

Roll 735 Image 3393-3414

Document 13039 Type AMEND Pages 22  
Date 5/13/2014 Time 1:56 PM  
Rec Amt \$112.00

PATRICK F GILL, AUDITOR AND RECORDER  
WOODBURY COUNTY IOWA

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**Prepared By:** Nicole Jensen-Harris, P.O. Box 447, Sioux City, Iowa 51102 Telephone No. (712) 279-6318  
**After recording return to:** City of Sioux City, Iowa, P.O. Box 447, Sioux City, Iowa 51102

AMENDMENT NO. 1  
TO THE  
AMENDED AND RESTATED  
COMBINED FLOYD RIVER URBAN RENEWAL PLAN  
  
FOR THE  
COMBINED FLOYD RIVER URBAN RENEWAL AREA

GRANTOR/GRANTEES: City of Sioux City, Iowa

**STATE OF IOWA**

**CITY OF SIOUX CITY**

**Woodbury County**

**Office of the City Clerk**

I, Lisa L. McCardle, City Clerk of the City of Sioux City and City Clerk of the City Council thereof, and as such, having charge of and in my possession all the records and documents pertaining to said office now remaining therein, do hereby certify that it appears from such records that the foregoing is a true and correct copy of the Resolution No. 2014-0272 adopted by the City Council of the City on the 5<sup>th</sup> day of May, 2014 upon the call of yeas and nays thereof duly had and recorded.

Dated at Sioux City, Iowa this 7<sup>th</sup> day of May, 2014.



  
\_\_\_\_\_  
Lisa L. McCardle, City Clerk

**RESOLUTION NO. 2014 - 0272**  
with attachments

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE A BLIGHTED AREA AND ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING AMENDMENT NO. 1 TO THE AMENDED AND RESTATED COMBINED FLOYD RIVER URBAN RENEWAL PLAN FOR THE COMBINED FLOYD RIVER URBAN RENEWAL AREA (RECONSTRUCTION OF DACE AVENUE/CUNNINGHAM DRIVE/LEECH AVENUE INTERSECTION)

WHEREAS, the City Council previously has found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and has approved and adopted the Amended and Restated Combined Floyd River Urban Renewal Plan on November 25, 2013, pursuant to Resolution No. 2013-0876 (the "Amended Plan") for the amended Combined Floyd River Urban Renewal Area described therein (the "Project Area"), which Amended Plan is on file in the office of the Recorder of Woodbury County at Roll 733, Image 1189-1228; and

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 1 to the Amended Plan, a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to further update certain provisions of the Amended Plan to conform to current City objectives and planning initiatives for the Project Area, within the Project Area, as hereinafter described; and

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by said Amended Plan; and

WHEREAS, the Iowa Code requires the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 1 to the Amended Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa Code further requires the City Council to hold a public hearing on the proposed Amendment No. 1 to the Amended Plan subsequent to notice thereof by publication in a newspaper having a general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the urban renewal plan and shall outline the general scope of the urban renewal project under consideration, with a copy of said notice also being mailed to each affected taxing entity; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the minutes from the consultation hearing filed herewith and incorporated herein by this reference, which minutes are in all respects approved; and

WHEREAS, this Council also set a public hearing on the adoption of Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Sioux City Journal, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 1, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1. That the findings and conclusions set forth or contained in Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan concerning the area of the City of Sioux City, Iowa described therein be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

The Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan of the City of Sioux City, Iowa, conforms to the general plan for the development of the City as a whole; and


With reference to those portions thereof which are to be developed for non-residential uses, the City Council hereby determines that such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan for the Combined Floyd River Urban Renewal Area of the City of Sioux City, Iowa be and the same is hereby approved and adopted as "Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan for the Combined Floyd River Urban Renewal Area"; Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of the same with the proceedings of this meeting.

