1. The Regular Meeting of the City Council was held on April 6, 2026, at 4:01 p.m. The following Council Members were present on call of the roll: Berenstein, Bertrand, Rayford, Schoenherr, and Scott. Absent: None.

Staff members present: Michael Collett, Interim City Manager, Nicole M. DuBois, City Attorney, and Heidi Farrens, City Clerk.

Rayford exited the meeting at 4:03 p.m. and returned at 4:04 p.m.

Mayor Scott, on behalf of the City Council, read a proclamation acknowledging April 2026 as “Fair Housing Month”, Chris Delfs, Denise Gutierrez, and Eric Hoak, Representatives of Northwest Iowa Realtors, accepted the proclamation.

2. The Council interviewed the following applicants:
   A. Library Board of Trustees: James Hodgins, Shannon Jorstad and Linda Santi
   B. Parking and Skywalk System Board of Trustees: Chad Smidt

CONSENT AGENDA

Motion by Scott, seconded by Berenstein, to adopt the Consent Agenda, all voting aye. Items 3 through 17l are approved unanimously unless specifically noted after the item.

3. Reading of the City Council Minutes of March 18, 23, and 30, 2026.

Reading of the minutes of March 18, 23, and 30, 2026, was waived. The City Council Meeting Minutes of March 23 and 30, 2026, were approved as presented as part of the consent agenda.

Motion by Scott, seconded by Berenstein, to make the following amendment to the City Council Meeting Minutes of March 18, 2026. It was noted on pages six and seven, Item No.’s 43 and 50, that it should read, "Explore Siouxland," all voting aye.

Motion by Berenstein, seconded by Scott, to make the following amendment to the City Council Meeting Minutes of March 18, 2026. It was noted on pages six and seven, Berenstein exited and returned to the meeting on two separate occasions showing inconsistent exit and return times, the minutes should be corrected to reflect correct time, all voting aye.

Motion by Rayford, seconded by Berenstein, to make the following amendment to the City Council Meeting Minutes of March 18, 2026. It was noted on page four, Item No. 26, that a correction be made to the recorded vote of Councilman Rayford. The minutes should read, "Motion by Scott, seconded by Schoenherr, to increase the asset forfeiture funds in project 195-052 by $75,000 and decrease the GO bonds by $75,000, Berenstein, Bertrand, Schoenherr, and Scott voting aye, Rayford voting nay. Thus, the motion passed," all voting aye.

The City Council Meeting Minutes of March 18, 2026, were approved as amended as part of the consent agenda

4. HUMAN RIGHTS - Motion appointing Meredith Layman to the Human Rights Commission to complete the balance of a three-year term expiring June 30, 2027, replacing Mandy Engel-Cartie. **2026-0295**

5. BUDGET - Resolution fixing a date for a public hearing on the adoption of the annual budget for the fiscal year ending June 30, 2027, and the FY 2027 - 2031 Capital Improvement Program for the City of Sioux City, State of Iowa, and providing for publication of notice thereof. **2026-0296**

6. STREET CLOSURE - Resolution temporarily closing 24th Street from Douglas Street to McDonald Street, Grandview Boulevard from 24th Street to Stone Park Boulevard, and McDonald Street and Summit Street from 24th Street to the City's greenhouse at 2701 Summit Street beginning at 5:00 a.m., July 4, 2026, and ending at 8:00 a.m., July 5, 2026, for the Saturday in the Park Festival. **2026-0297**

7. ACTIONS RELATING TO GRANTS

   A. BYRNE JUSTICE - Resolution approving an Interlocal Agreement with Woodbury County for submission of an application for 2025 Byrne Justice Assistance Grant Program funds and authorizing the Sioux City Police Department to electronically file said application. (Grant No. 14604940) **2026-0298**

Captain Ryan Bertrand, Police Department, provided information on the item.

   B. SIMPCO MPO - Resolution approving and accepting an FY 2030 Transportation Alternatives Program (TAP) Programming Agreement between the City of Sioux City and Siouxland Interstate Metropolitan Planning Council (SIMPCO) Metropolitan Planning Organization (MPO) in the amount of $344,187 for the Viaduct Connector Trail – Phase 2. **2026-0299**

   C. EDA - Resolution authorizing the submission of a grant application to the U.S. Economic Development Administration (EDA) FY 2025 EDA Disaster Supplemental Grant Program in the amount of $7,611,996 for the development of an Innovation Center. **2026-0300**

Renae Billings, Economic Development Manager, provided information on the item.

