1. The Regular Meeting of the City Council was held on April 27, 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, Interim City Manager, Nicole M. DuBois, City Attorney, and Danielle Bock, Deputy City Clerk.

Mayor Scott, on behalf of the City Council, proclaimed April 24, 2026, as “Arbor Day” in Sioux City, Brett Prince, Parks Maintenance Labor Supervisor, accepted the proclamation.

2. The Council interviewed Corinne Erickson for the Active Transportation Advisory Committee.

CONSENT AGENDA

Motion by Scott, seconded by Schoenherr, to adopt the Consent Agenda, all voting aye. Items 3 through 16H are approved unanimously unless specifically noted after the item.

3. Reading of the City Council Minutes of April 16 and 20, 2026.

Reading of the minutes of April 16 and 20, 2026, was waived and as part of the consent agenda the minutes were approved as presented. Scott abstained on the item.

4. BUDGET AMENDMENT - Resolution fixing date for a public hearing on the amendment of the annual budget for the fiscal year ending June 30, 2026, for the City of Sioux City, State of Iowa, and providing for publication of notice thereof. **2026-0397**

5. ELECTRONIC BIDDING - Resolution approving electronic bidding procedures and Official Statement. **2026-0398**

6. ABM - Resolution authorizing Staff to proceed with negotiations with ABM Industry Groups, LLC to formulate a contract for Parking Management Services at the City of Sioux City Parking Facilities. **2026-0399**

Tiffany Clayborne, Parking Operations Supervisor, provided information on the item.

7. ASIAN FEST - Resolution temporarily closing Cook Street from West 6th Street to West 7th Street beginning at 9 a.m. and ending at 8 p.m., May 23, 2026, for Siouxland Asian Fest. **2026-0400**

8. WATER MAIN REPLACEMENT - Resolution adopting plans, specifications, form of contract, and estimated cost for the construction of the FY 2026 Undersized Water Main Replacement Project. (Project No. 7513-519-263) **2026-0401**

9. BASF - Resolution approving a Settlement Statement from BASF Corporation in the total amount of $89,781.96 in connection with the PFAS class action litigation. **2026-0402**

Nicole M. DuBois, City Attorney, provided information on the item.

10. ACTIONS RELATING TO GRANTS

A. EPA - Resolution approving Closeout Agreement Number 2B97709201 with the United States Environmental Protection Agency. **2026-0403**

B. HISTORICAL SOCIETY - Resolution authorizing the Sioux City Historic Preservation Commission to submit a 2026 Historic Resource Development Program grant to the State Historical Society of Iowa in the amount of $50,000 for purposes of funding the digitization of the Sioux City Tribune and Historical City Records that would serve as resource for future National Register Nominations. **2026-0404**

11. ACTIONS RELATING TO CIVIL PENALTIES AND SUSPENSIONS

A. CHASING CLOUDS - Resolution fixing a date, time and place for a hearing on a proposed $1,500 civil penalty OR thirty (30) day suspension of Cigarette License City Permit No. 26-54860 (State of Iowa Permit No. 8-71-072039) issued to Chasing Clouds Vape Collective LLC, doing business as Chasing Clouds Vape Collective, 3208 Singing Hills Boulevard, Sioux City, Iowa, for violation of Iowa cigarette laws. **2026-0405**

Chief Rex Mueller, Police Department, and Nicole M. DuBois, City Attorney, provided information on the item.

B. BEER ON FLOYD - Resolution assessing a civil penalty of $500 against Cocktails & Dreams LLC, doing business as Beer on Floyd, 3132 Floyd Boulevard, Sioux City, Iowa, Permit No. LE0004060, for violation of the Iowa beer/wine and liquor laws. **2026-0406**

C. ALDI - Resolution assessing a civil penalty of $500 against Aldi Inc, doing business as Aldi Inc, 3140 Floyd Boulevard, Sioux City, Iowa, Permit No. LG0001616, for violation of the Iowa beer/wine and liquor laws. **2026-0407**

D. WALMART - Resolution assessing a civil penalty of $500 against Walmart Inc, doing business as Walmart Inc, 3400 Singing Hills Boulevard, Sioux City, Iowa, Permit No. LE0001102, for violation of the Iowa beer/wine and liquor laws. **2026-0408**

E. BERGIE'S BAR - Resolution assessing a civil penalty of $500 against Bergie's Bar, doing business as Bergie's Bar Inc., 201 4th Street, Sioux City, Iowa, Permit No. LC0023736, for violation of the Iowa beer/wine and liquor laws. **2026-0409**

12. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS

A. K&M HOLDINGS - Resolution approving a Post Construction Stormwater Management Plan Maintenance Agreement and Easement with K&M Holdings LLC for a detention basin and accepting a permanent easement therewith. (5800 Sunnybrook Drive) **2026-0410**

B. SURE HOLDINGS - Resolution authorizing a Railroad Crossing Closure Agreement with Sure Holdings, LLC and property Contract Buyers Jose Angulo, Jesus Angulo and Maria G. Angulo at 4500 West 19th Street and 505 Bruner Avenue for the Bruner Avenue Crossing. (FRA No. 382073N) **2026-0411**

C. BNSF RAILWAY - Resolution authorizing a Highway-Rail Grade Crossing Closure Agreement (Contract Number BF-20592725) with the BNSF Railway Company for the Bruner Avenue Crossing. (FRA No. 382073N) **2026-0412**

D. IDOT - Resolution authorizing an Agreement with the Iowa Department of Transportation for a Section 130 Program Railroad Crossing Closure Incentive Project Request for the Bruner Avenue Crossing. (FRA No. 382073N) **2026-0413**

13. ACTIONS RELATING TO PERSONNEL

A. 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. **2026-0414**

B. EMS DIVISION - Resolution suspending the requirements of Section 400.11(1)(a) of the Iowa Code for the hiring of personnel within the Fire Department's EMS Division for a period of one year. **2026-0415**

Janelle Bertrand, Human Resources Director, and Chief Ryan Collins, Fire Department, provided information on the item.

14. PURCHASING

A. ZISTOS - Resolution awarding a purchase order to Zistos Corporation of Holbrook, New York, in the amount of $37,214 for the purchase of a search and rescue camera system. (RFB No. 292973) **2026-0416**

B. GARED HOLDINGS - Resolution awarding a purchase order to Gared Holdings LLC of Noblesville, Indiana, in the amount of $49,766 for the purchase of two Portable Pro Basketball Hoop Systems. **2026-0417**

Chad Smidt, Tyson Events Center General Manager, spoke on the item.

C. JENSEN MOTORS - Resolution awarding a purchase order to Jensen Motors, Inc. of Le Mars, Iowa, in the amount of $46,821.60 for the purchase of one (1) 2026 RAM 3500 Tradesman. (Bid No. 292695) **2026-0418**

D. LIEBER CONSTRUCTION - Resolution awarding a purchase order to Lieber Construction, Inc. of North Sioux City, South Dakota, for the purchase and hauling of virgin rock gravel at a price not to exceed $18.63 per ton for the Public Works Department. (Bid No. 292247) **2026-0419**

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

E. BARKLEY ASPHALT - Resolution awarding a purchase order to Barkley Asphalt, Inc. of Sioux City, Iowa, as the primary vendor for the purchase of hot mix asphalt at a cost not to exceed $94 per ton for the Public Works Department. (Bid No. 292846) **2026-0420**

F. KNIFE RIVER - Resolution awarding a purchase order to Knife River Midwest LLC of Sioux City, Iowa, as the secondary vendor for the purchase of hot mix asphalt at a cost not to exceed $94.60 per ton for the Public Works Department. (Bid No. 292846) **2026-0421**

15. APPLICATIONS FOR ALCOHOL LICENSES

A. ON-PREMISE SALES
   1. CLASS C RETAIL ALCOHOL LICENSE (liquor/wine/beer/carry-out)
      a. Jackson Street Brewing, 901 5th Street, Suite 300 (Permanent Outdoor Service)
      b. Stoney Creek Inn, 300 3rd Street (Renewal)
      c. Tav on the Ave, 914 Morningside Avenue (Renewal)

B. OFF-PREMISE SALES
   1. CLASS B RETAIL ALCOHOL LICENSE (wine/beer)
      a. East End Carwash and Detail Center, 5401 Morningside Avenue (Renewal)

16. BOARD, COMMISSION, AND COMMITTEE MINUTES

A. Art Center Board of Trustees – April 16, 2026
B. Building and Housing Code Board – April 7, 2026
C. Effective Fiscal and Public Policy Committee – February 11, and March 11, 2026
D. Historic Preservation Commission – March 3, 2026
E. Mayor's Youth Commission – February 2, March 2, and March 16, 2026
F. Museum Board of Trustees – March 19, 2026
G. Sports Commission – April 15, 2026
H. Woodbury County Information and Communication Commission – February 11, 2026

- End of Consent Agenda -

RECOMMENDATIONS OF PLANNING AND ZONING AND BOARD OF ADJUSTMENT

17. Motion acknowledging Board of Adjustment actions of April 14, 2026. **2026-0422**

Wade Schuldt, City Planner, provided information on the item. Clarence Gordon, spoke on the item.