Section 4. That Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan shall be in full force and effect from the date of this Resolution until the date of termination set forth in the Plan as so amended. Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Woodbury County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED: May 5, 2014

ATTEST:

  
Lisa L. McCardle, City Clerk

  
Robert E. Scott, Mayor

CERTIFICATE

STATE OF IOWA

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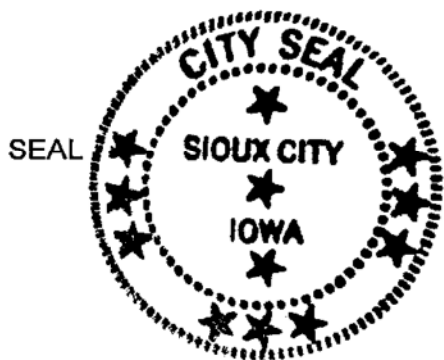
) SS

COUNTY OF WOODBURY

)

I, the undersigned City Clerk of Sioux City, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of said Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of said agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by said law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in said proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of said Municipality hereto affixed this 5<sup>TH</sup> day of MAY, 2014.



  
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City Clerk, Sioux City, Iowa

### CERTIFICATION TO WOODBURY COUNTY RECORDER

We hereby certify that attached hereto is a true and correct copy of Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan and the Resolution adopting same for the Combined Floyd River Urban Renewal Area, of the City of Sioux City, Iowa, the original of which is on file in the records of the undersigned City Clerk.

Dated this 5<sup>TH</sup> day of MAY, 2014

By:



Lisa L. McCardle  
City Clerk

By:



Robert E. Scott  
Mayor



**AMENDMENT NO. 1**

**TO THE**  
**AMENDED AND RESTATED**  
**COMBINED FLOYD RIVER URBAN RENEWAL PLAN**

**FOR THE**  
**COMBINED FLOYD RIVER URBAN RENEWAL AREA**

**CITY OF SIOUX CITY, IOWA**

## **AMENDMENT NO. 1**

### **AMENDED AND RESTATED COMBINED FLOYD RIVER URBAN RENEWAL PLAN CITY OF SIOUX CITY, IOWA**

The Amended and Restated Combined Floyd River Urban Renewal Plan ("Plan") for the Combined Floyd River Urban Renewal Area ("Area" or "Urban Renewal Area"), originally adopted October 13, 1986 pursuant to Resolution No. 86/T-4985 and amended as set out in **Exhibit A** attached hereto and incorporated by this reference, is being further amended to add and/or confirm a proposed project to be undertaken within the Urban Renewal Area ("Amendment"). No land is being added to the Area by this Amendment.

Except as modified by this Amendment, the provisions of the Amended and Restated Combined Floyd River Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control.

#### **PROPOSED URBAN RENEWAL PROJECTS**

The following new subsection (e) to Section G (1) is added to the Plan as follows:

##### **G. Urban Renewal Projects**

###### **1. Public Improvements**

- (e) The City has designated the following improvement projects through its Capital Improvement Program Budget and subsequent amendments for Fiscal Year 2015: Reconstruction of Dace Avenue/Cunningham Drive/Leech Avenue Intersection.

#### **DEBT**

|    |   |               |
|----|---|---------------|
| 1. | July 1, 2014 constitutional debt limit:   | \$193,629,706 |
| 2. | Outstanding general obligation debt:  | \$127,815,349 |
| 3. | Proposed amount of indebtedness to be incurred: It is estimated that the cost of the proposed infrastructure and improvements as described above will be approximately as follows: <ul style="list-style-type: none"><li>• Reconstruction of Dace Avenue/Cunningham Drive/Leech Avenue Intersection</li></ul> | \$250,000.00  |

#### **PROPERTY ACQUISITION/DISPOSITION**

The City will follow any applicable requirements for the acquisition and disposition of property.

#### **URBAN RENEWAL PLAN AMENDMENTS**

The Plan may be amended from time to time for a variety of reasons, including but not limited to, adding or deleting land, adding urban renewal projects, or to modify goals or types of



renewal activities. The City Council may amend this Plan in accordance with applicable state law.

#### **EFFECTIVE DATE**

This Urban Renewal Plan Amendment No. 1 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council, and the use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, will be consistent with Chapter 403 of the Iowa Code.

#### **REPEALER**

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

#### **SEVERABILITY CLAUSE**

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or the previous amendments to the Plan, or any part of the Plan not determined to be invalid or unconstitutional.

