1. The Regular Meeting of the City Council was held on October 5, 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, read a proclamation acknowledging October 2026 as "Domestic Violence Awareness Month", SafePlace Siouxland Executive Director, Stephanie Pickinpaugh, accepted the proclamation.

2. The Council interviewed the following applicants:
   A. Gjilan Kosovo Sister City Committee: MacKenzie Hiserote
   B. Winonah Leader Charge was scheduled but unable to appear for an interview for a position on the Human Rights Commission. The interview will be rescheduled for a later date.

CONSENT AGENDA

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

3. Reading of the City Council Minutes of September 28, 2026.

Reading of the minutes of September 28, 2026, was waived and as part of the consent agenda the minutes were approved as presented.

4. SIGN DESIGN - Resolution approving the design of signs discouraging giving to panhandlers. **2026-0908**

5. TORT CLAIM - Resolution approving partial settlement of a tort claim and authorizing payment thereof. (Drew) **2026-0909**

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

6. COMBINED FLOYD UR - Resolution setting dates of a consultation and a public hearing on a proposed Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan for the Combined Floyd River Urban Renewal Project Area of the City of Sioux City, Iowa. (properties located along Bluff Road and Cunningham Drive) **2026-0910**

7. ACTIONS RELATING TO BOARDS, COMMISSIONS, AND COMMITTEES

   A. HPC SIEVERS - Motion appointing Robert Sievers Jr. to the Historic Preservation Commission for a three-year term expiring June 30, 2029, replacing Johnathan Vodochodsky. **2026-0911**

   B. HPC MACFARLANE - Motion appointing Amy Macfarlane to the Historic Preservation Commission to complete the balance of a three-year term expiring June 30, 2028, and reappointing Amy Macfarlane to the Historic Preservation Commission for a three-year term expiring June 30, 2031. **2026-0912**

8. ACTIONS RELATING TO GRANTS

A. CDBG - Resolution approving and accepting the grant agreement authorized by the Department of Housing and Urban Development under the funding approval for Community Development Block Grant Agreement No. B26MC190006 and directing the City Manager to execute said grant agreement for submission to the Department of Housing and Urban Development. **2026-0913**

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

B. HOME INVESTMENT - Resolution approving and accepting the grant agreement authorized by the Department of Housing and Urban Development under the funding approval for the Home Investment Partnerships Agreement No. M26DC190207 and directing the City Manager to execute said grant agreement for submission to the Department of Housing and Urban Development. **2026-0914**

C. ORPHEUM THEATRE - Resolution approving a grant agreement by and between the Orpheum Theatre Preservation Project, Ltd. and the City of Sioux City and authorizing a grant of $30,000 to the Orpheum Theatre Preservation Project, Ltd. to assist with the replacement of the Orpheum Theatre's sound system. **2026-0915**

Michael Collett, City Manager, provided information on the item.

9. ACTIONS ADOPTING CONSTRUCTION DOCUMENTS

A. ORLEANS AVE WATER MAIN - Resolution adopting plans, specifications, form of contract, and estimated cost for the construction of the Orleans Avenue Water Main Improvements Project. (South Roswell Street to 6th Avenue) (Project No. 7538-719-201) **2026-0916**

Kevin Livezey, City Engineering Project Manager, provided information on the item.

B. TYSON - Resolution adopting plans, specifications, form of contract, and estimated cost for the construction of the Tyson Events Center Chiller Upgrades Project. (Project No. 7601-379-010) **2026-0917**

10. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS

A. UNIVERSITY OF IOWA - Resolution approving Amendment No. 1 to the Consulting Services Agreement with the University of Iowa, Office of the State Archaeologist of Iowa City, Iowa, to expand the scope of the agreement to include additional properties from 113 6th Street to 625 Water Street and to extend the completion date to November 30, 2027. **2026-0918**

B. WEB APARTMENTS - Resolution approving a First Amendment to Development Agreement with The Web Apartments, LLC for the construction of affordable rental housing units located at 417 Market Street. **2026-0919**

C. MARK ALBENESIUS - Resolution awarding and approving a contract to Mark Albenesius, Inc. in the amount of $175,044 for the Expo Center Drive Sanitary Sewer Main Relocation for Gordon Drive Viaduct Project. (Project No. 7400-539-102) **2026-0920**

Katie Eickholt, Civil Engineer, provided information on the item.

