

(IN FEET)

1" = 30' (24x36)

	DATE: 05/25/2021TE PROJECT NO: TOWNE CTR 2020	DRAWN BY: KLC	CHECKED BY: JDR	DRAWING LOCATION S:\ELIAS-DAN\TOWNE CENTER II\CARWASH SUBD	REVISIONS:	PROJECT FINAL PLAT BELMONT AT TOWNE CENTRE 2nd ADDITION BETTENDORF, IOWA 52722	OWNER TOWNE CENTRE LLC P.O. BOX 69 BETTENDORF, IOWA 52722	SHEET NO. 1 OF 1
					NO.			
					DESCRIPTION			
					DATE			



December 27, 2023

Honorable Mayor and
Members of the City Council
City of Bettendorf
Bettendorf, Iowa 52722

SUBJECT: Planning and Zoning Commission's decision on the final plat of Belmont at Towne Centre 2nd Addition, submitted by Dan Elias/Towne Centre, LLC. (Case 23-090)

Honorable Mayor and Members of the City Council:

On December 20, 2023, the Planning and Zoning Commission reviewed and recommended that your Honorable Body approve the above named final plat.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Sincerely,

Mark D. Hunt
Director, Community Development

13. Case 23-090; Final Plat of Belmont at Towne Centre 2nd Addition (replat), submitted by Dan Elias/Towne Centre, LLC. (Staff: Beck)

Beck reviewed the staff report.

Wennlund asked if there would be cross access easements in place between the car wash and the commercial retail building once the lot is split. Morlok stated that he would add a condition requiring a cross access easement or shared parking agreement.

On motion by Stoltenberg, second by Ormsby, that the final plat of Belmont at Towne Centre 2nd Addition be approved subject to staff recommendations and the addition of a cross access parking easement.

ALL AYES

Motion carried.

COUNCIL LETTER

MEETING DATE: January 2, 2024
REQUESTED BY: Mark Hunt



Item Title

Resolution approving a site development plan/change of use for 3280 Middle Road, submitted by Casey Mohr. (Case 23-072)

Explanation

Casey Mohr has submitted a site development plan application requesting a review of the proposed change of use for the building on-site. The sole structure is the former home of Bettendorf Office Products and is located at 3280 Middle Road (Lot 1, AAA Office Park 3rd Addition). The property is located in the C-2, Community Commercial District. The applicant is proposing to demise the building into individual units, one of which will be a Pet Supplies Plus pet service center which is permitted in the C-2 district. The proposed pet service center will occupy 8,500 square feet of the building. No users have been identified for the remaining unused space in the approximately 12,000 square foot building.

The Planning and Zoning Commission made a recommendation for approval of the site development plan at their December 20, 2023 meeting.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

N/A

List attachments

Resolution; (A) Staff Report with attachments; (B) Planning and Zoning Commission report to Mayor and City Council; (C) Excerpts from the Planning and Zoning Commission meeting minutes regarding this matter.

RESOLUTION NO. _____ - 24

**RESOLUTION APPROVING A SITE DEVELOPMENT PLAN/CHANGE OF USE FOR
3280 MIDDLE ROAD
LOT 1, AAA OFFICE PARK 3RD ADDITION**

WHEREAS, Casey Mohr has submitted a site development plan/change of use for 3280 Middle Road (Lot 1, AAA Office Park 3rd Addition), and

WHEREAS, the Planning and Zoning Commission has reviewed said site development plan/change of use and recommended approval of it, and

WHEREAS, the City Council concurs with the Planning and Zoning Commission's recommendation, and

WHEREAS, approval of the site development plan/change of use does not waive any other federal, state, or local government provisions as required by law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves a site development plan/change of use for 3280 Middle Road.

PASSED, APPROVED, AND ADOPTED this 2nd day of January, 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

STAFF REPORT

Subject: Planning and Zoning Commission
Author: Taylor Beswick
Department: Community Development
Date: December 20, 2023



Case No.: 23-072
Request: Site Development Plan – Change of Use Review
Location: 3280 Middle Road
Legal Description: Lot 1, AAA Office Park 3rd Addition – Parcel ID # [842203701](#)
Applicant: Casey Mohr
Current Zoning: C-2, Community Commercial
Future Land Use: CC, Community Commercial

Background Information & Facts

Casey Mohr has submitted a site development plan application requesting a review of the proposed change of use for the building on-site. The sole structure is the former home of Bettendorf Office Products and is located at 3280 Middle Road (Lot 1, AAA Office Park 3rd Addition) ([see Aerial Map - Attachment A](#)). The property is located in the C-2, Community Commercial District ([see Zoning Map - Attachment B](#)). The applicant is proposing to demise the building into two units, of which one will be a Pet Supplies Plus, pet service center ([see Floor Plan - Attachment C](#)). A user has not yet been identified for the remnant unit.

Staff Analysis

Pet Supplies Plus, which will occupy the larger unit of the building, is defined as a pets services use in the Zoning Ordinance and is a permitted use in the C-2 District. Per the off-street parking schedule, the identified use requires one parking space per 500 square feet of floor space. The floor plan for the alteration of the building shows the larger unit containing 8,500 square feet, which equates to 17 required parking spaces. The existing parking supply on-site is 47 spaces, including 1 ADA parking space. Remaining developments/uses would be allocated parking when identified at the permit and/or business licensing stage.

Other items including utilities, refuse, thoroughfare plan, traffic circulation, pedestrian access, stormwater detention, and landscaping are unchanged and unaffected by the proposed change of use at the site.

Staff Recommendation

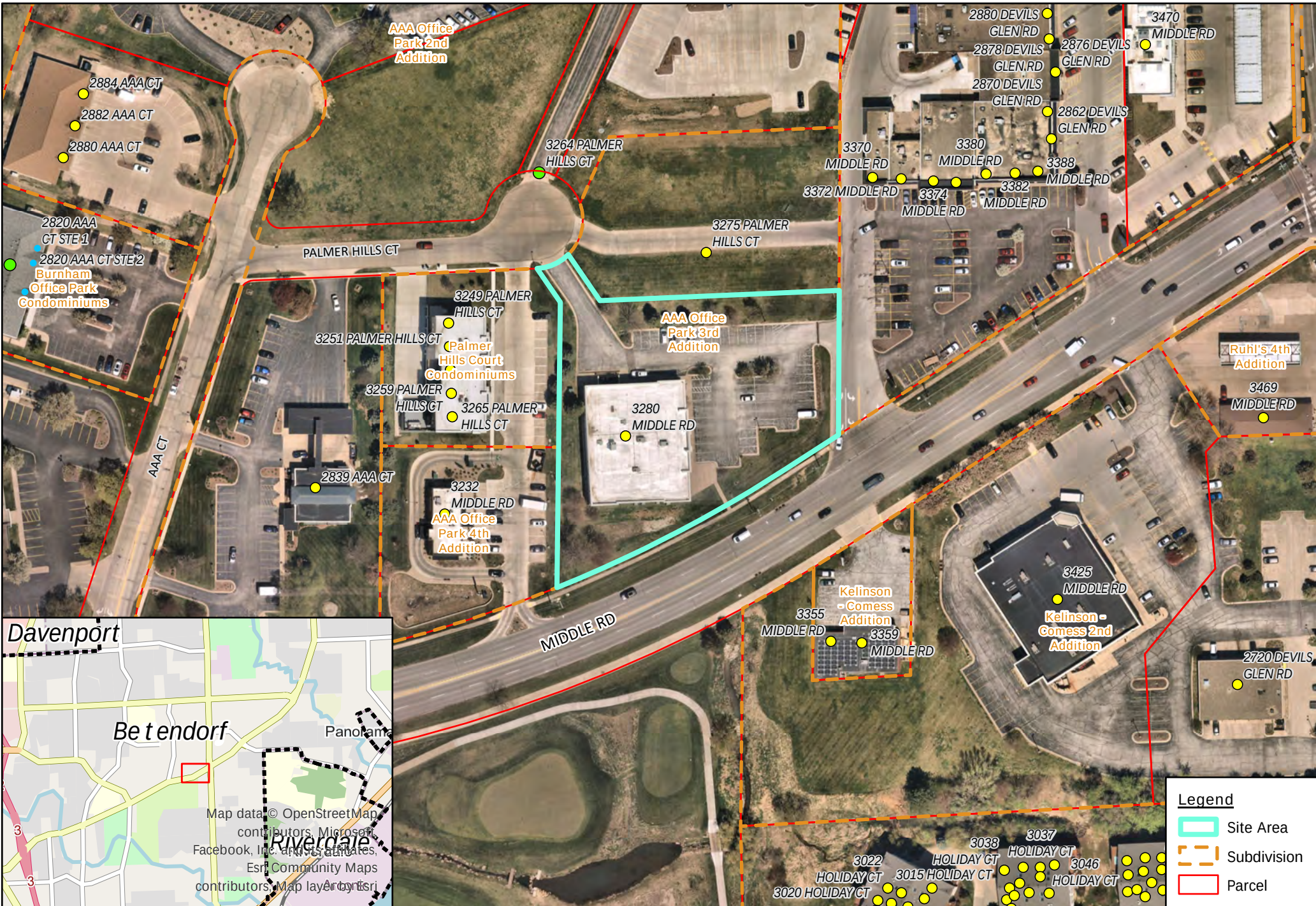
Staff contends the proposed development meets site development standards and code requirements. Staff recommends approval of Case No. 23-072, site development plan for 3280 Middle Road.