## **EXHIBIT A**

### **AMENDED AND RESTATED COMBINED FLOYD RIVER URBAN RENEWAL PLAN HISTORY**

By virtue of Resolution No. 2013-0876, passed and approved on the 25<sup>th</sup> day of November, 2013 the City Council of the City of Sioux City, Iowa, approved and adopted the Amended and Restated Combined Floyd River Urban Renewal Plan.

Amendment #2 to the Amended and Restated Urban Renewal Plan  
for the Combined Central Business District Urban Renewal Project Area  
AND,  
Amendment No. 1 to the Amended and Restated Urban Renewal Plan  
for the Combined Floyd River Urban Renewal Area  
AND,  
Amendment No. 1 to the Amended and Restated Urban Renewal Plan  
for the Donner Park Urban Renewal Area  
Consultation Meeting  
April 1, 2014  
3:30 p.m.

Present:

Chris Madsen, City Staff  
Donna Forker, City Staff  
Amber Hegarty, City Staff  
Marty Dougherty, City Staff  
Amy Walker, City Staff  
Dennis Butler, Woodbury County  
Denise Patterson, Sergeant Bluff School District

Absent:

An overview of the Central Business District (CBD) TIF, Combined Floyd River TIF, and Donner Park TIF were discussed. The proposed Amendments are for items in the Fiscal Year 2015-2019 approved Capital Improvements Program (CIP). These amendments allow for spending on the projects. All items are infrastructure related, except for the Sabre project, which assists with the purchase of land from the Airport. The Skywalk project is in regards to repairs, and the Museum project is for façade enhancement.

Denise Patterson of the Sergeant Bluff School District asked if the Amendments would change TIF releases. Donna replied that these would not.

Meeting ended 3:36 p.m.

Respectfully submitted,

Chris Madsen  
Planner

1. The Regular Meeting of the City Council was held at 4:00 p.m. The following Council Members were present on call of the roll: Capron, Groetken, Moore, Radig and Scott. Absent: None.

Other staff members present included: Robert Padmore, City Manager; Nicole Jensen-Harris, City Attorney; and Sarah Swearingen, Deputy City Clerk.

Mayor Scott read one proclamation promoting May 2014 as Mental Health Awareness Month; Art Silva and Aaron Beutler, Boys and Girls Home, accepting.

2. The Council interviewed the following applicants for positions on their respective City Council appointed Boards, Commissions and Committees: Francis Palmersheim and Tim Seaman, Cone Park Advisory Committee; Richard Salem, Effective Fiscal and Public Policy Committee; Alexcia Boggs, Parking and Skywalk System Board of Trustees.

### **CONSENT AGENDA**

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

3. Reading of the City Council minutes of April 17 and 21, 2014

**Scott abstained on the minutes of April 21, 2014.**

**Reading of the minutes of April 17 and 21, 2014, was waived and as part of the consent agenda the minutes were approved as presented.**

4. HISTORIC PEARL - Resolution rejecting all bids received for the proposed construction of the Historic Pearl District Alley Reconstruction Project - Phase II, ordering the return of all bid bonds and directing staff to rebid the project. **2014-0247**

Jade Dundas, Assistant City Manager - Public Works, provided information on the item.

5. ACTION PLAN - Resolution approving the FY 2014 Annual Action Plan for the Sioux City Consortium in conjunction with the Community Development Block Grant Program and the HOME Investment Partnership Program and authorizing and directing the City Manager to execute the necessary and required applications, assurances and certifications in connection with said program. **2014-0248**

6. ACTIONS RELATING TO STREET CLOSURES

- A. MORNINGSIDE DAYS PARADE - Resolution temporarily closing Morningside Avenue from South Lakeport Street to Peters Avenue and Peters Avenue from Morningside Avenue to South Paxton Street on May 15, 2014 beginning at 5:30 p.m. and ending at 7:30 p.m. and restricting travel to local traffic only on Morningside Avenue from South Lemon Street to South Lakeport Street to and including the side streets north of Morningside Avenue from Morningside Avenue to Orleans Avenue on South Palmetto Street, South Cedar Street and South Lemon Street and the side streets south of Morningside Avenue from Morningside Avenue to 4th Avenue on South Palmetto Street, South Cedar Street and South Lemon Street to accommodate the Morningside Days Parade.