D. JEO CONSULTING - Resolution approving a Consulting Services Agreement with JEO Consulting Group, Inc. of South Sioux City, Nebraska, for design, bidding, construction administration, staking and project representation in connection with the 17th Street Emergency Water Main Improvements Project (Ingleside Avenue to Court Street) in an amount not to exceed $140,000. (Project No. 7599-519-123) **2026-0921**

E. JCI INDUSTRIES PUMP - Resolution approving Amendment No. 1 to the Service Provider Agreement with JCI Industries, LLC of Lee's Summit, Missouri, increasing the not to exceed amount of the agreement to $135,135, expanding the scope of services to include additional work necessary for the repair of a Floyd Lift Station pump, and providing for additional completion time. (RFB No. 293409) **2026-0922**

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

F. JCI INDUSTRIES MOTORS - Resolution approving Amendment No. 1 to the Service Provider Agreement with JCI Industries, LLC of Lee's Summit, Missouri, increasing the not-to-exceed amount of the agreement to $56,889, expanding the scope of services to include additional work necessary for the repair of two (2) vertical pump motors, and providing for additional completion time. (RFB No. 293910) **2026-0923**

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

G. ESRI - Resolution approving the three-year Small Enterprise Agreement County and Municipality Government (E214-4) with Environmental Systems Research Institute, Inc. (ESRI) in connection with the Regional Government Enterprise Agreement between ESRI and Woodbury County, acting through the Woodbury County Information and Communication Commission (WCICC), and authorizing the City Manager to execute said Agreement. **2026-0924**

H. MCCLURE ENGINEERING - Resolution approving Amendment No. 3 to the Consulting Services Agreement with McClure Engineering Co, LLC increasing the not to exceed amount of the Agreement to $361,756 for additional professional and construction administration services for the Floyd Trail Connector and PlyWood Trail Connector Projects. **2026-0925**

Matt Salvatore, Parks and Recreation Director, provided information on the item.

11. ACTIONS RELATING TO PURCHASING

A. BIERSCHBACH EQUIPMENT - Resolution awarding a purchase order to Bierschbach Equipment & Supply Company, Inc. of Sioux City, Iowa, in the amount of $56,500 for the purchase of two (2) 185 CFM Skid Mount Air Compressors. (RFB No. 295044) **2026-0926**

Jeff Diediker, CMG Fleet Manager, provided information on the item.

B. DEWEY FORD - Resolution awarding a purchase order to Dewey Ford of Ankeny, Iowa, in the amount of $95,600 for the purchase of two (2) 2027 Ford F250 pickups with plows. (RFB No. 294972) **2026-0927**

Jeff Diediker, CMG Fleet Manager, provided information on the item.

12. APPLICATIONS FOR ALCOHOL LICENSES

    A. ON-PREMISE SALES

        1. CLASS C RETAIL ALCOHOL LICENSE (liquor/wine/beer/carry-out)
            a. The Olive Garden Italian Restaurant No. 1711, 4930 Sergeant Road (Renewal)
            b. One-Eyed Jacks, 3091 Hamilton Boulevard (Renewal)
            c. Stadium Bowl, 3828 Stadium Drive (Renewal)
        2. SPECIAL CLASS C RETAIL ALCOHOL LICENSE (wine/beer/carry-out)
            a. HuHot Mongolian Grill, 4229 South Lakeport Street (Renewal)

    B. OFF-PREMISE SALES
        1. CLASS E RETAIL ALCOHOL LICENSE (liquor/wine/beer)
            a. Maverik No. 5274, 1005 Gordon Drive (Renewal)

13. BOARD, COMMISSION, AND COMMITTEE MINUTES

    A. Airport Board of Trustees – August 18, 2026
    B. Library Board of Trustees – August 19, 2026

- End of Consent Agenda -

APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

14. Motion appointing one of the following two applicants to the Civil Service Commission to complete the balance of a four-year term expiring April 2, 2029, replacing Dr. Cyndi Hanson. Applicants: Mark Solheim and Brett Watchorn.

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

RECOMMENDATIONS OF PLANNING AND ZONING AND BOARD OF ADJUSTMENT

15. Motion acknowledging Board of Adjustment actions of September 22, 2026. **2026-0928**

Motion by Scott, seconded by Schoenherr, to approve the motion, Berenstein, Bertrand, Rayford, and Schoenherr voting aye, Scott abstaining due to a conflict of interest.

16. Resolution accepting and approving the Final Plat of “Outer Banks Subdivision in the City of Sioux City, Woodbury County, Iowa.” (a part of the SE1/4NE1/4 Section 9-89-47; part of the vacated Outer Drive North lying in the NE1/4SE1/4; part of Lot 9, all of Lots 10 and 11, Country Club View Addition; Tract B, Country Club View, Second Filing) (Petitioner: Aftershock Ventures, LLC) (The Planning and Zoning Commission recommends approval of this item.) (File No. 2026-082) **(Deferred from September 21, 2026)** **2026-0929**

Gabriel Fordjour, City Planner; and Andrew Glisar, Planning and Zoning Commission Chair, provided information on the item.

