



NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA

City Council agendas are also available on the Internet at www.siox-city.org.

You are hereby notified a meeting of the City Council of the City of Sioux City, Iowa, will be held April 10, 2017, 4:00 p.m., local time, in the City Council Chambers, 5th Floor, City Hall, 405 6th Street, Sioux City, Iowa, for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Council.

This is a formal meeting during which the Council may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Council for speakers:

1. Anyone may address the Council on any agenda item.
2. Speakers should approach the microphone one at a time and be recognized by the Mayor.
3. Speakers should give their name, spell their name, give their address, and then their statement.
4. Everyone should have an opportunity to speak. Therefore, please limit your remarks to **three minutes on any one item**.
5. At the beginning of the discussion on any item, the Mayor may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under 'Citizen Concerns'.
7. For the benefit of all in attendance, please turn off all cellular phones and other communication devices while in the City Council Chambers.

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1. Call of the roll - Silent prayer and Pledge of Allegiance to the Flag - Proclamations
 2. Interviews for City Council appointed Boards, Commissions and Committees.
 - A. Effective Fiscal and Public Policy Committee - Michael Bayala
 - B. Events Facilities Advisory Board - Heidi Connelly
 - C. Human Rights Commission - Richard Moore and Jay Rosenberg
 - D. Senior Advisory Committee - Jean Carlson

CONSENT AGENDA

Items 3 through 13D constitute a Consent Agenda. Items pass unanimously unless a separate roll call vote is requested by a Council Member.

3. Reading of the City Council minutes of April 3 and 4, 2017. ([REGULAR](#); [CLOSED](#); AND [JOINT](#))
4. [BOA](#) - Motion acknowledging Board of Adjustment actions of March 28, 2017.
5. [DPC INDUSTRIES](#) - Resolution awarding a purchase order to DPC Industries in the amount of \$0.8975 per gallon for the purchase of sodium hypochlorite solution for the Water Treatment Plant. (Bid #244153)

6. RISE - Resolution approving and supporting the submission of a grant application to the Iowa Department of Transportation for the Revitalize Iowa's Sound Economy (RISE) Program for the construction of various road improvements in the Bridgeport and Bridgeport West Industrial Parks related to the Seaboard Triumph Foods Pork Processing Plant Project.
7. ACTIONS ADOPTING CONSTRUCTION DOCUMENTS
 - A. AIRPORT - Resolution adopting plans, specifications, form of contract and estimated cost for the proposed construction of the Asphalt Seal Coating Project (Project No. 6910-749-108) at the Sioux Gateway Airport/Col. Bud Day Field.
 - B. GORDON DRIVE - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the Gordon Drive and 158th Street Traffic Signal Project. (Project No. 6839-139-018)
8. ACTIONS RELATING TO BONDS
 - A. GO BONDS - Resolution electing classifications and procedures for proposed bond projects.
 - B. GO BONDS - Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$15,250,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for essential corporate purposes), and providing for publication of notice thereof. (ECP-1)
 - C. GO BONDS - Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$1,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof. (GCP-2)
 - D. GO BONDS - Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$1,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof. (GCP-3)
 - E. GO BONDS - Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$1,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof. (GCP-4)
 - F. GO BONDS - Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$1,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof. (GCP-5)
 - G. GO BONDS - Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$400,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof. (GCP-6)

- H. GO BONDS - Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$3,000,000 General Obligation Urban Renewal Bonds of the City of Sioux City, State of Iowa (for essential corporate urban renewal purposes), and providing for publication of notice thereof. (ECP/UR-7)

9. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS

- A. HOME - 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.
- B. DGR ENGINEERING - Resolution approving Amendment No. 1 to the Consulting Services Agreement with DeWild Grant Reckert and Associates Company d.b.a. DGR Engineering of Sioux City, Iowa for additional design services related to the east portion of the main parking lot and concourse area in an amount not to exceed \$80,000 for the Lewis and Clark Park – Facility Upgrades. (1300 Line Drive)

10. ACTIONS AUTHORIZING THE ISSUANCE OF CHECKS

- A. RP CONSTRUCTORS - Resolution accepting the work and authorizing final payment to RP Constructors, LLC for the 19th Street and Pierce Street Emergency Storm Sewer Repairs Project. (Project No. 6885-549-101)
- B. LESSARD - Resolution accepting the work of Lessard Contracting, Inc for the construction of the Sanitary Sewer from just west of Hamilton Boulevard on Zenith Drive, east to Myrtle Street Project. (Project No. IM-NHS-29-7(55)149—03-97)

- 11. TOTAL CHECKS - Approve total checks issued for the reporting period of March 2017, in the amount of \$8,417,136.85.