Respectfully submitted,

Taylor Beswick
Senior City Planner

Case No. 23-072: 3280 Middle Road Site Development Plan (Change of Use) Aerial

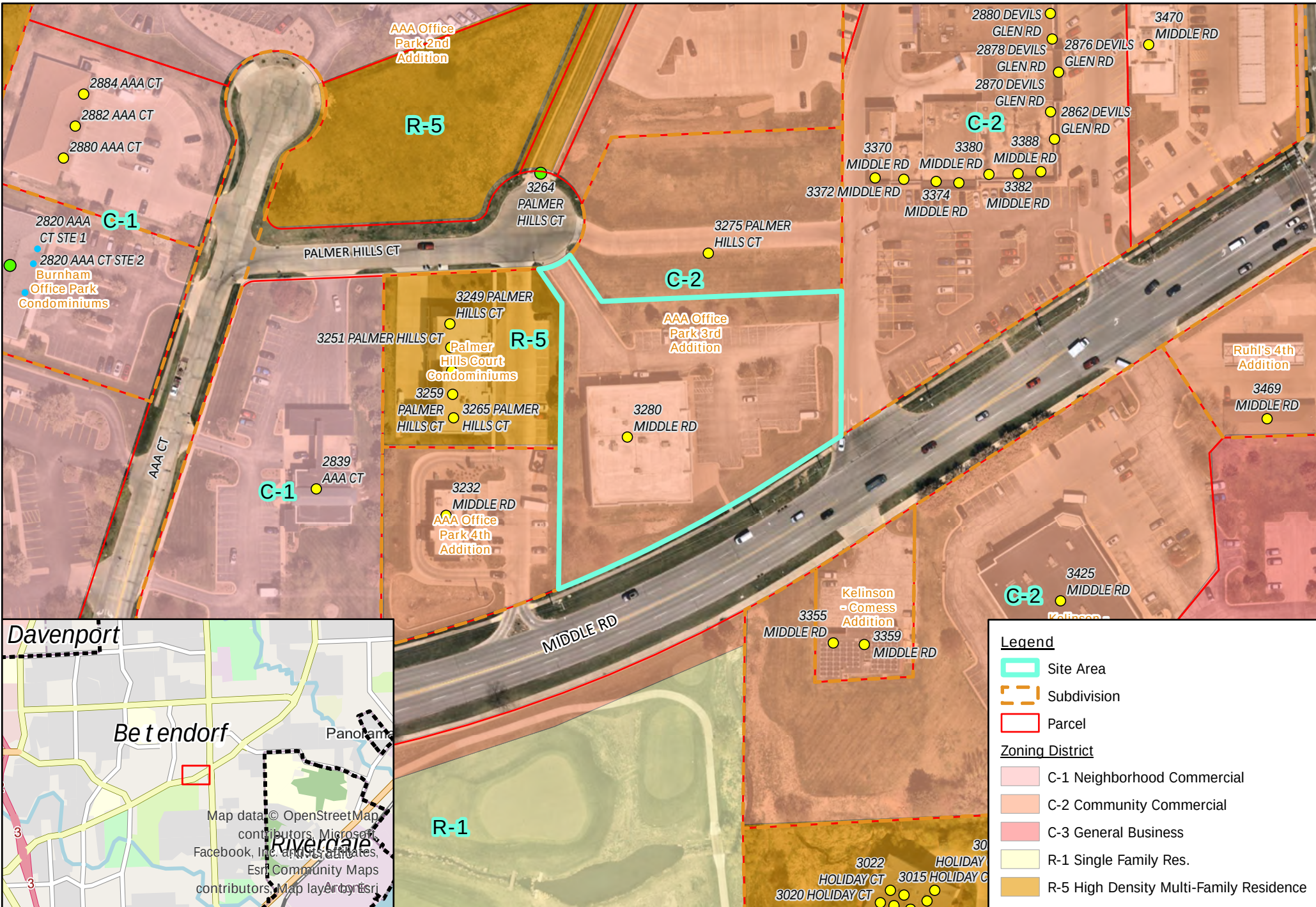
1 Inch = 125 Feet
0 45 90 180 270 Feet



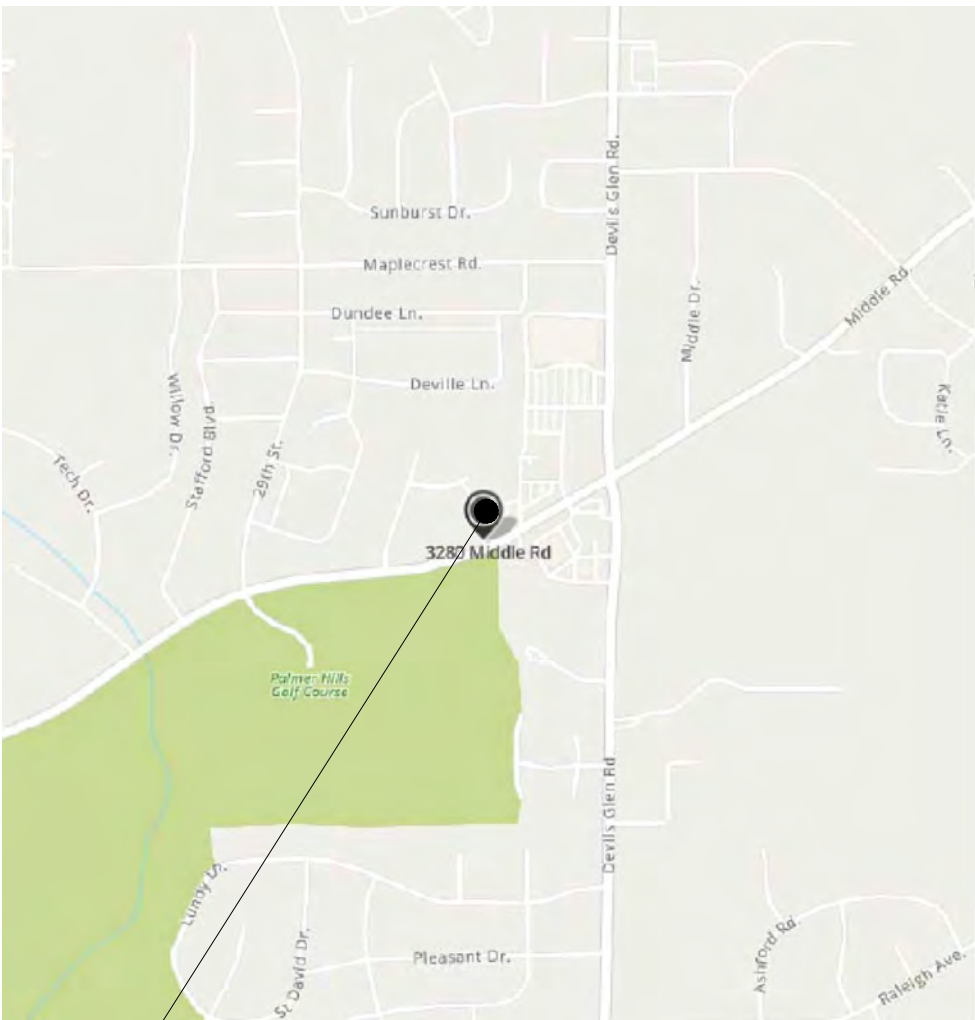
Case No. 23-072: 3280 Middle Road Site Development Plan (Change of Use) Current Zoning

1 Inch = 125 Feet

0 45 90 180 270 Feet



VICINITY MAP



PROJECT SITE

NORTH

LOCATION MAP



NORTH

DEFERRED SUBMITTALS

- FIRE ALARM

ALTERNATE SUMMARY

REVISIONS

REVISION	DATE	DESCRIPTION	SHEETS

LANDLORD TENANT IMPROVEMENTS
FOR PET SUPPLIES PLUS

3280 MIDDLE RD
BETTENDORF, IA 52722

CODES

BUILDING: 2015 INTERNATIONAL BUILDING CODE

MECHANICAL: 2021 INTERNATIONAL MECHANICAL CODE

PLUMBING: 2021 UNIFORM PLUMBING CODE

ELECTRICAL: 2020 NATIONAL ELECTRIC CODE

ACCESSIBILITY CODE: 2017 ICC / ANSI A117.1

ENERGY CONSERVATION: 2009 INTERNATIONAL ENERGY CONSERVATION CODE

FUEL GAS: 2015 INTERNATIONAL FUEL GAS CODE

FIRE CODE: 2015 INTERNATIONAL FIRE PREVENTION CODE

C-2 COMMUNITY COMMERCIAL

ZONING CODE: TITLE 11 ZONING REGULATIONS ORDINANCE

CLASS A	CLASS B	CLASS C
FLAME SPREAD INDEX 0-25	26-75	76-200
SMOKE-DEVELOPMENT INDEX 0-450	0-450	0-450

BUILDING: EXISTING

USE GROUP: M

CONSTRUCTION TYPE: II-B

TENANT SPACE IS FULLY SPRINKLED: NO

FIRE ALARM SYSTEM: YES

GROSS TENANT AREA (CODE CALC): 7,932 S.F.

FUTURE PET SUPPLIES PLUS: 8,515 S.F.

FUTURE TENANT: 3,707 S.F.

TRAVEL DISTANCE:

COMMON PATH OF EGRESS TRAVEL PERMITTED (M USE): 75' NOT SPRINKLED

EXIT ACCESS TRAVEL DISTANCE PERMITTED: 200' NOT SPRINKLED

PARKING: 47 SPACES (EXISTING)

REQUIRED PARKING PER TBL 11-13-782: 40 SPACES REQUIRED

RETAIL USES = 1 SPACE PER 200 SQUARE FEET:

CONTACTS

OWNER

PV LAND CO
3280 MIDDLE RD
BETTENDORF, IA 52722

CASEY MOHR
E: caseymohr@gmail.com

BUILDING DEPARTMENT

BETTENDORF, IA
COMMUNITY DEVELOPMENT
BUILDING DIVISION
4403 DEVILS GLEN RD
BETTENDORF, IA 52722

P: 563-344-4074

ARCHITECT

DAVID PORTS ARCHITECT, INC.
8223 BRECKSVILLE ROAD
SUITE 3
BRECKSVILLE, OHIO 44141

DAVE PORTS, JON ZAFEROPOLOS
P: 440-526-6978
C: 440-915-2875

MPE ENGINEER:

