1. The Regular Meeting of the City Council was held on April 13, 2026, at 4 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, City Manager, Nicole M. DuBois, City Attorney, and Heidi Farrens, City Clerk.

Mayor Scott, on behalf of the City Council, proclaimed April 11 through April 17, 2026, as "Week of the Young Child" in Sioux City, Rachel Ostermyer, Community Action Agency Early Childhood Director, accepted the proclamation.

2. The Council interviewed the following applicants:
   A. Art Center Board of Trustees: Cynthia Moser
   B. Wastewater Treatment Plant Reconstruction and Design Advisory Committee: Dave Kornmann

CONSENT AGENDA

Motion by Scott, seconded by Berenstein, to adopt the Consent Agenda, all voting aye. Items 3 through 13 are approved unanimously unless specifically noted after the item.

3. Reading of the City Council Minutes of April 6, 2026.

Berenstein clarified a comment included on the April 6, 2026, Regular City Council Meeting Minutes Council Concerns. The minutes reflected a request for a meeting with Marty Dougherty, Economic and Community Development Director, and Renae Billings, Economic Development Manager, regarding potential projects for the former site of the Law Enforcement Center. Berenstein clarified that the requested meeting was for upcoming projects but not specifically the former Law Enforcement Center site.

Reading of the minutes of April 6, 2026, was waived and as part of the consent agenda the minutes were approved as presented.

4. PARKING AND SKYWALK - Motion appointing Chad Smidt to the Parking and Skywalk System Board of Trustees for a three-year term expiring December 31, 2028, replacing Heather Rees. **2026-0333**

5. DONATIONS - Resolution accepting all donations under $25,000 for the reporting period of January 2026 through March 2026. **2026-0334**

6. HOME INVESTMENT - Resolution approving the HOME Investment Partnership Intergovernmental Agreement between the City of Sioux City, Iowa, the City of South Sioux City, Nebraska, and the City of Dakota City, Nebraska. **2026-0335**

Jill Wanderscheid, Neighborhood Services Manager, provided information on the item.

7. TYCO FIRE PRODUCTS - Resolution approving a Settlement Statement from Tyco Fire Products LP in the total amount of $161,883.64 in connection with the PFAS class action litigation. **2026-0336**

Teresa Fitch, Finance Director, provided information on the item.

8. ENCODEPLUS - Resolution approving an amendment to the Software License Agreement with enCodePlus, LLC, increasing the annual license fee to $8,000 and allowing for an additional one-time fee of $2,775 for a Web Content Accessibility Audit, Web Content Accessibility Remediation, and an Updated (Responsive) Site Template. **2026-0337**

9. ASSISTANT CITY MANAGER - Resolution appointing Teresa Fitch as Assistant City Manager and amending the Authorized Personnel Complement adopted by Resolution No. 2025-0369 by reclassifying one position of Finance Director, Class Code 1291, to Assistant City Manager, Class Code 1515, and authorizing said position in the Finance Department. **2026-0338**

Teresa Fitch, Finance Director, provided information on the item.

10. ACTIONS ADOPTING CONSTRUCTION DOCUMENTS

    A. ELEVATOR MODERNIZATION - Resolution adopting plans, specifications, form of contract, and estimated cost for the construction of the Martin Luther King Jr. Transportation Center Elevator Modernization Project, in Sioux City, Iowa. (Project No. 7558-739-020) **2026-0339**

    B. WATERMAIN REPLACEMENT - Resolution adopting plans, specifications, form of contract, and estimated cost for the construction of the Seger Avenue Watermain Replacement Project. (South Saint Marys Street to South Saint Aubin Street) (Project No. 7529-519-123) **2026-0340**

    C. FLOOD REPAIRS - Resolution adopting plans, specifications, form of contract, and estimated cost for the construction of the 1110 Larsen Park Road Flood Repairs Project. (Project No. 7566-173-079) **2026-0341**

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

    A. OVER THE COUNTER RETAILER
        1. Bill's Auto Parts, 3905 Transit Avenue (Renewal)
        2. Chasing Clouds Vape Collective, 3208 Singing Hills Boulevard (Renewal)
        3. Dollar General No. 3009, 2528 Myrtle Street (Renewal)
        4. Dollar General Store No. 2936, 2500 Glenn Avenue (Renewal)
        5. Dollar General Store No. 405, 3908 Floyd Boulevard (Renewal)
        6. Dollar General Store No. 5881, 1030 Riverside Boulevard (Renewal)
        7. K & K Quick Corner, 1401 Court Street (Renewal
        8. Maverik 5035, 1373 Pierce Street (Renewal)
        9. Maverik 5036, 1925 South Lakeport Street (Renewal)
        10. Maverik 5037, 1821 Hamilton Boulevard (Renewal)
        11. Maverik 5274, 1005 Gordon Drive (Renewal)