12. APPLICATIONS FOR BEER AND LIQUOR LICENSES

A. ON-PREMISE SALES

- 1. CLASS C LIQUOR LICENSE (Commercial, beer, wine carry-out)
 - A. 21st Amendment, 1008 4th Street (Renewal)
 - B. Bamboozie Drydock, 1805 Council Oak Drive (Renewal)
 - C. Blue Ribbon Tap, 415 Pearl Street (Renewal)
 - D. JT's Pub, 1742 Riverside Boulevard (Renewal)
 - E. La Fiesta Charra, 3079 Floyd Boulevard (Renewal)
 - F. Marty's Tap, 1306 Court Street (Renewal)
 - G. Paxton Street Tavern, 2110 South Paxton Street (04/21/17-04/23/17 Temporary Outdoor)
 - H. Paxton Street Tavern, 2110 South Paxton Street (04/28/17-04/30/17 Temporary Outdoor)

- I. Paxton Street Tavern, 2110 South Paxton Street (05/05/17-05/07/17 Temporary Outdoor)
- J. Paxton Street Tavern, 2110 South Paxton Street (05/12/17-05/14/17 Temporary Outdoor)
- K. Paxton Street Tavern, 2110 South Paxton Street (05/19/17-05/21/17 Temporary Outdoor)
- L. Paxton Street Tavern, 2110 South Paxton Street (05/26/17-05/28/17 Temporary Outdoor)
- M. Paxton Street Tavern, 2110 South Paxton Street (06/02/17-06/04/17 Temporary Outdoor)
- N. Paxton Street Tavern, 2110 South Paxton Street (06/09/17-06/11/17 Temporary Outdoor)
- O. Paxton Street Tavern, 2110 South Paxton Street (06/16/17-06/18/17 Temporary Outdoor)
- P. Steinbeck's Pub, 3929 Floyd Boulevard (Renewal)
- Q. Uncle Dave's Neighborhood Pub, 1427 West 3rd Street (Renewal)

13. **BOARD, COMMISSION AND COMMITTEE MINUTES**

- A. Board of Adjustment - March 28, 2017
- B. Parking and Skywalk System Board of Trustees - March 22, 2017
- C. Parks and Recreation Advisory Board - March 8, 2017
- D. Planning and Zoning Commission - March 28, 2017

- End of Consent Agenda -

RECOMMENDATIONS OF PLANNING AND ZONING

- 14. Hearing and Ordinance adopting a site plan for a portion of Wesley Parkway right of way adjacent to 23 West 3rd Street. (Area Zoned GC (General Commercial)) (Petitioner: FiberComm) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0008)
- 15. Hearing and Ordinance adopting a site plan for a portion of Pierce Street right-of-way adjacent to 117 Pierce Street. (Area Zoned GC (General Commercial)) (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0014)
- 16. Hearing and Ordinance adopting a site plan for a portion of Glen Oaks Boulevard right-of-way adjacent to 3414 Glen Oaks Boulevard. (Area Zoned NC.5 (Neighborhood Conservation, 5,000 square feet per unit minimum)) (Petitioner: FiberComm) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0013)
- 17. Hearing and Ordinance adopting a site plan for a portion of Nebraska Street right-of-way adjacent to 3261 Nebraska Street. (Area Zoned NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum)) (Petitioner: FiberComm) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0012)