8. ACTIONS RELATING TO CIVIL PENALTIES AND SUSPENSIONS

   A. LOVE'S TRAVEL STOP - Resolution fixing a date, time and place for a hearing on a proposed civil penalty of $300 against Love's Travel Stops & Country Stores, Inc., doing business as Love's Travel Stop No. 479, 2525 Singing Hills Boulevard, Sioux City, Iowa, for violation of Iowa cigarette laws. **2026-0301**

   B. SKY HIGH SMOKE SHOP & VAPE - Resolution fixing a date, time and place for a hearing on a proposed $1,500 civil penalty and thirty (30) day suspension of cigarette Permit No. 26-57734 (State of Iowa Permit No. 8-71-025037) issued to Sky High Smoke Shop & Vape 1 Inc., doing business as Sky High Smoke Shop & Vape, 1901 Hamilton Boulevard, Sioux City, Iowa for violation of Iowa cigarette laws. **2026-0302**

9. ACTIONS ADOPTING CONSTRUCTION DOCUMENTS

A. TAXIWAY C/ASSOCIATED AREAS - Resolution adopting plans, specifications, form of contract and estimated cost for the construction of the Taxiway C and Associated Areas Rehabilitation Project at the Sioux Gateway Airport/Brigadier General Bud Day Field. (City Project No. 7570-749-146/FAA No. 3-19-0085-080-2026) **2026-0303**

B. LORRAINE AVENUE RESURFACING - Resolution adopting plans, specifications, form of contract, and estimated cost for the construction of the Lorraine Avenue Resurfacing Project. (Project No. 7078-719-121) **2026-0304**

C. SIDEWALK RAMP - Resolution adopting plans, specifications, form of contract, and estimated cost for the construction of the FY 2026 Sidewalk Ramp Project. (Project No. 7488-759-114) **2026-0305**

10. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS

A. NINJAONE - Resolution approving an Order Form and End User License Agreement with NinjaOne of Austin, Texas, for Ninja Advanced and Ninja Ticketing licenses not to exceed $21,420 to be paid yearly and to authorize the Chief Information Officer of WCICC-IT to sign the agreement in the capacity as an Authorized Entity of the agreement. **2026-0306**

B. AG CONSTRUCTION - Resolution awarding and approving a contract to AG Construction, Inc. in the amount of $785,200 for the 2025 Annual Sidewalk Program Project. (Project No. 7475-759-005) **2026-0307**

C. KP CONSTRUCTION - Resolution awarding and approving a contract to KP Construction, Inc. in the amount of $150,653 for the FY 2026 Manhole Replacement Project. (Project No. 7454-539-102) **2026-0308**

D. SIOUX CITY ENGINEERING - Resolution awarding and approving a contract to Sioux City Engineering Co. in the amount of $151,750 for the Big Sioux River Erosion Repair Project. (Project No. 7544-173-011) **2026-0309**

E. KNIFE RIVER - Resolution awarding and approving a contract to Knife River Midwest, LLC in the amount of $623,956.10 for the 2026 Lyons Park Investment Area Sidewalk Improvements Project. (Project No. 7392-719-295) **2026-0310**

F. DOCACCESS - Resolution approving a Professional Services Agreement with DocAccess, powered by CivicPlus, for an accessible document tool in an amount not to exceed $32,800. **2026-0311**

G. SIR LINES-A-LOT - Resolution approving a Service Provider Agreement with Sir Lines-A-Lot, LLC of Harrisburg, South Dakota, in an amount not to exceed $288,265 for the 2026 Street Pavement Painting and Striping Project. **2026-0312**

Patrick Simons, Field Services Supervisor, provided information on the item.

H. MCCLURE ENGINEERING - Resolution approving Amendment No. 2 to the Consulting Services Agreement with McClure Engineering, Co. increasing the not to exceed amount of the Agreement to $35,200 and expanding the scope of services to include construction administration in connection with the 2024 Skywalk Assessment Study Project. (Project No. 7572-758-201) **2026-0313**

I. EOCENE ENVIRONMENTAL - Resolution approving Amendment No. 2 to the Consulting Services Agreement with Eocene Environmental Group Inc., formerly known as IMPACT7G, increasing the lump sum amount of the Agreement to $407,266 and expanding the scope of services to include construction administration and limited observation in connection with the Pulaski Drainage Improvement Project. (Project No. 549-196) **2026-0314**

J. 622 4TH ST - Resolution authorizing and approving a Security Agreement and Assignment of Development Agreement between BadgerowDeveloper, LLC, BadgerowOwner, LLC and Premier Bank National Association. (622 Fourth Street) **2026-0315**