WHS ENGINEERING
2012 WEST 25th STREET
SUITE 200
CLEVELAND, OH 44113

GREG SUTYAK
P: 216-277-8505

INDEX OF DRAWINGS

C1.0 COVER SHEET

C2.0 ACCESSIBILITY STANDARDS

C3.0 UL ASSEMBLIES

A1.0 ARCHITECTURAL DEMISING PLAN

AS1.0 ARCHITECTURAL SPECIFICATIONS

AS2.0 ARCHITECTURAL SPECIFICATIONS

M1.0 MECHANICAL SPECIFICATIONS

M2.0 MECHANICAL DEMISING PLANS

P1.0 PLUMBING SPECIFICATIONS

P2.0 PLUMBING DEMISING PLAN

E1.0 ELECTRICAL DEMISING PLAN

E2.0 ELECTRICAL ONE-LINE DIAGRAMS & SERVICE GROUNDING DETAILS

E3.0 ELECTRICAL PANEL SCHEDULES

E4.0 ELECTRICAL SPECIFICATIONS

E5.0 ELECTRICAL SPECIFICATIONS

E6.0 ELECTRICAL SPECIFICATIONS

DPA

David Ports
Architect inc

8223 BRECKSVILLE RD
SUITE 3
BRECKSVILLE, OHIO 44141
P. 440.526.6978
portsarchitects.com

SEAL



9/22/2023

LANDLORD TENANT IMPROVEMENTS
FOR PET SUPPLIES PLUS

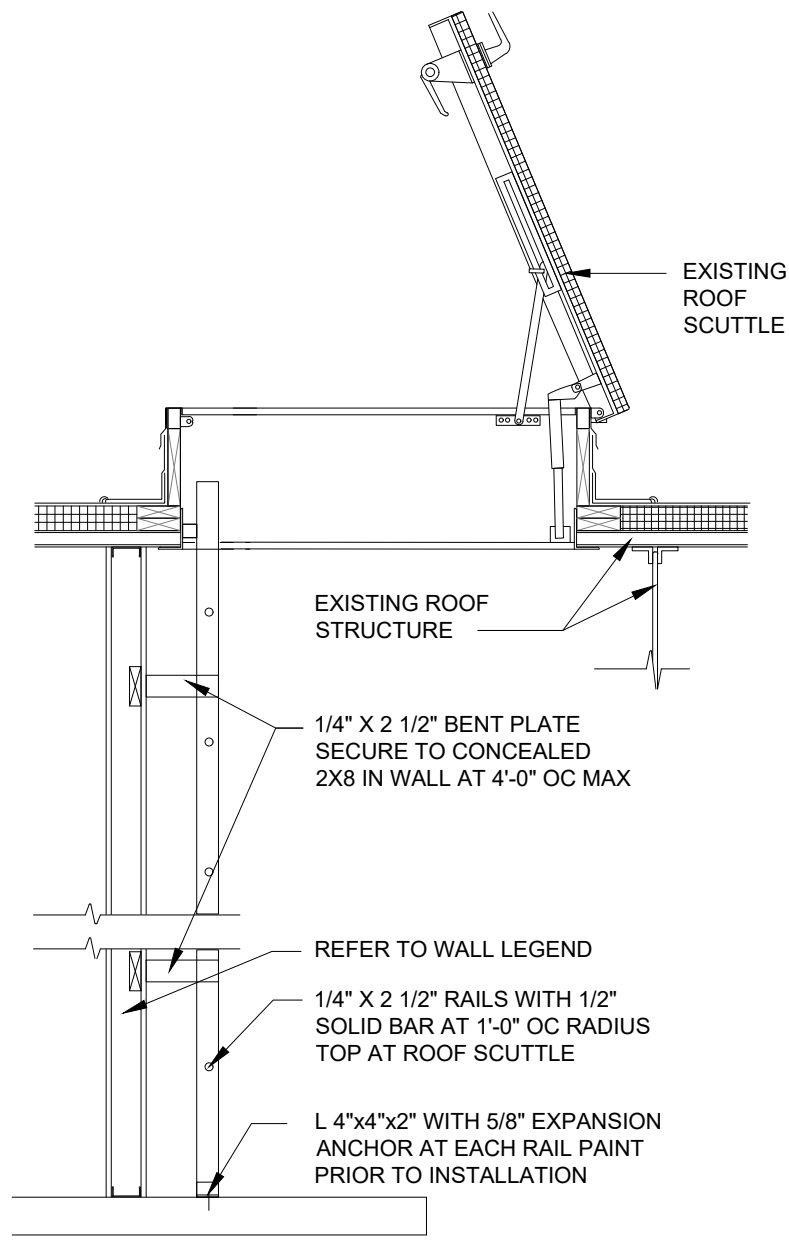
3280 MIDDLE RD
BETTENDORF, IA 52722

DATE	ISSUE/REVISION
9/22/2023	PERMIT

COVER SHEET

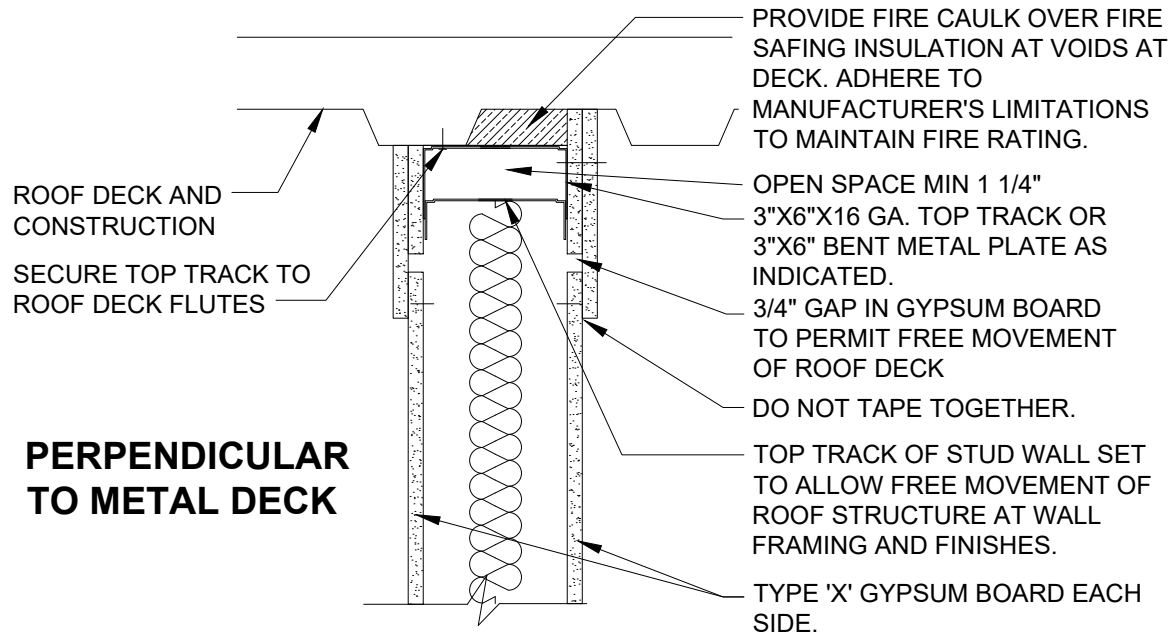
DRAWING NUMBER

C1.0

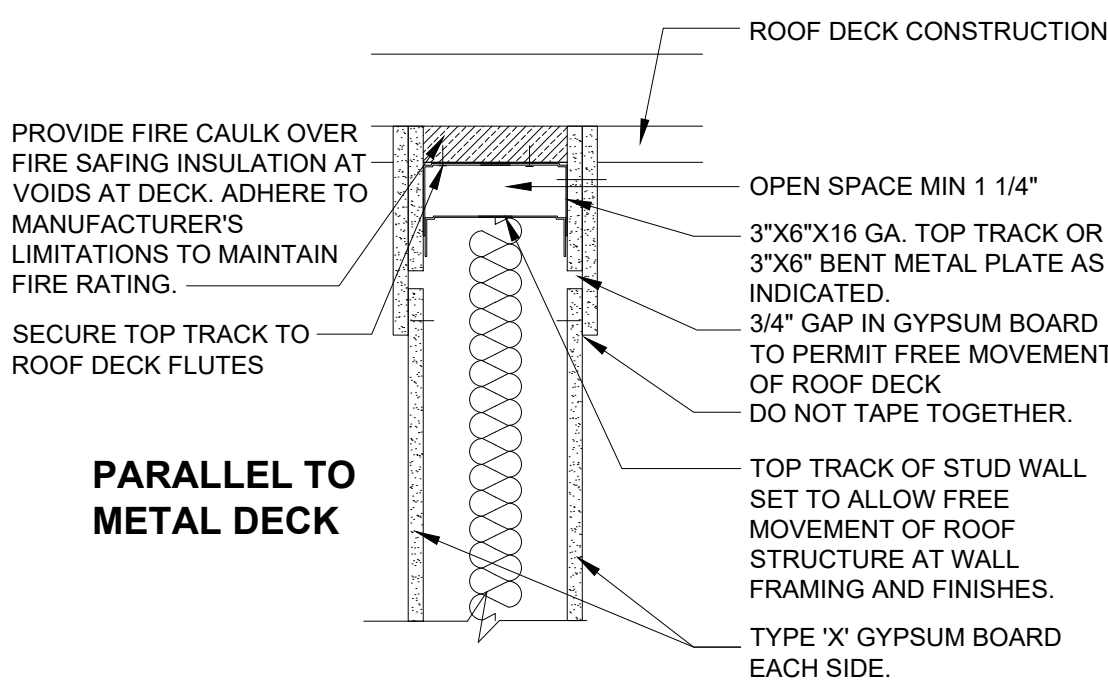


DETAIL 03 ROOF ACCESS LADDER
1" = 1'-0"

NOTE:
GYPSUM BOARD MUST BE CUT TO FIT
THE GROOVES OF THE ROOF DECKING



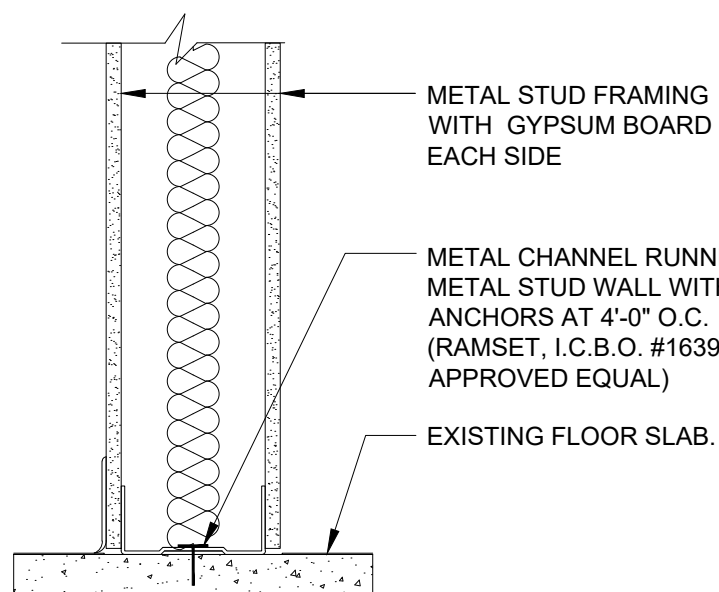
PERPENDICULAR
TO METAL DECK



PARALLEL TO
METAL DECK

DETAIL 02 TYP. FULL HEIGHT PARTITION
AT ROOF DECK

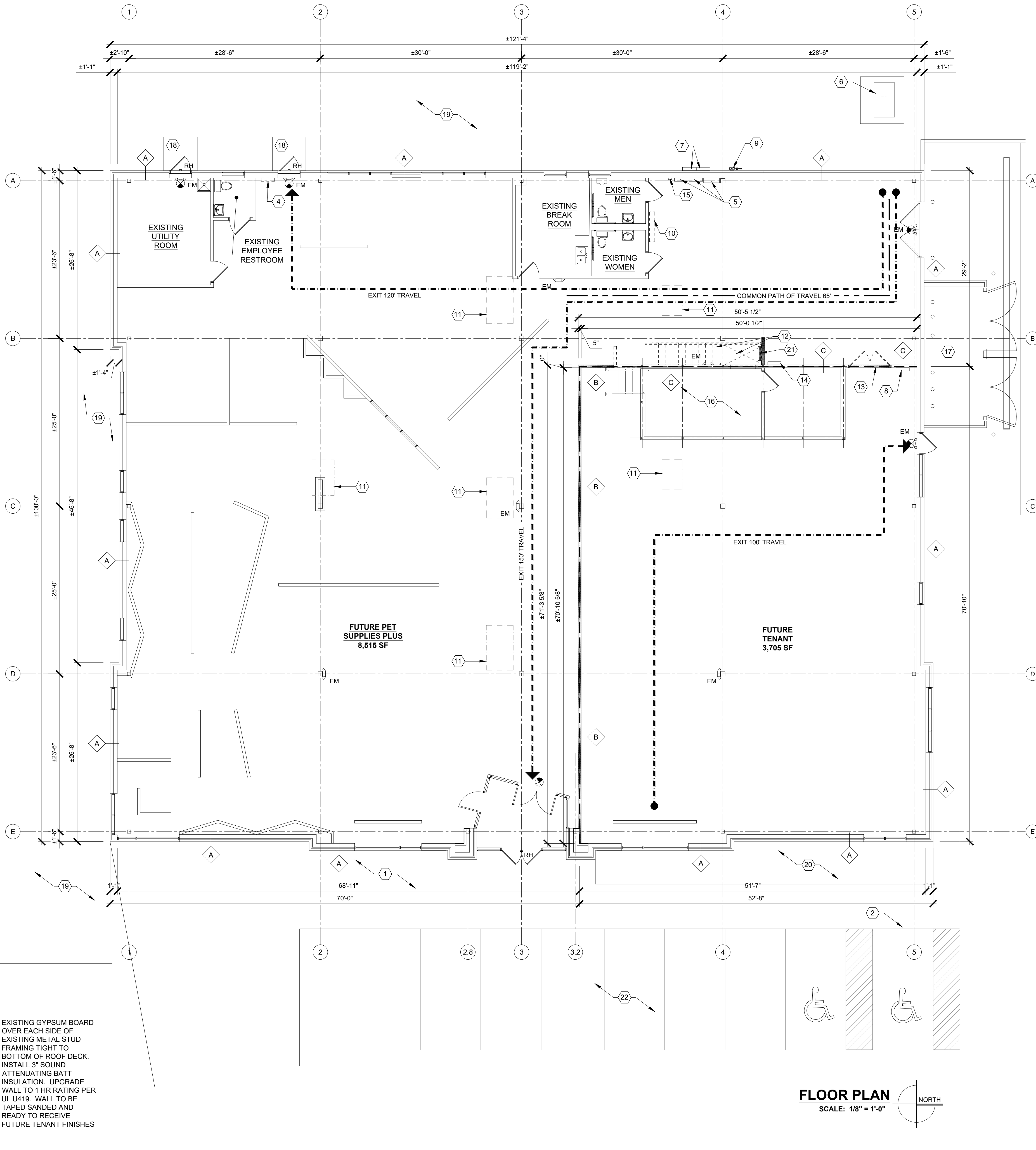
1 1/2" = 1'-0"



DETAIL 01 PARTITION AT FLOOR
1 1/2" = 1'-0"

CODED NOTES

- EXISTING SIDEWALK.
- EXISTING ACCESSIBLE CURB RAMP.
- 4-A-60-B-C MULTI-PURPOSE 10-LB. FIRE EXTINGUISHER.
- EXISTING ELECTRICAL PANEL TO BE REMOVED AND RELOCATED. REFER TO ELECTRICAL DRAWINGS.
- ELECTRICAL SERVICE PANELS. REFER TO ELECTRICAL.
- EXISTING PAD MOUNT SITE TRANSFORMER.
- NEW ELECTRICAL DISTRIBUTION AND HOUSE PANEL. REFER TO ELECTRICAL.
- NEW FUTURE TENANT ELECTRICAL SERVICE PANEL. REFER TO ELECTRICAL.
- EXISTING GAS METER.
- EXISTING INCOMING DOMESTIC WATER AND RPZ BACKFLOW. REFER TO PLUMBING.
- EXISTING ROOFTOP UNIT TO REMAIN. REMOVE ALL DUCTWORK BACK TO MAIN TRUNK LINE. REFER TO MECHANICAL FOR MORE INFORMATION.
- REMOVE EXISTING MEZZANINE STAIR, LANDING AND ROOF ACCESS LADDER.
- REMOVE DOOR AND FRAME. INFILL OPENING WITH METAL STUDS AND GYPSUM BOARD TO MATCH EXISTING ADJACENT CONSTRUCTION.
- EXISTING FACP. REFER TO ELECTRICAL.
- EXISTING LIGHTING CONTACTORS. REFER TO ELECTRICAL.
- EXISTING RECESSED FLOOR SLAB WITH MEZZANINE ABOVE.
- EXISTING TRASH ENCLOSURE.
- EXISTING CONCRETE LANDING.
- EXISTING GRASS AREA.
- EXISTING LANDSCAPE.
- NEW FULL HEIGHT ROOF ACCESS LADDER TO EXISTING ROOF SCUTTLE ABOVE. REFER TO DETAIL 03/A4.0.
- EXISTING PARKING.



FLOOR PLAN
SCALE: 1/8" = 1'-0"



David Ports
Architect inc

8223 BRECKSVILLE RD
SUITE 3
BRECKSVILLE, OHIO 44141
P. 440.526.6978
portsarchitects.com

SEAL



9/22/2023

LANDLORD TENANT IMPROVEMENTS
FOR PET SUPPLIES PLUS
3280 MIDDLE RD
BETTENDORF, IA 52722

DATE	ISSUE/REVISION
9/22/2023	PERMIT

FLOOR PLAN
DRAWING NUMBER

A1.0



December 27, 2023

Honorable Mayor and
Members of the City Council
City of Bettendorf
Bettendorf, Iowa 52722

SUBJECT: Planning and Zoning Commission's decision on a site development plan/change of use for 3280 Middle Road, submitted by Casey Mohr. (Case 23-072)

Honorable Mayor and Members of the City Council:

On December 20, 2023, the Planning and Zoning Commission reviewed and recommended that your Honorable Body approve the above named site development plan/change of use.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Sincerely,

Mark D. Hunt
Director, Community Development

9. Case 23-072; Site Development Plan (Change of Use) for 3280 Middle Road, submitted by Casey Mohr. (Staff: Beswick)

Beswick reviewed the staff report.

Ormsby commented that the according to the floor plan, there are no rest rooms in the future tenant space. Beswick explained that another commercial building permit review will take place when a user for that space is identified, adding that the building was for a single use and that a site development plan/change of use is now taking place because the structure is being demised and the use is changing.