18. Hearing and Ordinance adopting a site plan for a portion of Indian Hills Drive right-of-way adjacent to 2307 Indian Hills Drive. (area zoned NC.2 (Neighborhood Conservation, 7,000 square feet per unit minimum)) (Petitioner: FiberComm) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0017)
19. Hearing and Ordinance adopting a site plan for a portion of Pierce Street right-of-way adjacent to 1821 Pierce Street. (Area Zoned MU (Mixed Use)) (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0010)
20. Hearing and Ordinance adopting a site plan for a portion of Nebraska Street right-of-way adjacent to 1320 Nebraska Street. (Area Zoned MU (Mixed Use)) (Petitioner: FiberComm) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0009)
21. Hearing and Ordinance adopting a site plan for a portion of Indian Hills Drive right-of-way adjacent to 4001 Indian Hills Drive. (Area Zoned PI (Public and Institutional)) (Petitioner: FiberComm) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0018)
22. Hearing and Ordinance adopting a site plan for a portion of Stadium Drive right-of-way adjacent to 4061 Stadium Drive. (Area Zoned GC (General Commercial)) (Petitioner: FiberComm) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0015)
23. Hearing and Ordinance adopting a site plan for a portion of Stadium Drive right-of-way adjacent to 3400 Line Drive. (Area Zoned PI (Public and Institutional)) (Petitioner: FiberComm) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0016)
24. Hearing and Ordinance adopting a site plan for a portion of 27th Street right-of-way adjacent to 512 27th Street. (Area Zoned GC (General Commercial)) (Petitioner: FiberComm) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0011)

HEARINGS

25. Hearing and Resolution approving proposal to sell certain real property and authorizing a city deed. (The north one-half of the vacated east/west alley abutting 510 W 20th Street) (Petitioner: Electronic Engineering) (Purchase price: \$584 plus costs)
26. Hearing and Resolution approving proposal to sell certain real property and authorizing a city deed. (The south one-half of the vacated east/west alley abutting 507 W 19th Street) (Petitioner: MaConn LLC) (Purchase price: \$584 plus costs)
27. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the Pierce Street Reconstruction. (24th Street to 29th Street) Project (Project No. 6809-719-133)

28. Hearing and Resolution approving construction documents for the Outer Drive North and Floyd Boulevard Trail Connection Project, Iowa Department of Transportation Project No. EDP-7057(688)-7Y-97. (City Project No. 6748-173-019)
29. Hearing and Resolution assessing a civil penalty of \$300 against Alohma Vapor Super Store d.b.a. Alohma Vapor Super Store, 4501 Southern Hills Drive, Sioux City, Iowa for violation of the Iowa cigarette laws.
30. CITIZEN CONCERNS
31. COUNCIL CONCERNS
32. ADJOURNMENT

City Council agendas are also available at www.siuox-city.org.

The City of Sioux City does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Individuals who need auxiliary aids for effective communication in programs and services of the City of Sioux City are invited to make their needs and preferences known to the ADA Compliance Officer, City Hall, 405 6th Street, Room 204, (712) 279-6259. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 2

FROM: Lisa L. McCardle, City Clerk
Heidi Farrens, Deputy City Clerk

SUBJECT: Interviews for City Council appointed Boards, Commissions and Committees:
Effective Fiscal and Public Policy Committee: Michael Bayala
Events Facilities Advisory Board: Heidi Connelly
Human Rights Commission: Richard Moore, Jay Rosenberg
Senior Advisory Committee: Jean Carlson

Reviewed By: ☒ Department Director ☒ Finance Department ☒ City Attorney ☒ City Manager

RECOMMENDATION:

Staff respectfully requests that Council interview the applicants listed for vacant positions on the applicable Board, Commission or Committee.

DISCUSSION:

Effective Fiscal and Public Policy Committee - currently 2 vacant positions.

Michael Bayala is reapplying for a position on the **Effective Fiscal and Public Policy Committee**; there are currently 3 vacant positions on the Committee as of December 31, 2016. Mr. Bayala has served a partial term on this Committee, this is the first time he served on one of the City Council appointed Boards, Commissions and Committees.