K. APACHE VIEW - Resolution approving a Post Construction Stormwater Management Plan Maintenance Agreement and Easement with Apache View Townhomes LLC for a detention basin and accepting a permanent easement therewith. (3540 Indian Hills Drive now known as 2606 Apache Court) **2026-0316**

L. WESTLAND PROPERTY - Resolution approving a Post Construction Stormwater Management Plan Maintenance Agreement and Easement with Westland Property Management Development LLC for a detention basin and accepting a permanent easement therewith. (2513 Hinrich Court) **2026-0317**

M. QUALITY REALTY - Resolution approving a Post Construction Stormwater Management Plan Maintenance Agreement and Easement with Quality Realty Inc. for a detention basin and accepting a permanent easement therewith. (2700 Boulevard of Champions) **2026-0318**

Arah Montagne, Environmental Services Manager, provided information on the item.

11. ACTIONS RELATING TO PERSONNEL

A. CITY MANAGER - Resolution appointing Michael Collett as City Manager and approving an employment agreement. **2026-0319**

Request by Berenstein to pull the item from the Consent Agenda for a separate vote, the resolution was moved and seconded as part of the Consent Agenda, all voting aye.

B. POLICE CHIEF - Resolution amending the Position Classification Manual adopted by Resolution No. 91/T-9972 by approving and adopting an updated job description for the position of Police Chief, Class Code 5090.

Janelle Bertrand, Human Resources Director, provided information on the item.

Motion by Bertrand, seconded by Scott, to delete the item, all voting aye.

12. ACTIONS AUTHORIZING PAYMENTS

A. TRIPLE D CONTRACTING - Resolution accepting the work and authorizing final payment to Triple D Contracting, Inc. for the Demolition of 2928-2930 Gordon Drive Project. **2026-0320**

Darrel Bullock, Code Enforcement Manager, provided information on the item.

B. TORT CLAIM - Resolution approving partial settlement of a tort claim and authorizing payment thereof. (Zachary Davis) **2026-0321**

C. H&R CONSTRUCTION - Resolution amending Resolution No. 2026-0195 which accepted the work and authorized final payment to H&R Construction Company for the New Utilities Field Office Building Project. (Project No. 7439-889-012) **2026-0322**

D. FERGUSON WATERWORKS - Resolution authorizing payment to Ferguson Waterworks of Fargo, North Dakota in the amount of $28,750.80 for the annual fee associated with the Neptune 360 water meter reading software. (RFB#292689) **2026-0323**

13. ACTIONS RELATING TO ASSESSMENTS

A. WEED ABATEMENT - Resolution fixing the amount to be assessed against private property, adopting and levying schedule of assessments for the 2025 Weed Abatement Program and providing for the payment thereof. **2026-0324**

B. NUISANCE ABATEMENT - Resolution fixing the amounts to be assessed against private properties, adopting and levying schedule of assessments for the April 2026 Nuisance Abatement Program, authorizing civil actions and providing for the payments thereof. **2026-0325**

C. SNOW REMOVAL - Resolution fixing the amount to be assessed against private property, adopting and levying schedule of assessments for the FY 2026 Sidewalk Snow Removal Program and providing for the payment thereof. **2026-0326**

14. PURCHASING

A. JENSEN MOTORS DURANGO - Resolution awarding a purchase order to Jensen Motors, Inc. of Le Mars, Iowa, in the amount of $34,288 for the purchase of one (1) 2026 Dodge Durango All Wheel Drive Vehicle. (RFB No. 292405) **2026-0327**

Berenstein abstained on the item due to a conflict of interest.

B. JENSEN MOTORS PICKUP - Resolution awarding a purchase order to Jensen Motors, Inc. of Le Mars, Iowa, in the amount of $32,943.68 for the purchase of one (1) 2026 Ford F150 4x4 Regular Cab Pickup. (RFB No. 292499) **2026-0328**

Berenstein abstained on the item due to a conflict of interest.

C. ED STIVERS - Resolution awarding a purchase order to Ed Stivers Ford, Inc. of Waukee, Iowa, in the amount of $31,571 for the purchase of one (1) 2026 Maverick All Wheel Drive SuperCrew Pickup. (RFB No. 292409) **2026-0329**

D. STEW HANSEN - Resolution awarding a purchase order to Stew Hansen Dodge Jeep City of Des Moines, Iowa, in the amount of $40,940 for the purchase of one (1) 2026 RAM 1500 Tradesman Pickup. (RFB No. 292408) **2026-0330**

Motion by Schoenherr, seconded by Scott, to amend the item by awarding the purchase order to Jensen Motors of Le Mars, Iowa, in the amount of $41,686 as opposed to Stew Hansen Dodge Jeep City of Des Moines, Iowa, in the amount of $40,940. Jensen Motors is eligible for local preference due to a two percent or less difference in bid price as described in Section 2.06.050 of the City Municipal Code, Bertrand, Rayford, Schoenherr, and Scott voting aye, Berenstein abstaining on the item due to a conflict of interest. Resolution passed as amended as part of the consent agenda.

