

June 21, 2023  
Regular Session

The Bellevue City Council met on Wednesday, June 21, 2023 in Regular Session at 6:30 P.M. in the Council Chambers with Mayor Roger Michels presiding. The Pledge of Allegiance was recited by all present. The roll was called as follows:

**PRESENT:** Councilmembers Nic Kueter, Lyn Medinger and Jayden Scheckel (zoom). Also present were City Administrator/Clerk Abbey Skrivseth and Teresa Weinschenk, Assistant Police Chief Ryan Kloft and Kelley Brown (zoom).

**ABSENT:** Councilmembers Tim Roth and Tom Roth.

**APPROVAL OF AGENDA:**

Mayor Roger Michels reviewed the Agenda and declared it approved.

**CONSENT AGENDA**

Kueter moved with a second by Medinger to approve the Consent Agenda. Motion carried unanimously.

- A. Approve Minutes of June 5, 2023 Regular Session
- B. Approve Bills and Claims as Authorized
- C. Approve New Vendors
- D. Approve Library Bills and Claims
- E. Approve Renewal of Class C Retail Alcohol License with Outdoor Service for Flatted Fifth Blues & BBQ, Inc Effective July 15, 2023
- F. Approve New 5 Day Special Class C Retail Alcohol License with Outdoor Service for St. Joseph Church Effective September 1, 2023
- G. Approve Renewal of Special Class B Retail Native Wine License with Outdoor Service, Living Quarters for Mont Rest Inc Effective August 12, 2023
- H. Approve Renewal of Class E Retail Alcohol License for Casey's General Stores #2915 Effective August 18, 2023
- I. Approve Downtown Incentive Request: Mary Christine Baker – Blade Sign

**APPROVE CITY ENGINEER RECOMMENDATION TO ACCEPT IMPROVEMENTS TO RIVIERA DRIVE LOT D**

Skrivseth updated the Council that the contractor Troy Sieverding completed constructing the street Lot D at the end of Riviera Drive. Eastern Iowa Excavating was Sieverding's contractor. Sieverding previously purchased the five residential lots and Lot D knowing he had to develop the street per City specs and as outlined on the subdivisions final plat. Utility Superintendent Jamie Haxmeier and Public Works Superintendent Nick Kilburg were informed and involved in the process including a detailed preconstruction meeting.

Medinger moved with a second by Kueter to accept and approve Origin Design and City Engineer Marc Ruden's recommendation to accept improvements to Riviera Drive Lot D. Motion carried unanimously.

**RESOLUTION NO. 21-23 ACCEPTING MAINTENANCE RESPONSIBILITIES FOR RIVIERA DRIVE (LOT D) IN THE CITY OF BELLEVUE, JACKSON COUNTY, IOWA**  
Scheckel moved with a second by Kueter to approve Resolution No. 21-23. Roll call vote carried unanimously.

**RESOLUTION NO. 21-23**

**RESOLUTION ACCEPTING MAINTENANCE RESPONSIBILITIES FOR RIVIERA DRIVE (LOT D) IN THE CITY OF BELLEVUE, JACKSON COUNTY, IOWA.**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BELLEVUE, IOWA:**

SECTION 1. *Facts Found.* The City Council of the City of Bellevue, Iowa hereby makes the following findings of fact:

1. In Resolution No. 18-06 passed on August 21, 2006, the City Council approved the final plat of Riviera Belle Estates in the City of Bellevue, Jackson County, Iowa.
2. The final plat contained platted Streets known as River Ridge Drive (Lot A) and Riviera Drive (Lots B and D).
3. In approving the final plat of Riviera Belle Estates in the City of Bellevue, Jackson County, Iowa, the City accepted the dedication of River Ridge Drive and Riviera Drive but did not accept the maintenance responsibilities pending the streets being put to grade and surfaced in accordance with City requirements.
4. In Resolution No. 06-07 passed on March 5, 2007, the City Council approved the maintenance responsibilities for Lots A and B as these two sections of streets were put to grade, with curb and gutter, and surfaced in accordance with the requirements of the City.
5. Sixteen years later, the City Council now finds that the City should assume the maintenance responsibilities for the last remaining platted road section, Lot D, from Riviera Drive as this last section has finally been put to grade, with curb and gutter, and surfaced in accordance with the requirements of the City.