Below is a portion of the Vacancy Report pertinent to the **Effective Fiscal and Public Policy Committee**

Effective Fiscal and Public Policy Committee				
2 Vacancies:	NAME	Vacancy Information		EXPIRES
	Michael Bayala	Expired		12/31/16
	Adam Kirking	Expired		12/31/16
11 Members:	NAME	TERM (3 Year)	APPOINTMENT	EXPIRES
	Jim Johnson (TRC Pres)			
	Michael Bayala	Partial	08/04/14	12/31/16
	Adam Kirking	Partial	08/04/14	12/31/16
	Richard Storm	2nd	01/12/15	12/31/17
	Mark Tramontina	Partial	10/05/15	12/31/17
	Tom Baurichter	Partial	07/18/16	12/31/17
	Dick Pruehs	2nd	01/11/16	12/31/18

	Dee Davis	Partial	06/20/16	12/31/18
	Joseph Donovan	Partial	06/20/16	12/31/18
	Ann Brodersen	Partial	06/20/16	12/31/18
	Richard (Dick) Salem	1st	02/27/17	12/31/19
1 Applications:	NAME	Application Received	Interview date/Notes	App Expires
	Michael Bayala	12/28/16	04/10/17	06/28/18

Events Facilities Advisory Board - currently 1 vacant position.

Heidi Connelly has not previously served on any of the City Council appointed Boards, Commissions or Committees.

Below is a portion of the Vacancy Report pertinent to the **Events Facilities Advisory Board**:

Events Facilities Advisory Board				
1 Vacancies:	NAME	Vacancy Information		EXPIRES
	Alex Watters	Resigned 02/26/17		
11 Members:	NAME	TERM (3 Year)	APPOINTMENT	EXPIRES
	Irving Jensen, Jr (Orpheum Rep)			
	John Meyers (Orpheum Rep)			
	Bruce Miller (Media Rep)			
	Zena Berenstein	3rd	07/07/14	06/30/17
	Dave Madsen	1st	07/07/14	06/30/17
	Earl Miller	1st	09/15/14	06/30/17
	Eric Hoak	2nd	07/06/15	06/30/18
	Tim Seaman	3rd	07/06/15	06/30/18
	Tom Padgett	1st	07/06/15	06/30/18
	Todd Moyer	1st	08/08/16	06/30/19
	Alex Watters	1st	08/08/16	06/30/19
8 Applications:	NAME	Application Received	Interview date/Notes	App Expires
	Miles Patton Jr	04/15/16	06/06/16 03/27/17	10/15/17
	Heidi Connelly	02/22/17	06/06/16 04/10/17	08/22/18
	Robert Sabel	05/23/16	*Contact with next vacancy	11/23/17
	Theresa Brehm	05/23/16	06/13/16 04/03/17	11/23/17
	Lila Plambeck	06/28/16	07/11/16 03/27/17	12/28/17
	Kent Kolbe	10/24/16	03/27/17	04/24/18
	Doug Strohbeen	03/15/17	04/03/17	09/15/18
	Kevin Kjeldseth	03/21/17	03/27/17	09/21/18

Human Rights Commission - currently 1 vacant position.

Richard Moore has not previously served on any of the City Council appointed Boards, Commissions or Committees.

Jay Rosenberg has not previously served on any of the City Council appointed Boards, Commissions or Committees.

Below is a portion of the Vacancy Report pertinent to the **Human Rights Commission**

Human Rights Commission				
Human Rights Commission must be Gender Balanced				
1 Vacancy:	NAME	Vacancy Information		EXPIRES
	Jeremy Pigg	Resigned 02/03/17		06/30/17
11 Members:	NAME	TERM (3 Year)	APPOINTMENT	EXPIRES
	Jeremy Pigg	Partial	02/08/16	06/30/17
	Shirley McLeod	2nd	08/04/14	06/30/17
	Erika Worrell	1st	08/04/14	06/30/17
	Steele Welcher	1st	08/04/14	06/30/17
	Julie Berens	1st	08/03/15	06/30/18
	Jean Graham	1st	08/03/15	06/30/18
	Manuel Calamanco	Partial	10/24/16	06/30/18
	Scott Raasch	2nd	07/18/16	06/30/19
	James Anderson	2nd	07/18/16	06/30/19
	Tracy Everett	1st	07/18/16	06/30/19
	Patricia "Sue" Hartwell	1st	07/18/16	06/30/19
5 Applications:	NAME	Application Received	Interview date/Notes	App Expires
	Michael Schmitz-Hahn	01/13/16	01/25/16 No interview this time	07/13/17
	Hilda Pereda	05/16/16	06/20/16 No interview this time	11/16/17
	Tracy Winters	06/30/16	07/11/16 04/03/17	12/30/17
	Jay Rosenberg	03/15/17	04/10/17	09/15/18
	Rev Richard Moore	03/24/17	04/10/17	09/24/18

Senior Advisory Committee - currently 7 vacant positions on the newly-formed Committee.