On motion by Kulkarni, second by Stoltenberg, that a site development plan/change of use for 3280 Middle Road be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

COUNCIL LETTER

MEETING DATE: January 2, 2024
REQUESTED BY: Troy Said, Fire Chief



Item Title

Resolution authorizing the fire chief to sign a Purchase Agreement with Reliant Fire Apparatus for the purchase of one (1) Pierce Aerial Ladder Truck; base unit price \$1,997,529.

Explanation

Truck 2, a 2002 HME Alexis/Aerial, is scheduled for replacement through the city's vehicle replacement fund July 2027, original replacement scheduled year 2022.

Build time for an aerial ladder truck is currently 33-38 months. The price for an aerial, if ordered before February 1, 2024, is approximately \$2,000,000. Since 2005, there has been an average increase of 7% in the cost of apparatus by all manufacturers.

Through 'Build My Pierce' (BMP) program, we order the apparatus now. Reliant finances 100% of the cost with payment due ten days prior to delivery. Other manufacturers are not willing to make such a commitment. We utilized this same program when we purchased Engine 3.

Entering into an agreement with Reliant Fire Apparatus before February 1, 2024, will reduce a projected cost increase of 2%.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

Vehicle Replacement Fund 2027/28

List Attachments

Resolution
Proposal

**RESOLUTION AUTHORIZING THE FIRE CHIEF TO SIGN A PURCHASE AGREEMENT
WITH RELIANT FIRE APPARATUS FOR THE PURCHASE OF ONE (1) PIERCE AERIAL LADDER TRUCK;
BASE UNIT PRICE \$1,997,529**

BE IT RESOLVED by the City Council of the City of Bettendorf, Iowa, that the fire chief is hereby authorized to sign a Purchase Agreement with Reliant Fire Apparatus for the purchase of one (1) Pierce Aerial Ladder Truck; base unit price \$1,997,529.

PASSED, APPROVED, and ADOPTED this 2nd day of January 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

RELIANT FIRE APPARATUS, INC.

P.O. BOX 470 • SLINGER, WISCONSIN 53086 • PHONE (262) 297-5020



12/20/2023

Bettendorf Fire Department
Chief Troy Said
1609 State Street
Bettendorf, IA 52722

Proposal Detail: Reliant Fire Apparatus Proposal #846 dated 12/20/2023 for one (1) Pierce Enforcer 100' Ascendant Aerial Tower.

Dear Chief Said,

Thank you for the opportunity to present this Proposal Detail to the Bettendorf Fire Department. Attached you will find the completed proposal for the apparatus to be furnished. The pricing information for the Proposal Detail is as follows:

Pricing Summary:

Base Unit Price: \$1,997,529.00

Other Payment Option:

Custom prepayment options are available on any funds prepaid prior to their due dates. Should the opportunity exist to have other prepayment amounts or intervals other than the proposed above, please provide and a custom prepayment option quote can be calculated for your review.

100% Performance Bond:

Should the Bettendorf Fire Department elect to have Performance Bond provided \$4,894.00 will need to be added to the above pricing detail.

Terms and Conditions:

Pricing Validity – Proposal pricing is valid for 30 calendar days.

Delivery – Unit to be completed and prepared for final inspection within approximately 37 - 40 months from receipt and acceptance of contract or purchase order. Delivery lead time is based on current lead time at time of proposal. Lead time will be determined at time of contract/purchase order award.

Taxes – Any State, Federal, or local taxes are not included. If subject to taxes the amount will be added to the final invoice amount. For a tax-exempt purchase, the purchasing entity tax exempt form is required.

Freight – Delivery shall be F.O.B. Appleton, Wisconsin.

Payment Form – Payment to be made in the form of cash or check.

Supplier Immediate Change Notification: In the event of immediate supplier notification change of component or pricing from the date of Proposal Pricing Detail until the time pricing expiration, notification will be provided immediately of any changes. Changes that impact pricing immediately will be presented as pricing amendments to contract documents or change orders. If not accepted by the Purchaser the Proposal Pricing will become void at time of notification.

Payment Terms:

Base Option:

Payment due in full to Reliant Fire Apparatus, Inc. N10 days prior to final inspection and delivery from the Pierce Manufacturing, Inc. build location.

Said apparatus and equipment are to be built and shipped in accordance with the proposal hereto attached. Delays due to strikes, war, conflicts, pandemics, supply chain issues, or other causes beyond our control, could alter the delivery schedule.

The proposal herein contained shall form part of the final contract and are subject to changes as desired by the purchaser, provided such changes are acknowledged and agreed to in writing by the purchaser.

This proposal for fire apparatus conforms with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of proposal, except for any items deemed to be "non-compliant" by the purchaser. All "non-compliant" items are detailed on the NFPA Statement of Exceptions included with the proposal.

We thank the Bettendorf Fire Department for the opportunity to submit Reliant Fire Apparatus proposal #846 to you. Should you have any questions or require any additional information, please do not hesitate to contact me directly.

Respectfully,

Dustin Scholz

Dustin Scholz
Reliant Fire Apparatus, Inc.
(515) 306-4160
dustins@reliantfire.com

COUNCIL LETTER

MEETING DATE: January 2, 2024
REQUESTED BY: Keith Kimball, Police Chief



Item Title

Resolution approving the purchase of twelve (12) tactical ballistic vests for the Police Department, total cost not to exceed \$30,291.84.

Explanation

In March of 2023, a purchase order was issued to TYR Tactical for the purchase of ballistic vest inserts with a delivery date of September. In recent conversation with TYR Tactical, we were advised they cannot guarantee a delivery date at this time. The purchase order with TYR Tactical has been cancelled.

We received quotes from three vendors: Streicher's offering the lowest cost of \$2,524.32/vest, Galls \$3,018.54/vest, Ray O'Herron \$3,664.95/vest.

These tactical ballistic vests are for the Emergency Response Unit (ERU).

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

None

List Attachments

Resolution
Quotes

RESOLUTION NO. -24

**RESOLUTION APPROVING THE PURCHASE OF TWELVE (12) TACTICAL BALLISTIC VESTS
FOR THE POLICE DEPARTMENT, TOTAL COST NOT TO EXCEED \$30,291.84**

BE IT RESOLVED by the City Council of the City of Bettendorf, Iowa, that the Chief of Police be authorized to purchase twelve (12) tactical ballistic vests, total cost not to exceed \$30,291.84.

PASSED, APPROVED, and ADOPTED this 2nd day of January 2024.

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

Streicher's - Minneapolis
10911 W Hwy 55
Minneapolis, MN 55441
Phone: 763-546-1155
Fax: 763-546-6776



STREICHER'S
service since 1953

www.Streichers.com

SALES QUOTE

Federal ID # 41-1458127

Sales Quote Number: Q353991
Sales Quote Date: 06/29/23
Page: 1

Sell 10069
To: Bettendorf Police Dept.
Attn: Kelly Vale
1609 State St
Bettendorf, IA 52722

Ship
To: Bettendorf Police Dept.
Attn: Kelly Vale
1609 State St
Bettendorf, IA 52722

Phone: (563) 344-4015
Fax: (563) 344-4133

Ship Via
Terms Net 15

SalesPerson Tom Carstens
Phone: 763-227-1983
E-mail: tomc@streichers.com

Item No.	Description	Unit	Quantity	Unit Price	Total Price
PRTC-HYPXAWS.QC	Tactical Platform: Hyper X,AWS FS Tubes/Vel (Size/Col),QC size pending	EA	12	520.00	6,240.00
PRTB-HYPXHW68	Ballistic panels: Hyper X, HW68, 3A (Spec Size) size pending	EA	12	690.66	8,287.92
PRTB-HYPXCBHW68	Ballistic panels: Cummerbund, Hyper X, HW68, 3A (Spec Size) size pending	EA	12	362.66	4,351.92
PRT-WPLT.IMPACC1ML	Ballistic Plate:NASPO Impac C1 ICW,9.5x12.5 ML SAPI,Type III	EA	24	375.00	9,000.00
PRTSH-WHYPX.HW68	Shoulder Set: NASPO HW68 3A/Set of 2 for Hyper X, Spec Color	Set	12	201.00	2,412.00

\$2,524.32
Per Vest

Quoted prices do not include Sales Tax. All quoted prices are valid for 60 days from the date of the quote.

Total: 30,291.84



Quote

Customer: (3871606) CITY OF BETTENDORF POLICE
Date: 12/22/2023
Sales Rep: JON SHOKES

Page 1 of 1
Quote Number: 25457338
Quote Expiration: 01/21/2024

Sold To:
BETTENDORF POLICE DEPT
1609 STATE ST
BETTENDORF, IA 52722
DOUG SCOTT

Ship To:
BETTENDORF POLICE DEPT
1609 STATE ST
BETTENDORF, IA 52722
DOUG SCOTT

Line	Item	Description	Qty	Retail	Your Price	Ext Total
1	IFQUOTE	Item No. TBD 1355B51 HYPER X HYBRID, Advanced Weble ss System, Quick Clip Attach, Interchang eable Closure System	1		750.00	750.00
2	BP4347 CSTM MALE	HYPER X BALLISTIC PANEL SET, HARDWIRE 68 LEVEL IIIA	1		961.54	961.54
3	IFQUOTE	Item No. TBD 1354674 HYPER X Standard 5" Cummerbund Ballistic Panel Set, Hardwire® 68 Level IIIA	1		524.00	524.00
4	IFQUOTE	Item No. TBD 1354139 HYPER X External Shoulders, Ha rdwire® 68 Level IIIA	1		308.00	308.00
5	IFQUOTE	Item No. TBD 1347538 IMPAC C1 Special Threat ICW 8X1 0 Multi Curve Shooters Cut	1		475.00	475.00

Quote is valid for 30 days

Galls is required to collect sales tax on shipments to certain states. Sales tax will be added where applicable. For tax exempt customers, state laws require us to have signed tax exemption or resale certificates on file at our office. If you are tax exempt, please email or fax this information, (including your Galls account number) to Tax@galls.com or fax 859-268-5946.

SUBTOTAL: 3,018.54
SHIPPING: 150.93
TAX:
TOTAL: . . . 3,169.47

Export Restrictions - This may contain commodities restricted in the United States International Trade Regulations.

1340 Russell Cave Rd
Lexington, KY 40505
Tel: 800-876-4242 Fax: 877-914-2557



3549 N Vermilion St
 Danville, IL 61832
 www.oherron.com
 rayoherron@oherron.com
 1-800-223-2097

Quote

Quote # 3183660
 Customer No: 00-52722PD
 Date: 12/27/2023

BILL TO:

BETTENDORF, CITY OF
 1609 STATE ST
 BETTENDORF, IA 52722

SHIP TO:

BETTENDORF, CITY OF
 1609 STATE ST
 BETTENDORF, IA 52722

BADGE NO:	PAYMENT TERMS:	ORDERED BY:	ORDER COMMENT:		
	NET 30 DAYS	LT. DOUG SCOTT			
ITEM NO	DESCRIPTION	QUANTITY	PRICE	EXT PRICE	
	DLC				
*1355920	HyperX SAPI Advanced Webless System, T-Bar Attach, Interchangeable system FirstSpear® Tubes	1.00	866.99	866.99	
*1354534	SAPI Plate Backer Ballistic Panel Set, Hardwire® 68 Level IIIA	1.00	1,094.99	1,094.99	
*1355674	HYPER X™ Standard 5" Cummerbund Ballistic Panel Set, Hardwire® 68 Level IIIA	1.00	620.99	620.99	
*1354139	HYPER X™ External Shoulders, Hardwire® 68 Level IIIA	1.00	364.99	364.99	
*1347560	IMPAC C1 Special Threat ICW 9.5X12.5 Multi Curve SAPI Medium	1.00	716.99	716.99	

--- BODY ARMOR & CARRIERS ARE CUSTOM ---
 AFTER 24 HRS NO CHANGES OR CANCELLATIONS CAN BE ACCEPTED

ANY ALTERATION REQUEST MUST BE RECEIVED WITHIN 30 DAYS
 OF THE INVOICE DATE

ALL CHARGES ARE THE RESPONSIBILITY OF THE CUSTOMER

*****ADD ACTUAL FREIGHT CHARGES*****

COUNCIL LETTER

MEETING DATE: January 2, 2024

REQUESTED BY: Kathleen Richlen, HR Director



Item Title

Resolution approving the recruitment process for the Library Manager position at the Bettendorf Public Library.

Explanation

Due to a voluntary resignation, the Library Manager position will be vacant. Staff is requesting approval of the recruitment process.

The Library Manager position is a non-union management position. All applicants must meet the minimum qualifications of the job description to be considered a viable candidate.

The Library Manager position is a full-time position with a salary range of \$70,748 to \$113,309 annually.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

Budget contemplates the position.