SECTION 2. *Acceptance of Maintenance Responsibilities.* Lot D of Riviera Drive, as designated as shown on the final plat of Rivera Belle Estates in the City of Bellevue, Jackson County, Iowa, is hereby approved and accepted as part of the street system of said City and from and after this date said street shall be a public street of the City of Bellevue, Iowa, and from and after this date the aforesaid streets shall be maintained by the City of Bellevue, Iowa.

SECTION 3. *Attachment to Plat.* The Mayor and City Administrator/Clerk are hereby directed to certify this resolution and to record the same with the Jackson County Recorder, to be filed with the final plat of said subdivision.

Passed and approved this 21<sup>st</sup> day of June, 2023.

\_\_\_\_\_  
Roger Michels, Mayor

ATTEST:

\_\_\_\_\_  
Abbey J. Skrivseth, City Administrator/Clerk

#### CERTIFICATION

I, Abbey Skrivseth, City Administrator/Clerk, do hereby certify the above is true and correct copy of Resolution No. 21-23, which was passed by the Bellevue City Council on the 21<sup>st</sup> day of June, 2023.

\_\_\_\_\_  
Abbey J. Skrivseth, City Administrator/Clerk

#### **RESOLUTION NO. 22-23 AUTHORIZING CONVEYANCE OF VACATED MARKET STREET RIGHT-OF-WAY TO JUDITH A. KOLKER TRUST**

Skrivseth updated the Council and explained that in 1989 a portion of Market Street was vacated and sold to various adjoining property owners. For some unknown reason, Robert & Lemay Paulsen and James & Judith Kolker's portions were never recorded. Paulsen recently had his property surveyed and discovered that the Quit Claim Deed his share of the vacated alley was never recorded. Skrivseth and Weinschenk then discovered that a Quit Claim Deed for the Kolkers was also never recorded. The other legal steps for vacating the alley, including public hearings, were properly done in 1989.

The City was able to record a deed for the Paulsen's since Resolution 09-89 was still legally okay to use. However, a new Resolution for the Kolker's property was necessary due to the property owner name being changed to Judith A. Kolker, Trust. Both Quit Claim Deeds will then be prepared and recorded to finalize the two sections of the vacated alley from 1989.

Medinger moved with a second by Kueter to Approve Resolution No. 22-23. Roll call vote carried unanimously.

#### **RESOLUTION NO. 22-23**

#### **RESOLUTION AUTHORIZING CONVEYANCE OF VACATED MARKET STREET RIGHT-OF-WAY TO JUDITH A. KOLKER TRUST**

**WHEREAS**, the City Council of the City of Bellevue passed Resolution No. 11-89 on April 11, 1989, authorizing the conveyance of the following described vacated portion of Market Street to James A. Kolker and Judith A. Kolker, then owners of the adjacent property located at 704 Park Street:

Beginning at the Southeast Corner of Lot 12 of Gammel's Addition to the Town of Bellevue, Iowa; thence southwesterly along the southerly line of said Lot 12 to the southeast corner of land owned by Robert C. Paulsen and Lemay E. Paulsen as

defined in a deed recorded in Book 116, Page 319 in the Jackson County Recorder's office; thence southeasterly at right angles to the southerly line of said Lot 12 a distance of 30.00 feet to a point; thence northeasterly parallel to the southerly line of said Lot 12 to a point on the east line of the southeast quarter of Section 13, Township 86 North, Range 5 East of the 5th Principal Meridian; thence northerly along the east line of the southeast quarter of said Section 13 to the point of beginning; and