**2014-0249**

- B. FALLEN OFFICER CEREMONY - Resolution temporarily closing Douglas Street from 6th Street to 7th Street beginning at 9:00 a.m. and ending at 1:00 p.m. May 12, 2014 in recognition of local police officers killed in the line of duty.

**2014-0250**

7. HUMAN RIGHTS - Motion approving the annual performance evaluation for the Human Rights Director.

**2014-0251**

8. ACTIONS ADOPTING CONSTRUCTION DOCUMENTS

- A. JAY AVENUE - Resolution adopting plans, specifications and form of contract for the proposed construction of the Jay Avenue Reconstruction Project.

**2014-0252**

Jade Dundas, Assistant City Manager - Public Works, provided information on the item.  
Jerry Moore, 1207 S Cecelia St, spoke on the item.

- B. MYRTLE STREET - Resolution adopting plans, specifications and form of contract for the proposed construction of the Myrtle Street Reconstruction Project. (West 21st Street to the 2500 block of Myrtle Street, including West 23rd Street)

**2014-0253**

Jade Dundas, Assistant City Manager - Public Works, provided information on the item.  
Jerry Moore, 1207 S Cecelia St, spoke on the item.

9. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS

- A. FARM LEASE - Resolution authorizing the City Manager to execute annual farm lease agreements for the harvesting of hay and brome grass on City property during farming season.

**2014-0254**

- B. HOWARD R. GREEN - Resolution approving an Engineering Services Agreement with Howard R. Green of Sioux Falls, South Dakota, in an amount not to exceed \$38,980 for environmental work required for the site certification of Bridgeport West and 27 Flags Industrial Development Site. **2014-0255**
- C. IDOT/BNSF - Resolution authorizing and approving three agreements with the Iowa Department of Transportation and Burlington Northern Santa Fe (BNSF) Railway Company for the FY 2015 Grade Crossing Surface Repair Program in an amount not to exceed \$72,464.06. **2014-0256**

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

- D. FIBERCOMM - Resolution granting a permit to FiberComm of Sioux City, Iowa, to own, operate and maintain underground cable from an existing vault at the southwest corner of Singing Hills Boulevard and Stadium Drive easterly along the south right-of-way for a distance of approximately 4,300 feet to 4425 Singing Hills Boulevard with said construction to include a spur route that will continue north approximately 500 feet along the right-of-way of Line Drive to 3601 and 3701 Singing Hills Boulevard and a second spur that will proceed north approximately 1,026 feet along a utility easement to 4301 Singing Hills Boulevard. **2014-0257**
- E. FIBERCOMM - Resolution granting a permit to FiberComm of Sioux City, Iowa, to own, operate and maintain underground cable in the alley right-of-way from an existing vault in the north/south alley behind 814 Pierce Street an approximate distance of 400 feet east to a new vault located at 820 Nebraska Street. **2014-0258**
- F. FIBERCOMM - Resolution granting a permit to FiberComm of Sioux City, Iowa, to own, operate and maintain underground cable from the an existing fiber vault on the north side of Indian Hills Drive south approximately 500 feet to 1800 Indian Hills Drive. **2014-0259**
- G. FIBERCOMM - Resolution granting a permit to FiberComm of Sioux City, Iowa, to own, operate and maintain underground cable from an existing vault on Southern Hills Drive northwesterly along the right-of-way for a distance of approximately 990 feet to 4400 Sergeant Road; thence continuing northwesterly along the same right-of-way for a distance of 1,950 feet to 4280 Sergeant Road; thence proceeding approximately 3,110 feet northeasterly along South Lakeport Street right-of-way to 4545 Sergeant Road. **2014-0260**

Jade Dundas, Assistant City Manager - Public Works, provided information on the item.