List Attachments

Resolution

RESOLUTION - 24

**RESOLUTION APPROVING THE RECRUITMENT PROCESS FOR LIBRARY
MANAGER POSITION AT THE BETTENDORF PUBLIC LIBRARY**

WHEREAS current Library Manager position will become vacant due to voluntary resignation; and

WHEREAS City Council wishes to approve the recruitment process for the Library Manager position at the Bettendorf Public Library.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Bettendorf, Iowa that the recruitment process for the Library Manager position is hereby approved.

PASSED, APPROVED and ADOPTED this 2nd day of January, 2024.

Mayor Robert S. Gallagher

Attest:

City Clerk Decker P. Ploehn

COUNCIL LETTER

MEETING DATE: January 2, 2024

REQUESTED BY: Michelle Spencer, Sr. Admin. Assistant



Item Title

Resolution approving alcohol license renewals and requests.

Explanation

The Licensing of businesses contribute to the mission of a growing, competitive business environment. The applicant for D’Lua Fusion Cuisine & Bar; Express Lane Gas & Food Mart (Devils Glen Rd location); and The Quarry Bar Works has submitted the necessary documentation to issue the respective license and/or permits as required by the State of Iowa.

A criminal history background check has been requested and/or conducted.

The Bettendorf Fire Department has determined that the applicants are in compliance with federal, state, and local requirements.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

N/A

List Attachments

- Resolution

RESOLUTION _____ - 24

**RESOLUTION APPROVING ALCOHOL LICENSE RENEWALS
AND REQUESTS**

WHEREAS, the City Council of the City of Bettendorf, Iowa has received application for the following alcohol license renewals and/or requests:

renewals for D’Lua Fusion Cuisine & Bar; Express Lane Gas & Food Mart (Devils Glen Rd location); and The Quarry Bar Works

BE IT RESOLVED by the City Council of the City of Bettendorf, Iowa, that pursuant to Iowa Code Chapter 123 the applications be approved; and

BE IT FURTHER RESOLVED that the City Clerk is herewith directed to certify to the Iowa Department of Commerce, Alcoholic Beverages Division, the City Council’s approval of said applications.

PASSED, APPROVED AND ADOPTED this 2nd day of January, 2024

Robert S. Gallagher, Mayor

ATTEST:

Decker P. Ploehn, City Clerk



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
GENERAL FUND		00100002330000		WAGeworks	12/05/2023	2400338	INV5914634	5,070.20	FLEX CLAIMS
		00100002330000		WAGeworks	12/12/2023	2400339	INV5942680	1,049.91	FLEX CLAIMS
		00100002330000		WAGeworks	12/19/2023	2400337	INV5967008	2,308.95	FLEX CLAIMS
GENERAL FUND - Summary								8,429.06	
LIABILITY CLEARING ACCT.		81000002051500		AFLAC	12/15/2023	2400326	PR DATE 12/15	116.40	CI WRAP CONTRIBUTIONS
		81000002052300		ICMA RETIREMENT TRUST - 457	12/15/2023	2400324	7028183	57,504.52	457 CONTRIBUTIONS
		81000002050800		INTERNAL REVENUE SERVICE	12/11/2023	2400336	93260421A	190.04	FICA W/H TAX
		81000002052300		CITY OF BETTENDORF/125 PLAN	12/29/2023	124179	20231229	1,653.79	PAYROLL SUMMARY
		81000002052300		NATIONWIDE RETIREMENT SOLUTIONS	12/15/2023	2400333	PR 12.15.23	760.04	457 CONTRIBUTIONS
		81000002050500		INTERNAL REVENUE SERVICE	12/15/2023	2400330	93176691	81,278.87	FEDERAL W/H
		81000002050200		MUNICIPAL FIRE & POLICE	12/15/2023	2400325	12/15 PAY DATEA	38,207.63	CITY SHARE POLICE PENSION
		81000002051000		IPERS COLLECTIONS	12/15/2023	2400332	121091733C	361.70	CITY SHARE IPERS CITY COUNCIL MISSED CK
		81000002050400		MUNICIPAL FIRE & POLICE	12/15/2023	2400325	12/15 PAY DATEC	24,838.37	CITY SHARE FIRE PENSION
		81000002051000		IPERS COLLECTIONS	12/15/2023	2400332	121091733B	241.00	EMPLOYEE SHARE IPERS CITY COUNCIL MISSED CK
		81000002050500		INTERNAL REVENUE SERVICE	12/11/2023	2400336	93260421	311.21	FEDERAL W/H
		81000002059900		IOWA C.O.P.S.	12/15/2023	2400328	PR DATE 12/15	40.00	12/15 CONTRIBUTIONS
		81000002051900		STATE DISBURSEMENT UNIT	12/29/2023	124182	20231229	615.14	PAYROLL SUMMARY
		81000002052000		UNITED WAY QUAD CITIES	12/15/2023	2400323	PR DATE 12/15	803.62	12/15/23 CONTRIBUTIONS
		81000002052300		GREAT AMERICAN PLAN	12/15/2023	2400327	PR DATE 12/15	736.86	12/15 CONTRIBUTIONS



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
				ADMINISTRATORS					
		81000002052300		CITY OF BETTENDORF/125 PLAN	12/29/2023	124177	20231229	5,000.86	PAYROLL SUMMARY
		81000002051500		AMERICAN FUNDS ROTH IRA WIRE	12/15/2023	2400335	6819-9452-40415	25.00	AFTER TAX ROTH IRA CONTRIBUTIONS
		81000002052300		ANCHOR NATIONAL LIFE INSURANCE CO	12/29/2023	124175	20231229	219.46	PAYROLL SUMMARY
		81000002052300		LINCOLN LIFE	12/29/2023	124180	20231229	1,057.16	PAYROLL SUMMARY
		81000002059900		CITY OF BETTENDORF	12/29/2023	124176	20231229	243.14	PAYROLL SUMMARY
		81000002051100		MUNICIPAL FIRE & POLICE	12/15/2023	2400325	12/15 PAY DATE	15,628.85	EMPLOYEE SHARE POLICE PENSION
		81000002051500		ICMA RETIREMENT TRUST - 457	12/15/2023	2400324	6833530	3,808.84	AFTER TAX ROTH IRA
		81000002050700		ILLINOIS DEPARTMENT OF REVENUE	12/15/2023	2400331	1-738-412-080	3,270.61	ILLINOIS STATE W/H TAX
	LIABILITY CLEARING ACCT.	81000002051000		IPERS COLLECTIONS	12/15/2023	2400332	121091733A	55,291.78	CITY SHARE IPERS
		81000002051200		MUNICIPAL FIRE & POLICE	12/15/2023	2400325	12/15 PAY DATEB	10,160.13	EMP SHARE FIRE PENSION
		81000002052800		ICMA RETIREMENT TRUST - 457	12/15/2023	2400324	7028183A	4,008.98	457 LOAN PAYMENTS
		81000002051000		IPERS COLLECTIONS	12/15/2023	2400332	121091733	36,970.94	EMPLOYEE SHARE IPERS
		81000002052300		CITY OF BETTENDORF/125 PLAN	12/29/2023	124178	20231229	1,929.93	PAYROLL SUMMARY
		81000002050900		INTERNAL REVENUE SERVICE	12/11/2023	2400336	93260421B	155.54	MEDICARE W/H TAX
		81000002051900		COLLECTION SERVICES CENTER	12/15/2023	2400334	2398546	1,784.81	CHILD/SPOUSE SUPPORT
		81000002052300		PACIFIC LIFE INSURANCE COMPANY	12/29/2023	124181	20231229	300.30	PAYROLL SUMMARY
		81000002050900		INTERNAL REVENUE SERVICE	12/15/2023	2400330	93176691B	26,190.94	MEDICARE W/H TAX
		81000002059900		BETTENDORF POLICE	12/15/2023	2400329	PR DATE 12/15	100.00	12/15 CONTRIBUTIONS



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description	
	LIABILITY CLEARING ACCT.			BENEVOLENT FUND						
		81000002050800		INTERNAL REVENUE SERVICE	12/15/2023	2400330	93176691A	67,518.08	FICA W/H TAX	
	LIABILITY CLEARING ACCT. - Summary							441,324.54		
	PALMER HILLS GOLF COURSE	56000002010400		FOOD DRINK FRIENDS INC.	12/14/2023	2400342	12082023	2,599.23	NOV 27-DEC 13 CREDIT CARD PAYMENTS	
		56000002010400		FOOD DRINK FRIENDS INC.	12/14/2023	2400342	12082023B	-95.50	NOV 27-DEC 13 CREDIT CARD FEES	
	PALMER HILLS GOLF COURSE - Summary							2,503.73		
	SEWER UTILITY	52000001130000		BETHANY TATMAN	12/20/2023	124164	6028 CASPIAN CT	2,160.57	SEWER REFUND	
		52000001130000		MILLWRIGHT LOCAL 2158	01/03/2024	124237	2707 62ND CT	453.14	SEWER REFUND	
		52000001130000		CHETAN PATEL	12/20/2023	124165	1138 STATE ST	755.07	SEWER REFUND	
		52000002211000		TREASURER, STATE OF IOWA	12/12/2023	2400319	4784676	4,262.41	MONTHLY RETURN NOVEMBER	
		52000001130000		KATCHER, KELSEY	01/03/2024	124225	3859 TANGLEFOOT	102.47	SEWER REFUND	
		SEWER UTILITY - Summary							7,733.66	
	SOLID WASTE/RECYCLING ENT	55000002211000		TREASURER, STATE OF IOWA	12/12/2023	2400319	4784676B	6.91	MONTHLY RETURN NOVEMBER	
	SOLID WASTE/RECYCLING ENT - Summary							6.91		
	STORM WATER UTILITY	58000002211000		TREASURER, STATE OF IOWA	12/12/2023	2400319	4784676A	2,448.16	MONTHLY RETURN NOVEMBER	
	STORM WATER UTILITY - Summary							2,448.16		
	- Summary							462,446.06		
	CAPITAL PROJECTS	AQUATIC CENTER FUND	57550504992307	2PL005	TERRY-DURIN COMPANY	01/03/2024	124270	150384-00	2,297.50	4 INCH FOR POOL POWER
			57550504992290	2PL005	TERRACON CONSULTANTS, INC.	01/03/2024	124269	TK36373	3,846.60	THE LANDING PCC CYLINDER TESTING
			57550504992290	2PL005	RDG PLANNING & DESIGN, INC.	01/03/2024	124252	55787	28,836.65	#13 THE LANDING AMEND 1 THRU 11/30/23



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
CAPITAL PROJECTS	AQUATIC CENTER FUND	- Summary						34,980.75	
		40050504802307	PW0562	UTILITY EQUIPMENT CO.	01/03/2024	124275	10106264-001	903.72	REPLAIR CLAMP
		40050504802307	PW0426	WORKSPACE	01/03/2024	124278	149817	1,446.47	OFFICE CHAIRS
		40050504802299	PW0562	N.J. MILLER INC.	01/03/2024	124242	230202 13	366,335.89	#13 FOREST GROVE PH 4 12.01.23 TO 12.17.23
		40050504802290	PW0573	TERRACON CONSULTANTS, INC.	01/03/2024	124269	TK36294	148.00	G. THUENEN BRIDGE PCC CYLINDER TESTING
		40050504802299	CD0107	IOWA AMERICAN WATER COMPANY	01/03/2024	124218	210051215614A	48.10	WATER - FEMA FLOOD HOUSE 1120 PARKWAY DR
		40050504802299	PW0381	DAVENPORT ELECTRIC CONTRACT	01/03/2024	124195	53224A	11,780.00	HYDROVAC & POLE SETTING FG
		40050504802299	CD0082	MOBOTREX, INC.	01/03/2024	124239	270622	1,018.00	CAMERA REPAIR
		40050504802307	PW0562	UTILITY EQUIPMENT CO.	01/03/2024	124275	10106326-000	473.64	REPAIR CLAMP
		40050504802307	PW0562	METRO WIRE & CABLE CORP	01/03/2024	124230	55118845	445.13	LIGHT POLE
	CAPITAL PROJECTS	40050504802299	PW0581	RAINMASTER IRRIGATION	01/03/2024	124250	37215	327.60	IRRIGATION REPAIR ON PINEACRE
		40050504802214	PW0039	QUAD CITY TIMES	01/03/2024	124249	169510	41.18	EDGEWOOD DR PUBLIC NOTICE
		40050504802299	PW0562	DAVENPORT ELECTRIC CONTRACT	01/03/2024	124195	53224	11,780.00	HYDROVAC & POLE SETTING FG
		40050504802214	PW0564	QUAD CITY TIMES	01/03/2024	124249	169508	43.83	PUBLIC NOTICE - CRISWELL
		40050504802307	PW0381	GRAYBAR (DATA)	01/03/2024	124208	9335054209	2,618.00	TRAFFIC MATERIALS
		40050504802290	PW0555	TERRACON CONSULTANTS, INC.	01/03/2024	124269	TK43118	244.00	2023 ST RESURF PCC CYL TESTING
		40050504802307	PW0562	GRAYBAR (DATA)	01/03/2024	124208	9335118638	1,033.17	WIRE
		40050504802307	2CD009	MOBOTREX, INC.	01/03/2024	124239	269759	400.00	TYPE A TOP CAPS
		40050504802299	PW0513	AMERICORE, LLC	01/03/2024	124186	1341	19,944.50	LANDSCAPE SERVICES ON DG
		40050504802290	PW0381	HDR ENGINEERING, INC.	01/03/2024	124210	1200582138	9,511.63	#25 TO2 ENG SERV. FOR FG 11.05.23 TO 12.02.23