Jean Carlson has not previously served on any of the City Council appointed Boards, Commissions or Committees.

Below is a portion of the Vacancy Report pertinent to the **Senior Advisory Committee**

Senior Advisory Committee				
7 Vacancies:	NAME	Vacancy Information		EXPIRES
7 Members:	NAME	TERM (3 Year)	APPOINTMENT	EXPIRES
				12/31/19
				12/31/19
				12/31/20
				12/31/20
				12/31/20
				12/31/21
				12/31/21
5 Applications:	NAME	Application Received	Interview date/Notes	App Expires
	Ann E. Brodersen	03/13/17	03/27/17	09/13/18
	Neil Peck	03/13/17	03/27/17	09/13/18
	Daniel Burrows	03/13/17	04/03/17	09/13/18
	James Chartier	03/17/17	03/27/17	09/17/18
	Jean Carlson	03/31/17	04/10/17	10/01/18

FINANCIAL IMPACT:

None.

RELATIONSHIP TO STRATEGIC PLAN:

Interviewing and appointing citizens to various Boards, Commissions, and Committees shows our effort to incorporate citizen input in Municipal Government.

Relates to **Progressive Leadership Vision** - We will use formal and informal methods to engage the Council, our employees, and our customers to promote enhanced organizational engagement and commitment to our shared vision; also relates to **Strategy** - Develop strong partnerships with our residents, visitor's and business community.

As stewards of the City of Sioux City we will strive to enhance connectivity with citizens and businesses – Encourage resident engagement within the community.

ALTERNATIVES:

Staff respectfully requests Council interview all Board, Commission and Committee applicants; Council may then choose to appoint or not to appoint each interviewee per their individual preference.

City Clerk's staff will collect preferences from Council after all applicants for each Board, Commission and Committee have interviewed and the expiration dates of the terms to be filled have passed.

ATTACHMENTS:
Applications



CITY OF SIOUX CITY, IOWA
APPLICATION FOR APPOINTMENT TO A CITY COUNCIL
APPOINTED BOARD, COMMISSION OR COMMITTEE

CITY CLERKS OFFICE

28 DEC '16 PM 1:39

CITY OF SIOUX CITY

Date 12/27/2016

BOARD, COMMISSION or COMMITTEE: EFFECTIVE FISCAL AND PUBLIC POLICY COMMITTEE

GENDER BALANCE - Section 69.16A of the Iowa Code requires gender balance on those City Boards and Commissions required or governed by state law unless the City has made a good faith effort for a period of three months to appoint a qualified person. This affects and includes: Airport Board of Trustees; Civil Service Commission; Human Rights Commission; Library Board of Trustees; and Planning and Zoning Commission.

GENERAL INFORMATION

Name Michael Bayala Phone Residence 712-212-3242
Home Address 2520 Court Street , Sioux City , IA.51104
Street City/State Zip
E-Mail Address bonyalabee@msn.com
Employer Self Phone Business 712-258-7494
Business Address 2619 Correctionville rd , Sioux City , IA.51106
Street City/State Zip Code

PLEASE ANSWER ALL OF THE FOLLOWING QUESTIONS:

Are you a Sioux City resident? **Yes** ☒ **No** ☐ How many years have you been a resident? 8years
Are you a registered voter? **Yes** ☒ **No** ☐
Have you reviewed the Ordinance or Resolution establishing the Board, Commission or Committee you are applying for? **Yes** ☒ **No** ☐ (If no, please contact the City Clerk's Office at 712.279.6313 to obtain a copy.)