- H. VERIZON WIRELESS - Resolution authorizing and approving a First Amendment to Water Tower Lease Agreement and First Amendment to Memorandum of Water Tower Lease Agreement between the City of Sioux City, Iowa and Sioux City MSA Limited Partnership d.b.a. Verizon Wireless in connection with the Indian Hills Water Tower located at 4201 Cheyenne Boulevard. **2014-0261**

- I. JEO CONSULTING - Resolution approving Amendment No. 2 to the Professional Services Agreement with JEO Consulting, Inc. of Omaha, Nebraska, in an amount not to exceed \$2,250 for additional construction phase services and fee reimbursement for Iowa Department of Public Health review in connection with the Leif Erikson Pool Filter Project. **2014-0262**

Angel Wallace, Parks and Recreation Manager, provided information on the item.

- J. JEO CONSULTING - Resolution approving Amendment No. 2 to the Engineering Services Agreement with JEO Consulting Group, Inc. for additional construction engineering services in connection with the Myrtle Street Reconstruction Project, West 21st Street to West 25th Street and West 23rd Street Water Main Project in an amount not to exceed \$152,288. **2014-0263**

Jade Dundas, Assistant City Manager - Public Works, provided information on the item.  
Jerry Moore, 1207 S Cecelia St, spoke on the item.

- K. UNITED COMMERCIAL - Resolution approving an agreement appointing exclusive right to sell or exchange real estate with United Commercial Real Estate, LLC to market city-owned lots in the Northern Valley Crossing Development. (Southeast corner of Floyd Boulevard and Outer Drive)

**2014-0264**

#### 10. ACTIONS AUTHORIZING THE ISSUANCE OF CHECKS

- A. D.A. DAVIS - Resolution accepting the work and authorizing final payment to D.A. Davis Co., Inc. of South Sioux City, Nebraska, for the South Lafayette Street and I-29 Sanitary Sewer Interceptor Project in conjunction with the Revitalize Iowa's Sound Economy Program (RISE) RM-7057(673)-9D-97, EDA Award No. 05-79-05141, and DNR Project S2012-0080, SRF CS1920647 01, Permit No. 2012-0413S. **2014-0265**

**Scott abstained on the item.**

- B. ESA - Resolution accepting the work, and authorizing final payment to ESA, Inc. of North Sioux City, South Dakota, for asbestos abatement at 222 South Floyd Boulevard. **2014-0266**

## **11. ACTIONS RELATING TO PROPERTY**

- A. **SHORE DRIVE** - Resolution proposing to sell certain real property. (All that part of vacated Shore Drive adjacent to 1725 Nash Street) (Petitioner: Brenda L. Collins) (Purchase Price: \$500 plus costs) **2014-0267**
- B. **WEST 7TH STREET** - Resolution approving and accepting a Quit Claim Deed from Dennis Supply Company to the City in consideration of mutual benefits and dedicating said property as alley right-of-way. (The northeast 2 feet of the property commonly known as 300 West 7th Street) **2014-0268**
- C. **INDIANA AVENUE** - Resolution proposing to sell certain real property. (Vacated north/south alley adjacent to a portion of property commonly known as 3409 Indiana Avenue) (Petitioner: The Sioux City Community School District, in the Counties of Woodbury and Plymouth, State of Iowa) (Purchase Price: \$2,462.40 plus costs) **2014-0269**

**Moore abstained on the item.**

- D. **RED BERTRAND COURT** - Resolution approving the Housing Enterprise Zone Application of Grants Addition and authorizing its submission to the Iowa Economic Development Authority in connection with the construction of four townhomes on Red Bertrand Court. **2014-0270**