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

18. Ordinance vacating that part of Eighth Street (originally platted as Seventh Street) adjacent to 702 Saint Marys Street, and the North/South alleys in blocks 3 and 6 adjacent to 702 Saint Marys Street. (Petitioner: Rick Bertrand) (File No. 2026-023) (The Planning and Zoning Commission recommends approval of this item.) **2026-0423**

Wade Schuldt, City Planner, provided information on the item.

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.

HEARINGS

19. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the 1110 Larsen Park Road Flood Repair Project. (Project No. 7566-173-079) **2026-0424**

Tom Pingel, Public Works Director, and Gordon Phair, City Engineer, provided information on the item.

Motion by Scott, seconded by Berenstein, to open the hearing and adopt the proposed resolution, citizen comments were received and the hearing was closed, all voting aye.

ORDINANCES

20. Ordinance amending Chapter 13.08 entitled "Sanitary Sewer Rates" of the Sioux City Municipal Code to increase rates for outside municipalities and outside improvement districts by 27.4% effective November 1, 2026.

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

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

21. Ordinance amending Chapter 12.30.020 entitled "Storm Water Program Maintenance Fee" and 12.30.030 entitled "Special Rule for Certain Nonprofit Organizations" of the Sioux City Municipal Code to modify storm water collection fees. **(First consideration approved April 20, 2026)**

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

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

22. Ordinance amending Chapter 3.20 entitled "Teton Urban Renewal Tax Increment District" to revise the legal description of property subject to the division of taxes provided for in said chapter to include the Outer Banks Urban Renewal Sub-Area, and to make other conforming changes with said chapter continuing to provide that general property taxes levied and collected each year on all property located within the Teton urban renewal tax increment district of the City of Sioux City, County of Woodbury, State of Iowa, by and for the benefit of the State of Iowa, City of Sioux City, County of Woodbury, Sioux City Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with the Teton Urban Renewal Plan. **(First consideration approved April 20, 2026)** **2026-0425**

The ordinance was considered on motion by Scott, seconded by Berenstein, to pass second 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 Berenstein, seconded by Scott, the ordinance passed third consideration, all voting aye.

CITIZEN CONCERNS

Milton Carter expressed concerns regarding the closure of Dinosaur Park located at 1515 Nebraska Street. Michael Collett, City Manager, will reach out to Matt Salvatore, Parks and Recreation Director, regarding the issue.

PRESENTATIONS

23. Specified Crime Property

Chief Rex Mueller, Police Department, Captain Ryan Bertrand, Police Department, and Nicole M. DuBois, City Attorney, provided information on the item.

24. Parking Survey

Tiffany Clayborne, Parking Operations Supervisor, and Teresa Fitch, Assistant City Manager, provided information on the item. Ragen Cote, Downtown Partners Executive Director, spoke on the item.

COUNCIL CONCERNS

Bertrand requested updates on Fleet leasing, the retention pond ordinance, and spec buildings. Bertrand complimented the 18th Street field house. Bertrand requested that graffiti concerns in Greenville be addressed. Captain Ryan Bertrand, Police Department, provided information on the concern. Bertrand reported that the Homeless Task Force noted a 27% increase in transients transferring out of the City. Bertrand requested clarification regarding the Stand Ready Mix and Knife River concrete backfill bid. Bertrand mentioned that Council should reconsider and review the use of roundabouts and their impacts. Bertrand noted that he will continue to pursue the Warming Shelter as a potential nuisance property. Chad Smidt, Tyson Events Center General Manager, and Nick Palmiotti, Tyson Events Center General Manager, responded to complaints regarding concession stand wait times and restroom issues.

Berenstein reported receiving complaints regarding weeds on City-owned property. Berenstein provided an overview of topics discussed during his trip to Washington, D.C., where he met with multiple representatives.

Rayford thanked the Police Department for providing activity logs. Rayford reported on a recent town hall discussion regarding UTVs and noted strong turnout and engagement. Mike Collett, City Manager, mentioned that he will provide UTV survey information to the Council.

Schoenherr echoed the comments regarding the town hall. Schoenherr noted that citizens should do their part to help keep the City clean.

Motion by Scott, seconded by Schoenher, to reconsider vacating a 500 square foot portion of the north/south alley abutting lots 10 and 23 in the Block bounded by 5th Avenue, Glenn Avenue, South Henry Street and South Clinton Street on May 18, 2026, all voting aye, thus, the motion to reconsider is approved.

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:57 p.m., on motion by Scott, seconded by Schoenherr, all voting aye.

ATTEST: _____ _____

Heidi Farrens, City Clerk Robert E. Scott, Mayor