SERVING ON A BOARD - Are you currently serving on any other City Council appointed Board, Commission or Committee? **Yes** ☒ **No** ☐ If **yes** list here: Effective Fiscal and Public Policy Committee

It is the general policy of the City to allow a person to serve on only one City Council appointed Board, Commission or Committee at any given time. If you answered **yes**, please explain why Council should make an exception to the general policy and allow you to serve on multiple Boards, Commissions or Committees:

Have you previously served on any other City Council appointed Board, Commission or Committee?
Yes ☒ **No** ☐ If **yes** list here: _____

COMMUNITY INVOLVEMENT - Please describe your past and present community involvement including voluntary, social, city, church, school, business, and/or professional associations you have been involved in and are applicable to this application. (Include dates of involvement and any offices or leadership positions held.)
Mt Zion Church , Scottish Rite , Freemasonry , Chamber of Commerce ,

STATE, COUNTY, or MUNICIPAL BOARDS or COMMISSIONS - List any you are presently serving on:
Effective Fiscal public Policy Commission

SPECIAL QUALIFICATIONS - Please list any special qualifications for serving on a City Council appointed Board, Commission or Committee including skills, training, licenses and certificates that are applicable:
Accountant , Business Owner , youth organizer , Educator , etc

INTEREST - State why you would like to volunteer to serve and what contributions you believe you can make:
Give back to the city of Sioux City

CONFLICT OF INTEREST - Chapters 362.5, 362.6, 403.16 and 403A.22 of the Code of Iowa describe potential conflicts of interest for City officials. A Disclosure of Interest Statement as well as the aforementioned Iowa Code has been attached to this application for your review. **If you have any questions regarding this issue please contact the City Attorney's Office at 712-279-6318.** Are you aware of any conflict of interest or potential conflict of interest that may prevent you from carrying out your responsibilities on this Board, Commission or Committee in the best interest of the City of Sioux City? If so, please describe:

PERSONAL REFERENCES - Please list 2 references, the City Council may contact your references:

Name: Asante Samuel
Address: 4217 Davis Ave
Sioux City ,IA.51106
Phone: 712-301-8369

Name: Linda Bayala
Address: 2520 Court Street
Sioux City ,IA.51104
Phone: 7125743630

I understand the role and responsibilities of membership on this City Council appointed Board, Commission or Committee and I am willing to serve. In applying for appointment I understand the City Council may make inquiries in the community pertinent to my appointment. I also understand that as a member of any Board, Commission or Committee I may be dismissed from the Board, Commission or Committee and or disqualified by the City Council as a candidate for the Board, Commission or Committee membership for making untrue or discriminatory statements about others, including members of protected classes.

If appointed, I am willing to attend the designated Board, Commission or Committee training. **Yes** ☒ **No** ☐

By typing my name in the box below I am offering my digital signature in lieu of my handwritten signature. I understand that my digital signature carries the same legal bindings as my handwritten signature.

Michael Bayala
/s/ _____
Signature

12/27/2016
Date _____

Applications are kept on file and active for 18 months from the date you file. A separate application must be completed for each Board, Commission or Committee on which you would consider serving. File applications with the City Clerk's Office, 1st floor, City Hall, 405 6th Street, Sioux City, Iowa, 51101; or mail to City Clerk's Office, P.O. Box 447, Sioux City, Iowa, 51102-0447; or email CityBoardsandCommissions@sioux-city.org. Thank you!



CITY OF SIOUX CITY, IOWA
APPLICATION FOR APPOINTMENT TO A CITY COUNCIL
APPOINTED BOARD, COMMISSION OR COMMITTEE

Date 2/22/17

BOARD, COMMISSION or COMMITTEE: EVENTS FACILITIES ADVISORY BOARD

GENDER BALANCE - Section 69.16A of the Iowa Code requires gender balance on those City Boards and Commissions required or governed by state law unless the City has made a good faith effort for a period of three months to appoint a qualified person. This affects and includes: Airport Board of Trustees; Civil Service Commission; Human Rights Commission; Library Board of Trustees; and Planning and Zoning Commission.