## **12. APPLICATIONS FOR BEER AND LIQUOR LICENSES**

- A. **CLASS "B" BEER PERMIT**
  - 1. Chuck E. Cheese's, 4400 Sergeant Road No. 536 (Renewal)
- B. **CLASS "C" BEER PERMIT**
  - 1. Sam's Club, 4201 South York Street (Renewal)
  - 2. Kum & Go, 2626 Court Street (Renewal)
  - 3. Kum & Go, 1031 Morningside Avenue (Renewal)
  - 4. Kum & Go, 1401 Court Street (Renewal)
  - 5. Kum & Go, 2930 Gordon Drive (Renewal)
- C. **CLASS "C" LIQUOR LICENSE**
  - 1. Paxton Street Tavern, 2110 South Paxton Street (05/17/14-05/18/14 Temporary Outdoor)
  - 2. Sneaky's Lounge, 3711 Gordon Drive (Renewal)
  - 3. Tyson Events Center/Long Lines Family Center, 401 Gordon Drive (05/09/14 Temporary Outdoor)
  - 4. Tom Foolery's, 1008 4th Street (05/07/14-11/07/14 New 6 Month)
  - 5. Bergie's Bar, 215 4th Street (05/10/14-05/11/14 Temporary Outdoor)
- D. **CLASS "E" LIQUOR LICENSE**
  - 1. Sam's Club, 4201 South York Street (Renewal)
- E. **CLASS "B" WINE PERMIT**
  - 1. Sam's Club, 4201 South York Street (Renewal)
  - 2. Kum & Go, 2626 Court Street (Renewal)
  - 3. Kum & Go, 1031 Morningside Avenue (Renewal)



4. Kum & Go, 1401 Court Street (Renewal)
5. Kum & Go, 2930 Gordon Drive (Renewal)

13. RECEIPT OF BOARD, COMMISSION AND COMMITTEE MINUTES:

- A. Environmental Advisory Board - March 13, 2014
- B. Mayor's Youth Commission - February 24, March 3 and 17, 2014
- C. Parking and Skywalk System Board of Trustees - April 23, 2014
- D. Planning and Zoning Commission - April 8 and 22, 2014
- E. Sioux City Sports Commission - April 16, 2014
- F. Transit System Advisory Board - April 9, 2014

- End of Consent Agenda -

HEARINGS

14. Hearing and Resolution approving plans, specifications, and form of contract for construction of the 4th Street and Hoeven Street Patch Project. **2014-0271**

**No protests were received. The hearing was closed and proposed resolution adopted on motion by Scott, seconded by Moore; all voting aye.**

15. Hearing and Resolution determining an area of the City to be a blighted area and economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for an urban renewal project; and adopting Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan for the Combined Floyd River Urban Renewal Area. (Reconstruction of Dace Avenue/Cunningham Drive/Leech Avenue Intersection) **2014-0272**

**No protests were received. The hearing was closed and proposed resolution adopted on motion by Scott, seconded by Radig; all voting aye.**

16. Hearing and Resolution determining an area of the City to be a blighted area and economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for an urban renewal project; and adopting Amendment No. 1 to the Amended and Restated Donner Park Urban Renewal Plan for the Donner Park Urban Renewal Area. (Harbor Drive/Lewis Boulevard Water Main Upsize, Southbridge Rail Project and Sabre Industries, Inc.) **2014-0273**

**No protests were received. The hearing was closed and proposed resolution adopted on motion by Scott, seconded by Radig; all voting aye.**

17. Hearing and Resolution determining an area of the City to be a blighted area and economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for an urban renewal project; and adopting Amendment No. 2 to the Amended and Restated Combined Central Sioux City - CBD Urban Renewal Plan for the Combined Central Sioux City -CBD Urban Renewal Area. (Skyway Improvements, Historic Pearl District Improvements and Museum Building Refurbishment) **2014-0274**

**No protests were received. The hearing was closed and proposed resolution adopted on motion by Scott, seconded by Radig; all voting aye.**

18. Resolution electing classifications and procedures for proposed bond projects. **2014-0275**

Amy Walker, City Treasurer, provided information on the item. Jerry Moore, 1207 S Cecelia St, spoke on the item.

**Motion by Scott, seconded by Radig, to adopt the proposed resolution; all voting aye.**

19. Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$5,300,000 General Obligation Bonds (for Essential Corporate Purposes) of the City of Sioux City, State of Iowa, and providing for publication of notice thereof. **2014-0276**

**Motion by Scott, seconded by Moore, to adopt the proposed resolution; all voting aye.**

20. Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$1,000,000 of General Obligation Bonds (for General Corporate Purposes) and providing for publication of notice thereof. **2014-0277**

**Motion by Capron, seconded by Scott, to adopt the proposed resolution; all voting aye.**

21. Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$800,000 of General Obligation Bonds (for General Corporate Purposes) and providing for publication of notice thereof. **2014-0278**