**WHEREAS**, notwithstanding the foregoing, the City of Bellevue remains the record owner of the above-described vacated portion of Market Street, it appearing the deed authorized by Resolution No. 11-89 was never delivered and/or recorded with the Jackson County Recorder; and

**WHEREAS**, in the years since 1989, James A. Kolker and Judith A. Kolker have conveyed the adjacent property located at 704 Park Street to the Judith A. Kolker Trust; and

**WHEREAS**, City Council held a duly noticed public hearing as outlined in Resolution No. 08-89 part of its regular meeting at 7:00 P.M. the 11th day of April 1989, for purposes of obtaining public input on the proposed conveyance of the above-described vacated portion of Market Street to Judith A. Kolker Trust, respectively, to carry out the intent of Resolution No. 11-89.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLEVUE, IOWA**, that the Mayor and City Clerk are hereby authorized and directed to execute Quit Claim Deed for the purposes of conveying of the above-described vacated portion of Market Street to Judith A. Kolker Trust, respectively, in furtherance of Resolution No. 11-89.

**BE IT FURTHER RESOLVED**, this Resolution shall be effective upon its passage and approval as provided by law.

Passed, approved and adopted this 21st day of June 2023.

---

Roger Michels, Mayor

ATTEST:

---

Abbey J. Skrivseth, City Administrator/Clerk

**RESOLUTION NO. 23-23 REAPPOINTING CITY OFFICIALS FOR TWO-YEAR TERM TO END 7-1-2025**

Scheckel moved with a second by Kueter to Approve Resolution No. 23-23. Roll call vote carried unanimously.

**RESOLUTION NO. 23-23**

**A RESOLUTION REAPPOINTING CITY OFFICIALS FOR 2 YEAR TERM TO END 7-1-2025**

WHEREAS, the Code of Iowa and the Bellevue Municipal Code require the appointment of various City officials every two years, and

WHEREAS, the terms of appointment of City officials expires 7-1-2023, and

WHEREAS, it is the desire of the Bellevue City Council that individuals serving the City be reappointed for 2-year terms in accordance with local and state law.

NOW, THEREFORE, BE IT RESOLVED that the following individuals are hereby reappointed for two-year terms to end 7-1-2025

City Administrator	Teresa Weinschenk
Clerk/Treasurer	Teresa Weinschenk
Assistant Clerk	Emily Medinger
Police Chief	Dennis Schroeder
Street Superintendent	Nick Kilburg
Fire Chief	Kent Clasen
Mayor Pro-Tem	Tim Roth

Adopted by the Bellevue City Council this 21<sup>st</sup> day of June, 2023.

---

Roger Michels, Mayor

ATTEST:

---

Abbey J. Skrivseth, City Administrator/Clerk

### **APPROVE BOARD APPOINTMENTS**

Skrivseth updated the Council that Jacob Banowetz served on both the Board of Adjustments and Cable TV Board. Upon his hiring as a Bellevue Municipal Utility employee, he had to step down from both Boards.

Mayor Michels appointed the following board appointments with the respective term ending dates:

Cable TV Board: Bob Ploessl, term ending 08/14/2025

Board of Adjustment: Jeff Laban, term ending 06/09/2027

Kueter then moved with a second by Medinger to approve the Mayor's two appointments. Motion carried unanimously.

### **UPCOMING MEETING DATES**

The Council plans to meet next in regular sessions at 6:30pm on July 19 and Weinschenk will verify the date with the two absent Councilmembers.