15. APPLICATIONS FOR CIGARETTE, TOBACCO, NICOTINE, VAPOR PRODUCT PERMITS

A. OVER THE COUNTER RETAILER

1. Beer on Floyd, 3132 Floyd Boulevard (Renewal)
2. Brew No. 4, 2501 Floyd Boulevard (Renewal)
3. Brew No. 5, 2026 Riverside Boulevard (Renewal)
4. East End Carwash and Detail Center, 5401 Morningside Avenue (Renewal)
5. Fareway No. 19, 4016 Indian Hills Drive (Renewal)
6. Fareway No. 22, 4040 War Eagle Drive (Renewal)
7. Fareway No. 829, 4267 Sergeant Road (Renewal)
8. Floyd Food N Fuel, 3241 Floyd Boulevard (Renewal)
9. Hy-Vee Fast and Fresh 1, 2801 Hamilton Boulevard (Renewal)
10. Hy-Vee Fast and Fresh 2, 4450 Sergeant Road (Renewal)
11. Hy-Vee Fast and Fresh 3, 3333 Gordon Drive (Renewal)
12. Hy-Vee Food Store 1, 2827 Hamilton Boulevard (Renewal)
13. Hy-Vee Food Store 2, 4500 Sergeant Road (Renewal)
14. Hy-Vee Food Store 3, 3301 Gordon Drive (Renewal)
15. Jim’s Lounge, 4505 Stone Avenue (Renewal)
16. Kwik Star No. 1293, 2548 Glenn Avenue (Renewal)
17. La Plazita Latina, 1300 West 4th Street (Renewal)
18. One Stop Food and Fuel, 923 West 7th Street (Renewal)
19. Paxton Tap, 2110 South Paxton Street (Renewal)
20. Tobacco Hut No. 11, 4523 Morningside Avenue (Renewal)

B. DEVICE RETAILER

1. One Stop Food and Fuel, 923 West 7th Street (Renewal)

16. APPLICATIONS FOR ALCOHOL LICENSES

A. ON-PREMISE SALES

1. CLASS C RETAIL ALCOHOL LICENSE (liquor/wine/beer/carry-out)
   a. Blue Ribbon Tap and Pearl's Wine and Booze, 415 and 417 Pearl Street (Renewal)
   b. Brekky's, 515 4th Street, Suite B (New)

Rayford abstained on the item due to a conflict of interest.

   c. El Gato Negro, 24 West 3rd Street (New)
   d. El Herradero, 1223 Court Street (Renewal)
   e. IBP Ice Center, 3808 Stadium Drive (New 5 Day)
   f. IBP Ice Center, 3808 Stadium Drive (Temporary Outdoor)
   g. Seaboard Triumph Foods Expo Center, 550 South Lafayette Street (New 5 Day)
   h. T. Foolery's, 1008 4th Street (Renewal)

2. SPECIAL CLASS C RETAIL ALCOHOL LICENSE (wine/beer/carry-out)
   a. Hard Rock Hotel and Casino Sioux City, 111 3rd Street (New 5 Day)
   b. Hard Rock Hotel and Casino Sioux City, 111 3rd Street (New 5 Day)

3. CLASS F RETAIL ALCOHOL LICENSE (Non-Profit Club; liquor/wine/beer)
   a. Sioux City Country Club, 4001 Jackson Street (Renewal)

Berenstein abstained on the item due to a conflict of interest.

17. BOARD, COMMISSION, AND COMMITTEE MINUTES

A. Active Transportation Advisory Committee – February 18, 2026
B. Board of Adjustment – March 10, 2026
C. Events Facilities and Tourism Advisory Board – February 19, 2026
D. Library Board of Trustees – March 18, 2026
E. Museum Board of Trustees – February 19, 2026
F. Parking and Skywalk System Board of Trustees – March 19, 2026
G. Planning and Zoning Commission – March 10, 2026
H. Transit System Advisory Board – March 18, 2026
I. Yamanashi City Sister City Committee – March 19, 2026

- End of Consent Agenda -

RECOMMENDATIONS OF PLANNING AND ZONING AND BOARD OF ADJUSTMENT

18. Motion acknowledging Board of Adjustment actions of March 24, 2026. **2026-0331**

Motion by Scott, seconded by Schoenherr, to approve the motion, all voting aye.