**Motion by Scott, seconded by Radig, to adopt the proposed resolution; all voting aye.**

22. Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$450,000 of General Obligation Bonds (for General Corporate Purposes) and providing for publication of notice thereof. **2014-0279**

**Motion by Scott, seconded by Radig, to adopt the proposed resolution; all voting aye.**

23. Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$2,800,000 General Obligation Bonds (for Essential Corporate Urban Renewal Purposes) of the City of Sioux City, State of Iowa, and providing for publication of notice thereof. **2014-0280**

**Motion by Scott, seconded by Moore, to adopt the proposed resolution; all voting aye.**

### **ORDINANCES**

24. Ordinance amending Sioux City Municipal Code Chapter 4.56 entitled "Sales Regulations and Transients Merchants" by setting hours of operation on garage, basement or yard sales; Chapter 8.68 entitled "Noise Control" to amend an incorrect code section referenced in the definition of public loudspeakers; Chapter 8.72 entitled "Nuisances" to remove gambling devices as nuisances; and Chapter 12.12 entitled "Waterworks" by eliminating the charges for connections to automatic fire sprinklers.

Amber Hegarty, Assistant City Attorney, provided information on the item. Jerry Moore, 1207 S Cecelia St, spoke on the item.

**The ordinance was considered on motion by Scott, seconded by Moore, to pass first consideration; Capron, Groetken, Moore and Scott voting aye; Radig voting nay.**

### **RECOMMENDATIONS OF PLANNING AND ZONING**

25. Hearing and Ordinance adopting a Modified Site Plan for 3701 Singing Hills Boulevard. (Area zoned BG-C (General Business Zone -Planned Commercial Overlay)). (Petitioner: (H & R Construction (Nathan Herbst)) The Planning and Zoning Commission recommends approval of this item. (File No. 2014-0024)

Cindy O'Neill, Planning and Zoning Commission Chair; Jade Dundas, Assistant City Manager - Public Works; Chris Madsen, City Planner; and Glenn Ellis, City Engineer; provided information on the item. Kirk Ivener, 1201 46th St; Bryan Wells, DGR, 6115 Whispering Creek Dr; and Nathan Herbst, 307 E 39th St, South Sioux City, Nebraska; spoke on the item.

**Motion by Scott, seconded by Radig, to close the hearing and pass first consideration of the ordinance; Capron, Groetken, Moore and Radig voting aye; Scott voting nay.**

26. Hearing and Ordinance rezoning 1403 and 1409 Myrtle Street and 1201 West 14th Street from Zone Classification RG-50 (General Residence Zone, 5,000 sq. ft. per unit minimum) to Zone Classification BN (Neighborhood Business Zone). (Petitioner: Lea Knowles) The Planning and Zoning Commission recommends approval of this item. (File No. 2014-0018) **(First Consideration passed April 21, 2014)** **2014-0281**

**Motion by Scott, seconded by Radig, to close the hearing and pass second consideration of the ordinance; all voting aye.**

**On motion by Scott, seconded by Radig, all voting aye; the Statutory Rule requiring that an ordinance be considered at three separate meetings was suspended. On motion by Scott, seconded by Moore, the ordinance passed third consideration; all voting aye.**

27. Hearing and Ordinance rezoning 5113 Old Lakeport Road from Zone Classification RE (Residential Estate Zone, 1 acre per unit minimum) to Zone Classification RS-70 (Single Family Residential Zone, 7,000 sq. ft. per unit minimum). (Petitioner: Terry Gilligan) The Planning and Zoning Commission recommends approval of this item. (File No. 2014-0022) **(First Consideration passed April 21, 2014)** **2014-0282**

**Motion by Scott, seconded by Radig, to close the hearing and pass second consideration of the ordinance; all voting aye.**

**On motion by Radig, seconded by Scott, all voting aye; the Statutory Rule requiring that an ordinance be considered at three separate meetings was suspended. On motion by Radig, seconded by Scott, the ordinance passed third consideration; all voting aye.**

28. Hearing and Ordinance adopting a Modified Site Plan for 111 3rd Street. (Area Zoned HC-2 -COD (Historic Commercial -Casino Overlay District)) (Petitioner: Sioux City Entertainment) The Planning and Zoning Commission recommends approval of this item. (File No. 2014-0028)

Cindy O'Neill, Planning and Zoning Commission Chair; and Chris Madsen, City Planner; provided information on the item. John Durham, 401 Douglas St, spoke on the item.