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description	
CAPITAL PROJECTS	CAPITAL PROJECTS	40050504802299	PW0562	SMITH SEEDING INC.	12/20/2023	124168	320	19,365.00	SOD INSTALL ON FRST GROVE	
		40050504802299	CD0082	MOBOTREX, INC.	01/03/2024	124239	270614	586.43	CAMERA REPAIR	
	CAPITAL PROJECTS	- Summary							448,494.29	
	DOWNTOWN IMPROVEMENTS	00350504802290	DT0033	SHIVE-HATTERY INC.	01/03/2024	124267	2132304250-1	4,800.00	TBK SIGNAGE DESIGN THRU 12/15/23	
	DOWNTOWN IMPROVEMENTS	- Summary							4,800.00	
	SEWER UTILITY	52050504992290	SW0101	RIVER BEND PLUMBING SERVICES LLC	01/03/2024	124257	3183	2,988.00	SEWER REPAIR 2131 CENTRAL AVE	
	SEWER UTILITY	- Summary							2,988.00	
	STORM WATER UTILITY	58050504992299	SM0139	WALTER D. LAUD INC.	01/03/2024	124277	120723	9,463.00	PIPE REPAIR,PATCH & SIDEWALK STILL CRK PASS	
	STORM WATER UTILITY	- Summary							9,463.00	
	CAPITAL PROJECTS	- Summary							500,726.04	
CITY ADMINISTRATION	GENERAL FUND	00141014602306		IMPERIAL	01/03/2024	124214	288002:334520	319.00	COFFEE SUPPLIES FOR CITY HALL AND POLICE DEPT.	
		00141024612244		MERCHANT SERVICES	12/04/2023	2400321	1123D	43.00	BANKCARD FEES BUSINESS LIC	
		00141024622240		SCOTT COUNTY AUDITOR	01/03/2024	124262	2024-00000009	12,952.53	11/7/23 CITY ELECTION FEES	
	GENERAL FUND	- Summary							13,314.53	
CITY ADMINISTRATION	- Summary							13,314.53		
COMMUNITY DEVELOPMENT	GENERAL FUND	00130064162307		ADVANTAGE ADVERTISING	01/03/2024	124184	2187167AV9A	210.61	LOGO SHIRTS - ETHAN,DANA, TANNER	
		00130014541302		NORTH SCOTT PRESS	01/03/2024	124244	19431	90.00	2 YEAR SUBSCRIPTION NORTH SCOTT PRESS	
		00130014542306		CULLIGAN OF DAVENPORT	01/03/2024	124194	0518342	9.50	BOTTLED WATER DISPENSER RENTAL	
		00130034542214		QUAD CITY TIMES	01/03/2024	124249	169459	45.82	PUBLISH SNOW FEES 2024	
		00130024532214		QUAD CITY TIMES	01/03/2024	124249	168932	34.56	NOTICE OF PUBLIC HEARING BOA 11/9/23	



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description	
COMMUNITY DEVELOPMENT	GENERAL FUND	00130024532290		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	124220	29641	528.90	OPEN HOUSE - WATERFRONT COMP PLAN 11/20/23	
		00130014542306		CULLIGAN OF DAVENPORT	01/03/2024	124194	0517801	44.45	BOTTLED WATER	
		00130034542307		ADVANTAGE ADVERTISING	01/03/2024	124184	2187167AV9	152.08	LOGO SHIRTS - MELTON	
		00130064162244		MERCHANT SERVICES	12/04/2023	2400321	1123A	1,991.26	BANKCARD FEES INSPECTIONS	
	GENERAL FUND - Summary								3,107.18	
COMMUNITY DEVELOPMENT - Summary								3,107.18		
ECONOMIC DEVELOPMENT	CAPITAL PROJECTS	40035024512299		MIDDLE & FOREST GROVE	01/03/2024	124233	010324	1,500,000.00	1ST HALF ECON DEV. GRANT	
	CAPITAL PROJECTS - Summary								1,500,000.00	
	RIVERBOAT GAMING	00235024512299		BETTPLEX, LLC	01/03/2024	124191	010324	350,000.00	2ND PYMT FROM CAPEX FUND	
	RIVERBOAT GAMING - Summary								350,000.00	
	ECONOMIC DEVELOPMENT - Summary								1,850,000.00	
FAMILY MUSEUM	FMLY MUSEUM/ARTS &SCIENCE	55511014942307		ARAMARK - CHICAGO	01/03/2024	124187	6150287376	59.96	FIRST AID SUPPLIES	
		55511014942244		VANTIV INTEGRATED PAYMENTS	12/05/2023	2400322	1123	2,179.16	BANKCARD FEES MUSEUM	
		55511014942307		ARAMARK - CHICAGO	01/03/2024	124187	6150283819	59.96	FIRST AID SUPPLIES	
		55511014997074		J.L. BRADY COMPANY LLC	01/03/2024	124221	101026	9,390.00	REPLACE DOMESTIC WATER HEATER FAM MUSEUM	
	FMLY MUSEUM/ARTS &SCIENCE - Summary								11,689.08	
FAMILY MUSEUM - Summary								11,689.08		
FINANCE	DEBT SERVICE FUND	31102094708002		IOWA FINANCE AUTHORITY	12/01/2023	2400344	12012023	2,045.19	SRF \$.445M CURRENT INTEREST	
	DEBT SERVICE FUND - Summary								2,045.19	
	ELEC.EQUIP.REPLACEMENT FD	40202434807074		INSIGHT PUBLIC SECTOR, INC.	12/20/2023	124167	1101104564	22,379.22	ADDITIONAL MICROSOFT 365 LICENSES	
	ELEC.EQUIP.REPLACEMENT FD - Summary								22,379.22	



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
FINANCE	GENERAL FUND	00102014612244		MERCHANT SERVICES	12/04/2023	2400321	1123F	13.11	BANKCARD FEES SW3 1% SW1 SW2
		00102024612307		ARAMARK - CHICAGO	01/03/2024	124187	6150289315	29.98	FIRST AID
		00102024612307		CULLIGAN OF DAVENPORT	01/03/2024	124194	0518677	23.95	WATER
		00102024612307		CULLIGAN OF DAVENPORT	01/03/2024	124194	0519228	14.45	WATER
		00102024612307		CULLIGAN OF DAVENPORT	01/03/2024	124194	0518968	23.95	WATER
		00102024612306		DES MOINES STAMP MFG COMPANY	01/03/2024	124196	1227320	71.00	DATE STAMPER
	GENERAL FUND - Summary							176.44	
	INFORMATION SERVICES	68802314942130		TARGETSOLUTIONS LEARNING	01/03/2024	124268	INV86649	3,694.95	SCHEDULING SOFTWARE
		68802314942130		INSIGHT PUBLIC SECTOR, INC.	12/20/2023	124167	1101109924	69,454.62	YEARLY SUBSCRIPTION FOR MICROSOFT 365
		68802314941304		MOOK, FORREST	01/03/2024	124241	12152023	108.40	MILEAGE REIMBURSEMENT
	INFORMATION SERVICES - Summary							73,257.97	
	SEWER UTILITY	52002044902204		AMERICAN WATER-SEWER USAGE DATA	01/03/2024	124185	4000272327	1,157.28	SEWER DATA
		52002044902299		MIDWEST MAILWORKS INC.	01/03/2024	124234	246346	43.19	03 LATE NOTICES
		52002044902244		MERCHANT SERVICES	12/04/2023	2400321	1123G	5,730.80	BANKCARD FEES UT SW1 SW2
		52002044902299		MIDWEST MAILWORKS INC.	01/03/2024	124234	246477	92.67	DELINQUENT NOTICES
		52002044902244		AUTHORIZE.NET	12/04/2023	2400320	1123	30.00	ONLINE PYMT GATEWAY
	SEWER UTILITY - Summary							7,053.94	
	STORM WATER UTILITY	58002194932299		MIDWEST MAILWORKS INC.	01/03/2024	124234	246346B	43.18	03 LATE NOTICES
		58002194932299		MIDWEST MAILWORKS INC.	01/03/2024	124234	246477B	92.66	DELINQUENT NOTICES



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description	
FINANCE	STORM WATER UTILITY	- Summary							135.84	
		40102424708007		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203H	2,162.36	LEASE PRINCIPAL OCT/NOV 2023 26R3JM	
		40102424708007		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203F	2,088.36	LEASE PRINCIPAL OCT/NOV 2023 26G5QP	
		40102424807075		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203P	53,697.95	LEASE INCEPTION EXPENDITURE	
		40102424708007		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203N	2,905.71	LEASE PRINCIPAL OCT/NOV 26ZK4S	
		40102424708007		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203	806.90	LEASE PRINCIPAL NOV 2023 26G59H	
		40102424708007		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203J	2,245.72	LEASE PRINCIPAL OCT/NOV 2023 26R3K7	
		40102424708005		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203E	228.24	LEASE INTEREST 26G5NF	
		40102424708005		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203C	-5.71	LEASE INTEREST 26G5BG	
		40102424708005		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203M	336.87	LEASE INTEREST 22K3R	
		40102424708005		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203G	152.74	LEASE INTEREST 26G5QP	
		40102424708005		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203K	165.69	LEASE INTEREST 26R3K7	
		40102424708005		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203O	338.59	LEASE INTEREST 26R3K7	
		40102424708007		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203D	987.90	LEASE PRINCIPAL NOV 2023 26G5NF	
		40102424708007		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203B	938.08	LEASE PRINCIPAL NOV 2023 26G5BG	
		40102424708005		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203A	141.49	LEASE INTEREST 26G59H	
		40102424708007		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203L	2,898.55	LEASE PRINCIPAL OCT/NOV 2023 22K3R	
		40102424708005		ENTERPRISE FM TRUST	11/20/2023	2400318	FBN4875203I	151.57	LEASE INTEREST 26R3JM	
		VEHICLE REPLACEMENT FUND	- Summary							70,241.01
	FINANCE	- Summary							175,289.61	
FIRE	GENERAL FUND	00104154142299		THYMET PEST CONTROL	01/03/2024	124273	144292	58.00	MONTHLY SERVICE/ST2	
		00104154142299		JOHNSON CONTROLS FIRE PROTECTION LP	01/03/2024	124223	23865714	2,316.24	FIRE ALARM TEST/INSPECT ST2 - JAN 1-DEC 31 2024	



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
FIRE	GENERAL FUND	00104154142299		JOHNSON CONTROLS FIRE PROTECTION LP	01/03/2024	124223	23865655	2,515.67	FIRE ALARM TEST/INSPECT ST4 - JAN 1-DEC 31 2024
		00104144142312		MOLO OIL COMPANY	01/03/2024	124240	0042935-IN	223.25	FLOOR DRY/ST4
		00104154142106		GETZ FIRE EQUIPMENT	01/03/2024	124205	I1-854498	71.80	SERVICE EXTINGUISHER
		00104144142312		RILCO SAFETY SUPPLY	01/03/2024	124256	RSS6726	155.00	CAL GAS
		00104154142111		IOWA AMERICAN WATER COMPANY	01/03/2024	124218	061239DEC23	27.36	HYDRANT/ST2
		00104154142111		IOWA AMERICAN WATER COMPANY	01/03/2024	124218	062188DEC23	61.86	HYDRANT/ST4
	GENERAL FUND	- Summary						5,429.18	
FIRE	- Summary						5,429.18		
HUMAN RESOURCES	GENERAL FUND	00142014662213		PERSONAL ASSISTANCE SERVICES	01/03/2024	124246	13373	1,969.50	QUARTERLY EAP SERVICES 01/01/2024 TO 03/31/2024
	GENERAL FUND	- Summary						1,969.50	
HUMAN RESOURCES	- Summary						1,969.50		
LIBRARY	GENERAL FUND	00106014402244		MERCHANT SERVICES	12/04/2023	2400321	1123B	246.94	BANKCARD FEES LIBRARY
	GENERAL FUND	- Summary						246.94	
LIBRARY	- Summary						246.94		
MAYOR & COUNCIL	EMPLOYEE INSURANCE	68601064942283		EMPLOYEE BENEFIT SYSTEM	01/03/2024	124203	000040944	851.76	MONTHLY BILLING
		68601064942281		WELLMARK BLUE CROSS & BLUE SHIELD	12/08/2023	2400341	12012023	63,401.25	MEDICAL CLAIMS 12/01-12/01/2023
		68601064942297		YMCA OF IOWA MISSISSIPPI VALLEY	01/03/2024	124279	12/2023BETT	2,260.00	MONTHLY FEES
		68601064942297		ROCK VALLEY PHYSICAL THERAPY	01/03/2024	124260	1617A	238.68	ONLINE HEALTH RISK ASSESSMENT
		68601064942294		DELTA DENTAL	12/04/2023	2400346	352050000202368	5,924.08	DENTAL CLAIMS 11/21-11/27/23
		68601064942281		WELLMARK BLUE CROSS & BLUE SHIELD	12/15/2023	2400343	12082023	55,454.22	MEDICAL CLAIMS 12/02-12/08/2023