19. Hearing and Ordinance dedicating and naming a 2,164 square foot portion of unnamed right-of-way adjacent to 2702 Adel Street as Adel Street. (Petitioner: City of Sioux City) (File No. 2025-020) (The Planning and Zoning Commission recommends approval of this item.)
2026-0332

Chris Madsen, Planning Manager; and Michelle Bostinelos, Planning and Zoning Commission, provided information on the item.

Motion by Scott, seconded by Berenstein, to open the hearing and pass first consideration of the ordinance, citizen comments were not offered, and the hearing was closed, all voting aye.

On motion by Berenstein, seconded by Scott, all voting aye, the Statutory Rule requiring that an ordinance be considered at three separate meetings was suspended. On motion by Berenstein, seconded by Scott, the ordinance passed second and third considerations, all voting aye.

20. Hearing and Ordinance rezoning 1000 Morningside Avenue from zone classification SC (Suburban Commercial) to zone classification GC (General Commercial). (Petitioner: Gur Kirpa LLC) (File No. 2026-017) (The Planning and Zoning Commission recommends approval of this item.)

Chris Madsen, Planning Manager; Gabriel Fordjour, City Planner; and Michelle Bostinelos, Planning and Zoning Commission, provided information on the item.

Motion by Berenstein, seconded by Rayford, to open the hearing and pass first consideration of the ordinance, citizen comments were not offered, and the hearing was closed, Berenstein, Bertrand, Rayford, and Schoenherr voting aye, Scott voting nay.

HEARINGS

21. Hearing and Resolution approving a Dark Fiber Master Lease Agreement with ImOn Communications LLC for the right to install, use and maintain fiber optic cables in exchange for installation services by ImOn Communications LLC.

Motion by Scott, seconded by Berenstein, to continue the hearing and defer action on the item to April 13, 2026, all voting aye.

ORDINANCES

22. Ordinance amending Chapter 8.24.130 entitled “Litter–Covered Receptacles Required” of the Sioux City Municipal Code to modify language to mandate commercial dumpster lids are “secured.”

Arah Montagne, Environmental Services Manager, provided information on the item. David Bernstein spoke on the item.

The ordinance was considered on motion by Scott, seconded by Schoenherr, to pass first consideration, Berenstein, Rayford, Schoenherr, and Scott voting aye, Bertrand voting nay.

CITIZEN CONCERNS

Cole Sprague discussed Agenda Item No. 22.

PRESENTATIONS

23. HART Update

Chief Rex Mueller, Police Department; Captain Ryan Bertrand, Police Department; Marty Dougherty, Economic and Community Development Director; and Darrel Bullock, Code Enforcement Manager, provided information on the item.

24. Building Permits

Darrel Bullock, Code Enforcement Manager; and Marty Dougherty, Economic and Community Development Director, provided information on the item.

Scott exited the meeting at 5:24 p.m. and did not return.

25. Placard Procedure

Darrel Bullock, Code Enforcement Manager; and Marty Dougherty, Economic and Community Development Director, provided information on the item.

COUNCIL CONCERNS

Bertrand thanked Field Services for cleaning up the 18th Street location. Bertrand corrected a Sioux City Journal article regarding the City's budget and asked that Woodbury County and the Sioux City School Board be responsible with their budget. Bertrand inquired about available gas at the marina. Michael Collett, City Manager, will look into the inquiry.

Berenstein congratulated Collett on his appointment to City Manager. Berenstein shared a message of thanks from The Gospel Mission to the Police Department for quick responses to incidents at their location. Scott and Berenstein will be attending the Siouxland Washington Conference April 22 and 23, 2026, in Washington D.C. Downtown Partners hired a Business Liaison who is scheduled to start next week. Berenstein shared that citizens reached out regarding potential City events to celebrate America's 250th birthday. Berenstein commended the contractor responsible for the demolition of the former Law Enforcement Center. Berenstein requested a meeting with Marty Dougherty, Economic and Community Development Director, and Renae Billings, Economic Development Manager, regarding potential projects for the future of that property.

Rayford thanked the Sioux City Police Department for their response to challenges faced recently by his business. Rayford addressed homelessness in the City and efforts being made by the City and its partners.

Schoenherr congratulated Collett on his appointment to City Manager. Schoenherr asked that citizens adopt more positivity in regard to the City and to share their love of the community. Schoenherr noted that Earth Day is coming and urged residents to participate in City cleanup.

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:49 p.m., on motion by Berenstein, seconded by Rayford, all voting aye.

ATTEST: _____ _____

Heidi Farrens, City Clerk Robert E. Scott, Mayor