12. APPLICATIONS FOR ALCOHOL LICENSES

    A. ON-PREMISE SALES
        1. CLASS C RETAIL ALCOHOL LICENSE (liquor/wine/beer/carry-out)
            A. Bill's Bar, 2110 Court Street (Renewal)
            B. Buffalo Wild Wings, 5001 Sergeant Road (Renewal)
            C. The Diving Elk, 1101 4th Street (New)
            D. Riviera Theater, 712 4th Street (Renewal)
        2. SPECIAL CLASS C RETAIL ALCOHOL LICENSE (wine/beer/carry-out)
            A. Hard Rock Hotel and Casino, 111 3rd Street (New 5 Day)
            B. Love's Travel Stop No. 479, 2525 Singing Hills Boulevard (Renewal)

13. BOARD MINUTES - Parks and Recreation Advisory Board – April 1, 2026

- End of Consent Agenda -

APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

14. Motion appointing one of the following three applicants to the Library Board of Trustees to complete the balance of a three-year term expiring June 30, 2028, replacing Lexa Almond. Applicants: James Hodgins, Shannon Jorstad, and Linda Santi. **2026-0342**

Motion by Schoenherr, seconded by Rayford, to appoint Linda Santi to the Library Board of Trustees to complete the balance of a three-year term expiring June 30, 2028, replacing Lexa Almond, Rayford and Schoenherr voting aye, Berenstein and Bertrand voting nay, and Scott abstaining due to a conflict of interest. Thus, the motion failed.

Motion by Berenstein, seconded by Bertrand, to appoint Shannon Jorstad to the Library Board of Trustees to complete the balance of a three-year term expiring June 30, 2028, replacing Lexa Almond, Berenstein, Bertrand, and Schoenherr voting aye, Rayford voting nay, and Scott abstaining due to a conflict of interest.

RECOMMENDATIONS OF PLANNING AND ZONING

15. 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.) **(First Consideration approved April 6, 2026)**

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

HEARINGS

16. Hearing on the United States Department of Housing and Urban Development (HUD) Sioux City Consortium Year Two Action Plan. **2026-0343**

Motion by Scott, seconded by Berenstein, to conduct a public hearing, citizen comments were not offered, and the hearing was closed, all voting aye.

17. Hearing and Resolution adopting the Annual Plan for the Section 8 Housing Choice Voucher Program and authorizing the Mayor to execute required assurances and certifications in connection therewith. **2026-0344**

Motion by Scott, seconded by Berenstein, to open the hearing and adopt the proposed resolution, citizen comments were not offered, and the hearing was closed, all voting aye.

18. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the Gordon Drive Water Main and Sanitary Sewer Early Relocation Package Project. (Project No. 7373-719-379) **2026-0345**

Motion by Scott, seconded by Schoenherr, to open the hearing and adopt the proposed resolution, citizen comments were not offered, and the hearing was closed, all voting aye.

19. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for the construction of the Park View Boulevard Water Main Replacement Project, Glendale Boulevard to Martha Street. (Project No. 7528-519-164) **2026-0346**

Motion by Scott, seconded by Bertrand, to open the hearing and adopt the proposed resolution, citizen comments were not offered, and the hearing was closed, all voting aye.

20. 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. **(Deferred from April 6, 2026)** **2026-0347**

Motion by Scott, seconded by Rayford, to open the hearing and adopt the proposed resolution, citizen comments were not offered, and the hearing was closed, all voting aye.

21. Hearing and Resolution assessing a civil penalty of $300 against Chasing Clouds Vape Collective LLC, doing business as Chasing Clouds Vape Collective, 3208 Singing Hills Boulevard, Sioux City, Iowa, Cigarette Permit No. 26-54860 (State of Iowa Permit No. 8-71-072039) for violation of the Iowa cigarette laws. **2026-0348**

Motion by Scott, seconded by Berenstein, to open the hearing and adopt the proposed resolution, citizen comments were not offered, and the hearing was closed, all voting aye.