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
MAYOR & COUNCIL	EMPLOYEE INSURANCE	68601064942294		DELTA DENTAL	12/18/2023	2400340	352050000202369	5,897.01	DENTAL CLAIMS 11/28-12/04/2023
		68601064942296		EMPLOYEE BENEFIT SYSTEM	12/08/2023	2400345	12062023	989.38	VISION CLAIMS CKS 2548-2552
		68601064942282		WELLMARK BLUE CROSS & BLUE SHIELD	12/08/2023	2400341	12012023A	-1,411.65	STOP LOSS REIMBURSEMENTS
		68601064942283		DELTA DENTAL	12/04/2023	2400346	35205000202368A	6,518.92	OVERPAYMENT
		68601064942282		WELLMARK BLUE CROSS & BLUE SHIELD	12/15/2023	2400343	12082023A	-2,877.68	STOP LOSS REIMBUSEMENTS
		68601064942294		DELTA DENTAL	12/18/2023	2400340	35205000202370	6,690.09	DENTAL CLAIMS 12/05-12/11/2023
		68601064942294		DELTA DENTAL	12/18/2023	2400340	35205000202369A	-6,518.92	OVERPAYMENT
	EMPLOYEE INSURANCE	- Summary							137,417.14
	GENERAL FUND	00101014602213		GRABER, EDMUND C.	01/03/2024	124207	122723	1,832.00	CONSULTING SERVICES FOR 12/1/23 - 12/31/23
		00101014602340		GLASS BLAST	01/03/2024	124206	108996	109.00	APPREC AWARD OUTGOING 3RD WD ALDERMAN BILL CONNORS
		00101014602340		HY-VEE, INC. PW & AD	01/03/2024	124213	812018	80.00	FUNERAL ARRANGEMENT FOR JEFF HAWOTTE, CROSS GUARD
		00101014602340		HY-VEE, INC. PW & AD	01/03/2024	124213	221779	80.00	FUNERAL ARRANGEMENT FOR BONNIE BINGHAM, RETIREE
	GENERAL FUND	- Summary							2,101.00
	RISK MANAGEMENT	68401054942258		RIVERBEND SIGNWORKS	01/03/2024	124258	18494	295.00	VEHICLE GRAPHICS PASSENGER DOOR SQUAD 207
		68401054942268		IOWA COMMUNITIES ASSURANCE POOL	01/03/2024	124219	ICP056928A1	7,500.00	DEDUCTIBLE PAYMENT
		68401054942276		VAN METER INDUSTRIAL INC.	12/20/2023	124169	S012718328.001	16,113.49	ACCIDENT 23-9946 14TH & GRANT LIGHT POLE
		68401054942276		MOBOTREX, INC.	01/03/2024	124239	270037	504.00	ACCIDENT 23-26516 PED LIGHT
	RISK MANAGEMENT	- Summary							24,412.49
MAYOR & COUNCIL		- Summary							163,930.63



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
PARKS & RECREATION	GENERAL FUND	00107034432244		MERCHANT SERVICES	12/04/2023	2400321	1123E	111.99	BANKCARD FEES REC ONLINE
	GENERAL FUND	- Summary						111.99	
	PALMER HILLS GOLF COURSE	56007114942244		MERCHANT SERVICES	12/04/2023	2400321	1123C	168.00	BANKCARD FEES GOLF RANGE BALLS
	PALMER HILLS GOLF COURSE	- Summary						168.00	
	PARKS & RECREATION	- Summary						279.99	
POLICE	CHAPLAINS PETTY CASH	27403454102307		BETTENDORF ECUMENICAL FOOD PANTRY	01/03/2024	124190	112123	3,071.65	FOOD BANK/DONATION BASKETS HOLIDAY BASKETS
	CHAPLAINS PETTY CASH	- Summary						3,071.65	
		00103114101301		SECRETARY OF STATE	01/03/2024	124265	121423	30.00	NOTARY APPLICATION HIMMELMAN
		00103114102309		WHITEHAVEN ANIMAL HOSPITAL	11/13/2023	2400317	369319	239.59	K9 RINGO VACCINES CK#123587
		00103154102299		SCOTT COUNTY SHERIFF'S OFFICE	01/03/2024	124263	2024-48	2,300.00	BOOKING FEES (NOV)
		00103014102307		JOHN MOHR PHOTOGRAPHY	01/03/2024	124222	12677	756.00	PROFESSIONAL PHOTOS PD OFFICERS
		00103114101209		ELDRIDGE POLICE DEPARTMENT	12/27/2023	124173	PATE'S VEST	720.00	PATE'S VEST
	GENERAL FUND	00103114102104		H & H CAR CARE & TOWING, LLC	01/03/2024	124209	28145	105.00	TOW/UNIT 542
		00103114101209		UNIFORM DEN, INC.	01/03/2024	124274	114432-01	183.90	UNIFORM PANTS/HIMMELMAN
		00103014102307		DAMON HARRIS	12/20/2023	124166	12132023	908.47	REIMBURSE VEHICLE REPAIRS
		00103114102307		KIESLER POLICE SUPPLY, INC.	01/03/2024	124226	IN228508	8,132.40	AMMUNITION SO198179
		00103104101303		NY/EC FBINAA	12/27/2023	124174	01102024	810.00	D SCOTT NYPD TRAINING
		00103114102104		H & H CAR CARE & TOWING, LLC	01/03/2024	124209	28147	110.00	TOW/UNIT 540
		00103154102299		HUMANE SOCIETY OF SCOTT COUNTY	01/03/2024	124212	1749	3,953.51	MONTHLY FEE (NOVEMBER)

Dec 28, 2023



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
PUBLIC WORKS	GENERAL FUND			OF THE QC					
		00105724422299		S J SMITH CO. INC.	01/03/2024	124261	723042	10.50	GAS, O2 SUPPLY
		00105254642299	2400CC	JOHNSON CONTROLS FIRE PROTECTION LP	01/03/2024	124223	23865713	1,913.73	ANNUAL TEST/INSPECT FIRE ALARM - COMM CENT
		00105254642101	2400LB	SHERWIN WILLIAMS CO.	01/03/2024	124266	6209-5	55.16	PAINT SUPPLIES - LIBRARY
		00105724422307		PETERSEN PLUMBING & HEATING	01/03/2024	124247	249338S	795.88	BACKFLOW REPAIR
		00105254642101	2400CC	DOORS INC.	01/03/2024	124197	341634	1,264.00	FIRE ESCAPE DOOR CRASH BA R - COMM CENT
		00105264642307	2401CH	THE HOME DEPOT PRO	01/03/2024	124271	780263299	118.05	CARPET BONNETS - CITY HAL L
		00105254642299	2400CH	JOHNSON CONTROLS FIRE PROTECTION LP	01/03/2024	124223	23865656	6,114.46	ANNUAL TEST/INSPEC. FIRE ALARMS CITY HALL
		00105254642101	2400MC	REPUBLIC COMPANIES	01/03/2024	124254	6227134-00	348.82	GFI, PHOTO EYES - MAINT CTR
		00105724422325		FISHER LAWN CARE	01/03/2024	124204	32797	295.00	MOWING, CLEAN-UP - ONE MOWING FACILITY
		00105254642101	2400LB	INTEGRITY CLEANING SYSTEMS, INC.	01/03/2024	124216	112023	1,175.00	WINDOW CLEANING - LIBRARY
		00105254642101	2400CC	WALT LAMBACH FIRE PROTECTION	01/03/2024	124276	59037	24.30	FIRE EXT INSP - COMM CENT
		00105254642101	2400LB	JOHNSON CONTROLS, INC.	01/03/2024	124224	1-131571958183	313.00	FREEZE PROTECTION PROBLEM LIBRARY
		00105254642101	2400MC	ADEL WHOLESALERS, INC.	01/03/2024	124183	2123986	220.58	FLUSH VALVE KIT - MAINT CTR
		00105254642101	2400CH	INTEGRITY CLEANING SYSTEMS, INC.	01/03/2024	124216	112023B	528.00	WINDOW CLEANING - CITY HA LL
		00105254642299	2400LB	JOHNSON CONTROLS FIRE PROTECTION LP	01/03/2024	124223	23865712	3,401.17	ANNUAL TEST/INSPECT FIRE ALARM - LIBRARY
		00105254642101	2400LB	WALT LAMBACH FIRE PROTECTION	01/03/2024	124276	59040	137.70	FIRE EXT INSP - LIBRARY
		00105254642101	2400MC	ADEL WHOLESALERS, INC.	01/03/2024	124183	2122735	30.90	FLUSH VALVE REGULATOR MAINT CENT
		00105254642101	2400MC	WALT LAMBACH FIRE	01/03/2024	124276	59028	243.00	FIRE EXT INSP - MAINT CTR



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
PUBLIC WORKS	GENERAL FUND			PROTECTION					
	GENERAL FUND	- Summary							26,121.54
		68305204942324		HENDERSON PRODUCTS	01/03/2024	124211	388205	900.53	STOCK MOTOR PUMP
		68305204942324		MIDWEST WHEEL COMPANIES INC.	01/03/2024	124235	3502221-00	354.97	STOCK
		68305204942324		LAWSON PRODUCTS, INC.	01/03/2024	124228	9311123277	19.00	WIRE TIE
		68305204942324		MHC KENWORTH	01/03/2024	124231	T01135600191611	179.21	STOCK FILTERS
		68305204942324		BOYLERS ORNAMENTAL IRON, INC.	01/03/2024	124192	121523	11.60	ROD FOR 1401
		68305204942324		THOMPSON TRUCK & TRAILER INC.	01/03/2024	124272	X103137978:01	48.00	HOOD CABLE FOR 1322
		68305204942352		RILCO FLUID CARE, INC.	01/03/2024	124255	497719	2,600.00	ATF
		68305204942324		THOMPSON TRUCK & TRAILER INC.	01/03/2024	124272	X103137991:01	294.32	SWITCH FOR 1805
	MUNICIPAL GARAGE	68305204942324		MHC KENWORTH	01/03/2024	124231	T01135600192241	10.59	STOP FOR 1305
		68305204942104		KILBURG EQUIPMENT, LLC.	01/03/2024	124227	3663	6,603.06	CYLINDER REPLACE 1804
		68305204942324		MIDWEST WHEEL COMPANIES INC.	01/03/2024	124235	3503927-00	-82.00	CORE CREDIT
		68305204942324		HENDERSON PRODUCTS	01/03/2024	124211	388381	1,652.24	PUMPS FOR STOCK
		68305204942104		LINDQUIST FORD, INC.	01/03/2024	124229	252246	98.95	ALIGNMENT FOR 2321
		68305204942324		LINDQUIST FORD, INC.	01/03/2024	124229	388238	638.11	BRAKES FOR 1010
		68305204942324		HENDERSON PRODUCTS	01/03/2024	124211	389263	3,690.54	CONTROLLER STOCK
		68305204942324		MILLS CHEVROLET COMPANY	01/03/2024	124236	CM5147741	-65.94	RETURN
		68305204942307		S J SMITH CO. INC.	01/03/2024	124261	722864	189.00	GAS/OXYGEN
		68305204942324		EASTERN IOWA TIRE, INC.	01/03/2024	124199	100151780	-88.00	TIRE CREDIT