### **LIBRARY BILLS AND CLAIMS**

**Business**

**Memo**

**Amount**

Access Systems	Copier Exp	191.46
Book Page	Periodicals	402.00
Herald Leader	Lib Spec Program	86.00
Iowan Magazine	Periodicals	24.00
Kueter True Value	Oper Supp	7.49
Weber	Oper Supp	242.57
Windstream	Telephone	11.85

## **BILLS AND CLAIMS**

<b>Business</b>	<b>Memo</b>	<b>Amount</b>
IPERS	Retirement	16086.10
IRS	SS/Fed WH/Medicare	11167.02
Treas State of IA	Withholding	3207.94
Bellevue State Bank	7th St & Rivervue Trail Prj Loan Pmt	46448.33
Bellevue State Bank	Fire Truck Loan Pmt	22574.49
Bellevue State Bank	Garbage Truck Loan Pmt	20358.00
City of Bellevue	Internal Trsf for Garbage Truck Loan	20358.00
Benders Foods	Amb Supp	92.88
Black Hills Energy	City Gas Exp	414.49
City of Bellevue	TIF Trsf to TIF Econ Dev Fund	76722.11
IRS	SS/Fed WH/Medicare	11595.41
Medical Assoc Health	City Health Ins	37143.70
Midwest Concrete Inc	Two Sidewalk Corners Jefferson 2nd & 3rd	22035.00
Off Shore Enterprises LLC	Hotel/Motel Tax Reimb Agrmt FYE 2023	16520.00
Paul Jess	Reimb Parks Oper Supp	46.90
Sun Life Financial	City Life Ins	194.48
Treas State of IA	May Sales & Cons Tax	5385.03
Tri-State Landscaping	Sod for CP Baseball Field	5752.00
Windstream	Pool Phone Exp	74.28
C&D Car Wash	Cable Fuel Exp	187.16
IRS	SS/Fed WH/Medicare	12709.32
John Deere Financial	Clothing Allowance	519.38
Verizon Wireless	City Phone Exp	475.29
A&P Graphics	CP Advertismt Signs	1650.00
Access Systems	FD Copier Exp	49.48
American Funds	Payroll W/H	900.00
Bellevue Area Chamber	Econ Dev Additional Support	2500.00
Bellevue Lumber	City Supplies	218.14
Bellevue Municipal Utilities	City Util Exp	4253.48
Bellevue Sand & Gravel	City Supplies	1347.64
Bellevue State Bank	Mo Cable Pmt	13000.00

Benders Foods	City Supplies	97.11
Big Country Seeds	CP Mound Clay	360.00
Big Ten Network	May Prog Charges	1330.61
Bormann's Neighborhood Pitstop	City Fuel Exp	1599.10
Brandon Coin	Tobacco Compliance	450.00
Bret Margeson	FD Training Reimb	265.04
C&D Car Wash	City Fuel Exp	624.34
Cade Smith	Amb Call Comp	500.00
Card Service Center	City Purch	3505.29
Card Service Center	FD Purch	831.41
Carrico Aquatic Resources	Pool Oper Supp	205.00
Caseys General Store	City Fuel Exp	25.43
Cedar Falls Util	May Transport & Rental Fee	1561.38
Chris Read	Amb Call Comp	1385.00
City of Bellevue	Office Trsf	10664.50
City of Bellevue	LOT Funds to DS	4729.25
City of Bellevue	YE Trsf Franch Fee Prop Tax Red	35503.52
City of Bellevue	Pool Trsf	16396.42
Colby Medinger	Amb Call Comp	905.00
Dan Gonner	Amb Call Comp	935.00
Dean Ornamental Concrete	Planters Comm Center	375.00
Dennis Ernst	Amb Call Comp	280.00
Dennis Gerardy	Window Cleaning	165.00
Dittmer Recycling	May Recycling Tipping Fees	914.00
Dubuque Net Serv	Mo Office 365 Maint	1156.67
Dubuque Sign Company	Kiosk Tourism Map Riverview Park	2502.96
Dunn's Automotive Transmission	Dump Truck Vehicle Damage	1678.00
Edwards Cast Stone	Hammann Park Bench	775.00
Elizabeth Small	Amb Call Comp	550.00
Emergency Medical Products	Amb Oper Supp	67.97
Engrave Gift Collection	Fire Prevention	33.17
Fidelity Bank & Trust	Mo Cable Pmt	13000.00
Galls	Police Clothing Allow	802.01
Glen Gassmann	Amb Call Comp	740.00
Grace Rowan	Amb Call Comp	130.00
Greg Schulte	Amb Call Comp	340.00
Heather Merrick	Reimb Lifeguard Certifications	600.00
Heiar Brothers Fencing, Inc	CP Fence Updates	2560.00
Heming Pest Control	Mo Pest Control	166.00
Holly Helmle	Amb Call Comp	290.00
Hunter Zeimet	Amb Call Comp	435.00