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

17. Ordinance rezoning the property located at 2538 Cassel Place and 1724 Casselman Street from zone classification NC.2 (Neighborhood Conservation 2) and NC.4 (Neighborhood Conservation 4) to zone classification GR (General Residential, 5,000 Square Feet Per Unit Minimum). (Petitioner: Westland Property Management Development, LLC) (The Planning and Zoning Commission recommends approval of this item.) (File No. 2026-092) **2026-0930**

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

18. Resolution accepting and approving the Preliminary Plat of Survey of Cassel Place Development Phase I. (a Replat of a portion of Lots 19 and 20, in Auditor's Plat of St. Vincent Subdivision of the Southwest Quarter of Section 19, Township 89 North, Range 47 West of the 5th P.M., Sioux City, Woodbury County, Iowa) (Petitioner: Westland Property Management Development, LLC) (The Planning and Zoning Commission recommends approval of this item.) (File No. 2026-093) **2026-0931**

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

19. Ordinance rezoning 300 West 45th Street from zone classification AG (Agriculture) to zone classification RR (Rural Residential). (Petitioner: Ron Emory) (The Planning and Zoning Commission recommends approval of this item.) (File No. 2026-095) **2026-0932**

Andrew Glisar, Planning and Zoning Commission Chair, 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.

20. Ordinance amending Chapter 25.05 of the Sioux City Municipal Code entitled "Site Development" to update the requirements for off-premises advertising signs and to repeal the interim sign ordinance. (Petitioner: City of Sioux City) (The Planning and Zoning Commission recommends approval of this item.) (File No. 2026-084) **(First consideration approved September 14, 2026) (Second consideration approved September 21, 2026) (Deferred from September 28, 2026)**

Chris Madsen, Planning Manager; and Andrew Glisar, Planning and Zoning Commission Chair, provided information on the item. Dave Halpin, Lamar Advertising; and Paul Koskovich spoke on the item.

The ordinance was considered. On motion by Schoenherr, seconded by Rayford, failed third consideration. Those voting nay: Berenstein, Bertrand, and Scott, those voting aye: Rayford and Schoenherr.

21. Resolution accepting and approving the Final Plat of "Greene Acres Addition, a Minor Subdivision to Woodbury County, Iowa." (Petitioner: Alan Fagan on behalf of Rev. Walter Greene and Jane A. Greene) (The Planning and Zoning Commission recommends approval of this item.) (File No. 2026-090) **2026-0933**

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

HEARINGS

22. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the Fire Station One Bathroom Remodel Project. (Project No. 7594-159-019) **2026-0934**

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.

23. Hearing and Resolution accepting the proposal of Siouxland Developers, LLC, for the purchase of certain land in the Donner Park Urban Renewal Area, and authorizing and approving a Development Agreement and Minimum Assessment Agreement. (a vacated portion of Cone Park adjacent to Line Drive) **(Deferred from September 14, 2026)** **2026-0935**

Marty Dougherty, Economic and Community Development Director; and Renae Billings, Economic Development Manager, provided information on the item. Jody House and Brett Watchorn spoke on the item.

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

Motion by Scott, seconded by Berenstein, to reconsider the resolution all voting aye. Thus, the motion is approved and the resolution was reconsidered.

Motion by Scott, seconded by Berenstein, to amend the item to accept the proposal of SC Hotel, LLC, all voting aye. Motion by Schoenherr, seconded by Rayford, to adopt the proposed resolution as amended, Berenstein, Bertrand, Rayford, and Schoenherr voting aye, Scott voting nay.

ORDINANCES

24. Ordinance amending Chapter 12.30 entitled "Storm Water Program" of the Sioux City Municipal Code to modify storm water collection fees. **2026-0936**

Teresa Fitch, Assistant City Manager, provided information on the item. Jean Fay, Brent Watchorn, and Kevin Small spoke on the item.

The ordinance was considered on motion by Scott, seconded by Rayford, 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 Schoenherr, the ordinance passed second and third considerations, all voting aye.

PRESENTATION

25. Snow Readiness

Vicki Baker, Assistant Public Works Director; Patrick Simons, Field Services Supervisor; and Jeff Diediker, CMG Fleet Manager, provided information on the item.

Scott exited the meeting at 5:42 p.m. and returned at 5:45 p.m.

26. CITIZEN CONCERNS

Watchorn discussed panhandling signs and requested information regarding preferred experience and requirements for appointment to the Civil Service Commission.

27. COUNCIL CONCERNS

Bertrand discussed upcoming City budget conversations and encouraged citizens to be cautious on the roads during harvest season.

Berenstein congratulated George Lindblade on the documentary film that was made to reflect his life and community impact and also congratulated Chad Benson on his inauguration as Morningside University's new president.

Rayford thanked Briar Cliff University for awarding him the Distinguished Alumni Award.

Schoenherr congratulated Rayford and Brianna Eaton on their Distinguished Alumni Awards from Briar Cliff University.

28. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:03 p.m., on motion by Scott, seconded by Berenstein, all voting aye.

ATTEST: _____ _____

Heidi Farrens, City Clerk Robert E. Scott, Mayor