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
PUBLIC WORKS	MUNICIPAL GARAGE	68305204942324		LINDQUIST FORD, INC.	01/03/2024	124229	388217	256.95	TAIL LIGHT FOR 2002
		68305204942324		HENDERSON PRODUCTS	01/03/2024	124211	389183	150.73	KEY STOCK
		68305204942324		HENDERSON PRODUCTS	01/03/2024	124211	389267	4,830.10	LASER FOR 1812
		68305204942104		LINDQUIST FORD, INC.	01/03/2024	124229	251989	98.95	ALIGNMENT FOR 2101
		68305204942307		LAWSON PRODUCTS, INC.	01/03/2024	124228	9311152666	318.94	NUTS/BOLTS
		68305204942351		RILCO FLUID CARE, INC.	01/03/2024	124255	497718	414.70	FUEL/DEF
		68305204942324		NAPA - DAVENPORT	01/03/2024	124243	826926	727.98	AIR BAG STOCK
		68305204942104		THOMPSON TRUCK & TRAILER INC.	01/03/2024	124272	R103037076:01	1,726.88	BLOCK FUSE FOR 1801
		68305204942324		MILLS CHEVROLET COMPANY	01/03/2024	124236	5147741	65.94	HANDLE FOR 0915
		68305204942324		DULTMEIER SALES LLC	01/03/2024	124198	4101636	384.00	VALVES STOCK
		68305204942324		BAUER BUILT, INC.	01/03/2024	124189	230121788	529.88	TIRES FOR 0513
		68305204942324		LINDQUIST FORD, INC.	01/03/2024	124229	388233	109.50	HOSE FOR 1210
		68305204942324		DULTMEIER SALES LLC	01/03/2024	124198	4101797	732.40	VALVE
		68305204942324		MILLS CHEVROLET COMPANY	01/03/2024	124236	5147867	695.32	DOOR PANEL 0915
		68305204942324		ELLIOTT EQUIPMENT CO.	01/03/2024	124202	176655	99.18	CAB FILTERS STOCK
		68305204942324		EASTERN IOWA TIRE, INC.	01/03/2024	124199	100152103	1,339.45	STOCK TIRES
		68305204942130		COMPUTERIZED FLEET ANALYSIS	01/03/2024	124193	15252	750.00	FUEL TO CFA RE-WRITE
		68305204942104		EASTERN IOWA TIRE, INC.	01/03/2024	124199	100151872	2,111.03	TIRES FOR 1010
		68305204942324		HENDERSON PRODUCTS	01/03/2024	124211	388747	517.40	STOCK BRACKET
		68305204942304		LAWSON PRODUCTS, INC.	01/03/2024	124228	9600147825	-232.74	RETURN
		68305204942324		DULTMEIER SALES LLC	01/03/2024	124198	4103935	-376.32	RETURN



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
PUBLIC WORKS	MUNICIPAL GARAGE	68305204942324		LINDQUIST FORD, INC.	01/03/2024	124229	388258	8.40	CLIPS FOR 2002
		68305204942324		BAUER BUILT, INC.	01/03/2024	124189	230121731	476.72	TIRES FOR 1403
		68305204942324		MHC KENWORTH	01/03/2024	124231	T01135600192130	54.39	AIR FILTER STOCK
		68305204942304		LAWSON PRODUCTS, INC.	01/03/2024	124228	9311141301	1,387.62	SAW
		68305204942324		ELLIOTT EQUIPMENT CO.	01/03/2024	124202	176654	116.66	DEF CAP
		68305204942324		INTERSTATE BATTERY OF THE	01/03/2024	124217	278456	433.90	BATTERY
		68305204942104		MILLS CHEVROLET COMPANY	01/03/2024	124236	6344903	8,086.63	TRANS REPLACE 1618
	MUNICIPAL GARAGE - Summary							42,868.77	
	PALMER HILLS GOLF COURSE	56005254942101	2400GC	WALT LAMBACH FIRE PROTECTION	01/03/2024	124276	59036	40.50	FIRE EXT INSP - PALMER
		56005264942299	2401GC	MIRROR IMAGE CLEANING	01/03/2024	124238	1346	2,060.00	ADD'L CUSTODIAL - PALMER
		56005254942101	2400GC	WALT LAMBACH FIRE PROTECTION	01/03/2024	124276	59038	32.40	FIRE EXT INSP - GOLF COUR SE
		56005254942299	2400GC	PER MAR SECURITY SERVICES	01/03/2024	124245	3207884	231.12	ALARM MONITORING - PALMER
		56005254942101	2400GC	PER MAR SECURITY SERVICES	01/03/2024	124245	3178528	65.00	REPAIR REQUEST, FIRE ALARM - PALMER
	PALMER HILLS GOLF COURSE - Summary							2,429.02	
	ROAD USE FUND	20605114202307		RIVERSTONE GROUP INC.	01/03/2024	124259	1260510	315.00	UPM MIX
		20605304232108		MID AMERICAN ENERGY	01/03/2024	124232	547402416	60.54	6002 MIDDLE RD
		20605304232108		MID AMERICAN ENERGY	01/03/2024	124232	547393674	31.09	5304 MIDDLE RD
		20605024252299		TERRACON CONSULTANTS, INC.	01/03/2024	124269	TK36298	104.00	HESS FARMS SANITARY SEWER PCC CYLINDER TESTING
		20605144232307		3M COMPANY	01/03/2024	124280	9426025860	957.63	OVERLAY FILM
		20605304232108		MID AMERICAN ENERGY	01/03/2024	124232	547390199	22.68	6988 MIDDLE RD



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description	
PUBLIC WORKS	ROAD USE FUND	20605024252299		TERRACON CONSULTANTS, INC.	01/03/2024	124269	TK43125	648.00	MISC PATCH REPAIRS PCC CYLINDER TESTING	
		20605114201303		INSTITUTE OF BUSINESS PUBLICATIONS	01/03/2024	124215	10075822-2023A	159.00	SUBSCRIPTION RENEWAL	
		20605014292306		IMPERIAL	01/03/2024	124214	288002:334528	91.25	COFFEE & CREAMER	
		20605304232108		MID AMERICAN ENERGY	01/03/2024	124232	547420293	62.64	4798 FOREST GROVE DR	
		20605014292306		ARAMARK - CHICAGO	01/03/2024	124187	6150287392	29.98	FIRST AID - ENG	
		20605114202307		RIVERSTONE GROUP INC.	01/03/2024	124259	1262144	494.20	UPM MIX	
	ROAD USE FUND	- Summary							2,976.01	
	SEWER UTILITY	52005024902310		REFLECTIVE APPAREL FACOTRY INC	01/03/2024	124253	2013837	87.67	HI VIS SAFETY JACKET	
		52005104901303		INSTITUTE OF BUSINESS PUBLICATIONS	01/03/2024	124215	10075822-2023	159.00	SUBSCRIPTION RENEWAL	
	SEWER UTILITY	- Summary							246.67	
	SOLID WASTE/RECYCLING ENT	55005094912299		MIDWEST MAILWORKS INC.	01/03/2024	124234	246477A	92.66	DELINQUENT NOTICES	
		55005094912299		MIDWEST MAILWORKS INC.	01/03/2024	124234	246346A	43.18	03 LATE NOTICES	
		55005094912244		MERCHANT SERVICES	12/04/2023	2400321	1123H	5,752.45	BANKCARD FEES RECYCLE SW1 SW2 50% PW	
	SOLID WASTE/RECYCLING ENT	- Summary							5,888.29	
	STORM WATER UTILITY	58005194932244		MERCHANT SERVICES	12/04/2023	2400321	1123I	5,730.79	BANKCARD FEES STRM WTR SW2	
	STORM WATER UTILITY	- Summary							5,730.79	
	TRANSIT	58505274922105		ECK'S AUTO SHINE	01/03/2024	124200	296	180.00	BUS WASHING 12/2 & 12/9	
		58505074922244		MERCHANT SERVICES	12/04/2023	2400321	1123J	21.66	BANKCARD FEES 50% PW	
	TRANSIT	- Summary							201.66	
PUBLIC WORKS	- Summary							93,650.06		



City of Bettendorf Council Accounts Payable, 01/03/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
Overall - Summary								3,306,159.32	



City of Bettendorf QCWCC Accounts Payable, 01/02/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
CAPITAL PROJECTS	QC WATERFRONT CONVENTION	59050504997074	AD0004	ISLE OF CAPRI BETTENDORF, L.C.	12/27/2023	3605	121123	29,282.38	REIMBURSE QCWCC UTENSILS
		59050504997074	AD0004	GITCHI GAMING, INC.	01/03/2024	3607	8755A	3,152.50	STOOLS FOR QCWCC
	QC WATERFRONT CONVENTION - Summary							32,434.88	
CAPITAL PROJECTS	- Summary							32,434.88	
QC WATERFRONT CONV CTR	QC WATERFRONT CONVENTION	59020014942106		HOBART SERVICES	01/03/2024	3608	35878283	1,128.49	FOOD INSPECTION
		59020014942355		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823	1,901.98	FEE & LICENSES
		59020014942109		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823G	569.15	MEDIACOM
		59020014941121		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823C	4,167.77	FACILITIES MAINT SALARY WAGES AND BENEFITS
		59020014942290		REPUBLIC SERVICES #400	01/03/2024	3611	0400-002312786	662.40	QCWCC GARBAGE BILLS
		59020014942299		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823M	4,527.97	CONTRACT SERVICES
		59020014942290		GETZ INDUSTRIAL CLEANING, INC.	01/03/2024	3606	18-552655	1,255.63	QCWCC CLEANING
		59020014942299		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823H	68.95	CONTRACT SERVICES
		59020014942101		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823E	1,812.36	REPAIRS AND MAINT.
		59020014941121		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823B	5,041.19	FINANCE SALARY AND BENEFITS
		59020014942329		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823J	17,695.94	BEVERAGES INVOICES
		59020014942306		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823D	677.22	SUPPLIES
		59020014942328		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823I	43,996.67	FOOD INVOICES
		59020014941121		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823K	52,059.27	SALARY,WAGES,AND BENEFITS
		59020014942306		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823L	4,681.04	SUPPLIES GENERAL OFFICE
		59020014942354		ISLE OF CAPRI BETTENDORF, L.C.	01/03/2024	3609	121823F	2,441.10	PROFESSIONAL SERVICES
		59020014942307		REPUBLIC COMPANIES	01/03/2024	3610	6227833-00	55.90	QCWCC LIGHT BULBS
	QC WATERFRONT CONVENTION - Summary							142,743.03	
QC WATERFRONT CONV CTR - Summary							142,743.03		



City of Bettendorf QCWCC Accounts Payable, 01/02/2024 Meeting

Department	Fund	Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
Overall - Summary								175,177.91	



City of Bettendorf Parks Accounts Payable, 01/02/2024 Meeting

Account Number	Project #	Vendor Name	Ck Date	Ck #	Invoice Number	Amount	Description
00107034432233	REC037	BERT, ALEXANDER	01/03/2024	124282	121923	105.00	DECEMBER BBALL REFEREE
00107034432233	REC037	CLEARMAN, TODD	01/03/2024	124283	121923	140.00	DECEMBER BBALL REFEREE
00107034432233	REC037	HART, KEVIN	01/03/2024	124284	121923	210.00	DECEMBER BBALL REFEREE
00107034432233	REC037	MORENO, JAMES JOHN	01/03/2024	124290	121923	105.00	DECEMBER BBALL REFEREE
00107034432233	REC037	PAYNEY, HARLEY E. JR.	01/03/2024	124291	121923	245.00	DECEMBER BBALL REFEREE
00107034432233	REC037	VERSTRAETE, SCOTT	01/03/2024	124293	121923	315.00	DECEMBER BBALL REFEREE
00107034432299	REC083	LINDSAY, MARY ANN	01/03/2024	124286	121923	80.00	12/9 CROCHET CLASS
00107034432299	REC083	LINDSAY, MARY ANN	01/03/2024	124286	121923A	160.00	12/13 CROCHET CLASS
00107034432299	REC083	LINDSAY, MARY ANN	12/20/2023	124170	113023	160.00	11/15 crochet class instr
00107034432299	REC063	RAUCH, KARIE	01/03/2024	124292	121923	840.00	12/16 PAINT CLASS
00107034432299	REC081	REGUL, T. J.	12/20/2023	124171	113023	144.00	11/14 balloon twist instr
00107054452310		ARAMARK - CHICAGO	01/03/2024	124281	6150285862	29.98	FIRST AID SUPPLIES
56000002011000		M & M GOLF CARS, LLC	01/03/2024	124288	11302023B	15.00	50% OF CART PAYABLES - TE MPO WALK
56000002011000		M & M GOLF CARS, LLC	01/03/2024	124288	11302023A	5,551.30	25.89% OF CART PAYABLES
56007114941302		UNITED STATES GOLF ASSOCIATION	12/20/2023	124172	120923	150.00	USGA 2024 CLUB MEMBERSHIP
56007114942307		JON WADDELL GOLF SHOP LLC	01/03/2024	124285	120923A	109.85	TOYS FOR TOT DRAWING
56007114942307		JON WADDELL GOLF SHOP LLC	01/03/2024	124285	120923	117.90	40K ROUND SWAG BAG
56007154942299		MILLENNIUM WASTE, INC.	01/03/2024	124289	3601570T081	75.17	GARBAGE SERVICE
56007154942325		LIVINGSTON STONE COMPANY	01/03/2024	124287	14855	1,835.34	HI-CAL LIME
56007154942325		WENDLING QUARRIES, INC.	01/03/2024	124294	991493	1,030.08	DIVOT MIX
Overall - Total						11,418.62	