22. Hearing and Resolution assessing a civil penalty of $300 against Sky Smoke Shop and Vape II Inc., doing business as Sky Smoke Shop and Vape II, 3407 Singing Hills Boulevard, Sioux City, Iowa, Cigarette Permit No. 26-60052 (State of Iowa Permit No. 8-71-050004) for violation of the Iowa cigarette laws. **2026-0349**

Motion by Scott, seconded by Berenstein, to open the hearing and adopt the proposed resolution, citizen comments were not offered, and the hearing was closed, all voting aye.

ORDINANCES

23. Resolution adopting the 2026 First Quarter Supplement to the Sioux City Municipal Code covering ordinances through Ordinance No. 2026-0294. **2026-0350**

Motion by Scott, seconded by Schoenherr, to adopt the proposed resolution, all voting aye.

24. Ordinance amending Chapter 1.01 entitled “Code Adoption” of the Sioux City Municipal Code to provide for the adoption of the Municipal Code. **2026-0351**

The ordinance was considered on motion by Scott, seconded by Berenstein, to pass first consideration, all voting aye.

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

25. 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.” **(First consideration passed April 6, 2026)** **2026-0352**

Tom Pingel, Public Works Director, provided information on the item.

The ordinance was considered on motion by Scott, seconded by Schoenherr, to pass second consideration, all voting aye.

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

CITIZEN CONCERNS

Sharon Brown discussed mud in her neighborhood due to ongoing development and shared concerns regarding how the City regulates and monitors contractors during the development process. Michael Collett, City Manager, will follow up with City staff regarding Brown’s concerns.

Lehi Tonga provided an update on the status of his properties at 901-13 Nebraska Street where demolition had been recommended. Marty Dougherty, Economic and Community Development Director, provided information on the status of the properties and will further discussion with Darrel Bullock, Code Enforcement Manager, who was not in attendance.

PRESENTATIONS

26. Warming Shelter Operations

Jill Wanderscheid, Neighborhood Services Manager; Shayla Moore, Warming Shelter Executive Director; and Captain Ryan Bertrand, Police Department, provided information on the item.

Schoenherr exited the meeting at 5:17 p.m. and did not return.

27. Sister City Rates

Tom Pingel, Public Works Director, provided information on the item.

28. Hamilton Boulevard and Tri-View Avenue Intersection Improvements Project (Project No. 7442-719-381)

Gordon Phair, City Engineer; and Baylor Bestgen, JEO Consulting Group Design Engineer, provided information on the item. Steve Nelson, John Williams, Nancy Bottjen, Rick Bottjen, and Sharon Brown spoke on the item.

Scott appointed Rayford to preside over the remainder of the meeting in his absence and exited the meeting at 5:45 p.m. Scott did not return.

29. Detention Basin Buy Down Program

Tom Pingel, Public Works Director, provided information on the item. Steve Nelson spoke on the item.

COUNCIL CONCERNS

Bertrand corrected a previous statement regarding an error made by the media reporting on the City's property tax levy. Bertrand previously stated the error was made by the Sioux City Journal. Bertrand says the error in reporting was made by KTIV, not the Sioux City Journal. Bertrand noted that he will be absent at the Monday, April 20, 2026, Regular City Council Meeting. Bertrand congratulated Shannon Jorstad on her appointment to the Library Board of Trustees, thanked those involved in the update to the permitting process, and shared that the City will continue to focus on the issue of homelessness.

Berenstein requested a change to the Request for Council Action form. Berenstein would like to add that the form has been approved by the City Manager, City Attorney, and City Finance Department. The form previously only noted that it had been reviewed by the aforementioned parties.

During the Regular City Council Meeting on April 20, 2026, a motion was made by Berenstein, seconded by Rayford, to amend the City Council Meeting Minutes of April 13, 2026, to clarify changes requested by Councilman Berenstein during Council Concerns, all voting aye. Berenstein asked that his requested changes to the Request for Council Action Form (RCA) be clarified. Berenstein requests that the RCA include approval as to form and substance by the City Manager, City Attorney, and City Finance.

Rayford announced in celebration of Week of the Young Child, he will be spending a morning with students in the Head Start program. Rayford announced that the Police Department will be hosting a town hall meeting on Tuesday, April 21, 2026, at 7 p.m. at the Public Museum, 607 4th Street. In conjunction with that meeting, there will be a listening session regarding the use of ATVs/UTVs on City streets. Rayford invited the public to attend if they would like to be heard.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:31 p.m., on motion by Rayford, seconded by Berenstein, all voting aye.

ATTEST: _____ _____

Heidi Farrens, City Clerk Robert E. Scott, Mayor