IA League of Cities	FY2024 Member Dues	1723.00
Innovative Systems	Mo Maint/Stmt	6799.14
Iowa Prison Industries	Front Street Railing Maint	5397.00
Jackson County 911 Service Board	Reimb USDA Grant PD Radios	27300.00
Jason Staner	Amb Call Comp	730.00
Jerid Beschen	Amb Call Comp	360.00
Justin Veach	Amb Call Comp	160.00
Kayla Bruggenwirth	Amb Call Comp	395.00
Kerensa Kettmann	Amb Call Comp	1085.00
Kevin Sieverding	Amb Call Comp	675.00
Kody Sieverding	Tobacco Compliance	450.00
Kone Inc	Elevator Maint	296.43
Kueter True Value	City Supplies	1449.97
Kyle Bales	Amb Call Comp	1355.00
Lectronics, Inc	Semi Annual Fire Alarm Service	270.00
Lyn Medinger	Amb Call Comp	1345.00
Lynch Dallas	Legal Exp	222.50
Marquee Sports Network	May Prog Charges	2564.10
Mary Christine Baker	Downtown Incentive Blade Sign	988.00
Mary Christine Baker	Downtown Incentive Upper Story	7500.00
Max Reed	Amb Call Comp	185.00
Medical Assoc Health	FD Blood Tests	332.00
Most Dependable Fountains	Cole Park Drinking Fountain	4442.50
National Content & Technology Coop	May Prog Chrg	36602.37
NBC Sports Chicago	May Prog Charges	2189.86
Nexstar Broadcasting	May Prog Charges	3658.40
NICC Business Comm Solutions	Amb Cont Ed	40.00
Office Depot	City Oper Supp	331.76
Origin Designs	Riviera Belle Estates Eng Serv	2605.25
Petty Cash	Reimb City Exp	99.56
River Valley Energy	City Fuel Exp	2007.50
Roeder Bros	City Supp	602.97
Roeder Outdoor Power	FD Equip Maint	333.42
Ryan Kloft	Tobacco Compliance	450.00
Samantha Sanford	Amb Call Comp	270.00
Scott County Health Dept	2023 Annual Pool Inspection	370.00
Scripps Media	May Prog Charges	87.84
Showtime Network	May Prog Charges	98.07
State Hygienic Lab	Pool Bacteria Test	13.50
Steel Mart	Rdwy Equip Maint	194.00
Stephanie Penniston	Amb Call Comp	735.00



Superior Welding	City Oper Supp	320.55
Terry Mueller	Amb Call Comp	1470.00
The Herald Leader	City Publications	2167.26
Till's Garage	City Vehicle Maint	352.59
Tri State Porta Potty	Muni Lot/Feld Park Rentals	480.00
Trio Community Meals	April & May Congregate Meals	944.00
Valerie Gassman	Amb Call Comp	545.00
Virginia Brewer	Amb Call Comp	415.00
Washington National Ins Co	Cancer & Accident Ins	749.70
Waste Auth of Jack Co	May Tipping Fees	6612.50
Water Street Partners LP	Development TIF	6047.33
Weber Paper Co	City Supplies	553.52
Welter Storage Equipment	FD Chairs	3782.00
White Cap L.P.	Rdwy Erosion Blanket	90.76
WIN, LLC	Internet & Video Support	11000.00
Windstream	City Phone Exp	782.08

#### **ADJOURNMENT**

As there were no other matters on the agenda for discussion, Mayor Roger Michels adjourned the meeting at 6:46 P.M.

---

City Administrator/Clerk

---

Mayor