**Motion by Scott, seconded by Capron, to close the hearing and pass first consideration of the ordinance; Capron, Groetken, Radig and Scott voting aye; Moore abstaining.**

**Moore exited the meeting at 5:05 p.m. and returned at 5:07 p.m.**

29. Resolution accepting and approving the Final Plat for "Replat of Lots 1, 2 and 3, Whispering Creek, an addition to Sioux City, Woodbury County, Iowa". The Planning and Zoning Commission recommends approval of this item. (File No. 2014-0029) **2014-0283**

Cindy O'Neill, Planning and Zoning Commission Chair, provided information on the item.

**Motion by Scott, seconded by Capron, to adopt the proposed resolution; all voting aye.**

### **DISCUSSION**

30. Resolution amending Resolution No. 2014-0061 relating to the Hearing on Manager's report on demolition of and Resolution declaring a certain structure to be dangerous or dilapidated as defined by the Municipal Code and authorizing the City Manager to carry out such order to demolish said structure by authorizing a 90 day delay in demolition. (Address: 5116 Glenn Avenue) (Property Owner: Netha Wise)

Jeff Hanson, Community Development Operations Manager; and Justin Vondrak, Assistant City Attorney; provided information on the item. Netha and Bryan Wise, 5116 Glenn Ave, property owners; Stan Sorokowski, 3732 S Lakeport St; Dean Bradham, 2604 S St Aubin St; Dennis Allen, 1422 Lansdown Ave; and Bill Nice, 2516 S Cypress St; spoke on the item.

**Motion by Groetken, seconded by Radig, to defer this item to June 9, 2014; all voting aye.**

### **PRESENTATION**

31. Riverside Park Soccer Complex Reconstruction Improvements Project.

Jade Dundas, Assistant City Manager - Public Works, provided information on the item. Siouxland Soccer Foundation Representatives: Jason Glover, President; Heather Freebern, Secretary; Scott Barber, Sioux City Strikers Representative; and Eric Gilbertson, Treasurer; spoke on the item.

### **32. CITIZEN CONCERNS**

Jerry Moore, 1207 S Cecelia St, spoke about the possibility of a reduced rate for senior citizens on fixed incomes for franchise fees and water line insurance.

Dean Bradham, 2604 S St Aubin St, spoke on red light camera revenue and safety issues.

### 33. COUNCIL CONCERNS

Mayor Scott asked about status of the water line insurance program, stating he would like the item to be brought to the May 12, 2014 City Council Meeting.

Capron wished Mayor Scott and Councilman Moore a Happy Birthday.

Moore stated the Council and City Staff are concerned about businesses on Gordon Dr and Singing Hills Blvd during the construction. Jade Dundas, Assistant City Manager - Public Works, reminded business owners to contact the Public Works Office at 279-6222 if they have any questions or concerns. Dundas stated monthly meetings are held with the Iowa DOT and Chamber of Commerce with the next Gordon Dr Meeting held on Wednesday, May 7th at 4:00 p.m. at the Chamber of Commerce.


Radig spoke about FEMA flood insurance and asked if it was possible to offer a City insurance policy for the properties in Leeds, using the funds from the policies to provide the infrastructure needed to get the properties out of the flood zone. Radig would also like an inventory on gravel streets in the City including: street names, number of blocks, man hours used to maintain and money spent on gravel each year; stating it may be more beneficial in the long run to replace gravel with asphalt with assessments to property owners on those streets.

Radig reported a large pothole at the Pierce St intersection with Stone Park Blvd and 27th St.

### 34. ADJOURNMENT

**There being no further business, the meeting was adjourned at 6:23 p.m., on motion by Scott, seconded by Radig; all voting aye.**

ATTEST:

  
Lisa L. McCardle, City Clerk

  
Robert E. Scott, Mayor

*City Council minutes are available on the Internet at [www.siuux-city.org](http://www.siuux-city.org).*

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