GENERAL INFORMATION

Name Heidi Connelly Phone Residence 712-253-3008

Home Address 397 Lakeshore Dr., McCook Lake, SD 57049

Street

City/State

Zip

E-Mail Address heidiconnelly1@gmail.com or heidi@kchev.com

Employer Knoepfler Chevrolet Phone Business 712-279-7145

Business Address 100 Jackson St., Sioux City, IA 51101

Street

City/State

Zip Code

PLEASE ANSWER ALL OF THE FOLLOWING QUESTIONS:

Are you a Sioux City resident? **Yes** ☐ **No** ☒ How many years have you been a resident? 7 years in the past

Are you a registered voter? **Yes** ☒ **No** ☐

Have you reviewed the Ordinance or Resolution establishing the Board, Commission or Committee you are applying for? **Yes** ☒ **No** ☐ (If no, please contact the City Clerk's Office at 712.279.6313 to obtain a copy.)

SERVING ON A BOARD - Are you currently serving on any other City Council appointed Board, Commission or Committee? **Yes** ☐ **No** ☒ If **yes** list here: _____

It is the general policy of the City to allow a person to serve on only one City Council appointed Board, Commission or Committee at any given time. If you answered **yes**, please explain why Council should make an exception to the general policy and allow you to serve on multiple Boards, Commissions or Committees:

Have you previously served on any other City Council appointed Board, Commission or Committee?

Yes ☐ **No** ☒ If **yes** list here: _____

COMMUNITY INVOLVEMENT - Please describe your past and present community involvement including voluntary, social, city, church, school, business, and/or professional associations you have been involved in and are applicable to this application. (Include dates of involvement and any offices or leadership positions held.)

Sioux City Growth Organization - 2014 to present - I serve on the Innovation Market Committee

Hopesprings Community of Faith - 2013 to present - I am very active in my church serving on the leadership committee known as the Core Team. I have been on the Core Team since October 2013. I also coordinate service events as well as volunteer at those service events with Hopesprings for The Warming Shelter, Opportunities Unlimited, Welcome Home and the Crittenton Center.

Convoy of Hope - I served as a Marketing Advisor for Convoy of Hope for 2013 and 2014.

STEMM - 2012 to present - I serve on the Auction Committee as the Head of Marketing/PR.

Downtown Partners Task Force - I am on a Task Force for Downtown Partners where I assist in marketing, advertising and social media efforts.

STATE, COUNTY, or MUNICIPAL BOARDS or COMMISSIONS - List any you are presently serving on:

None.

SPECIAL QUALIFICATIONS - Please list any special qualifications for serving on a City Council appointed Board, Commission or Committee including skills, training, licenses and certificates that are applicable:

My background includes: marketing, advertising, public relations, market research, event planning, social media marketing, media buying, website editing, etc.. I would be able to bring all of these skills to the Board to assist with any type of marketing that the Board or the City needs.

INTEREST - State why you would like to volunteer to serve and what contributions you believe you can make:

As a young professional living in the Siouxland area, I know the importance of having numerous entertainment options for people my age and of all ages. In order to retain younger people, we need to make Siouxland somewhere that people want to visit and plant their roots. I would provide input on what I feel would be popular entertainment. I would also ask other people in the community for their input, so that we could get a wide range of people's perspectives. I think my background in marketing and advertising would be of assistance in trying to promote these events and decide what would be great options for the target audience for each event.

CONFLICT OF INTEREST - Chapters 362.5, 362.6, 403.16 and 403A.22 of the Code of Iowa describe potential conflicts of interest for City officials. A Disclosure of Interest Statement as well as the aforementioned Iowa Code has been attached to this application for your review. **If you have any questions regarding this issue please contact the City Attorney's Office at 712-279-6318.** Are you aware of any conflict of interest or potential conflict of interest that may prevent you from carrying out your responsibilities on this Board, Commission or Committee in the best interest of the City of Sioux City? If so, please describe:

No.

PERSONAL REFERENCES - Please list 2 references, the City Council may contact your references:

Name: Joe Knoepfler

Name: Ben Knoepfler

Address: 100 Jackson St., Sioux City, IA 51101

Address: 100 Jackson St., Sioux City, IA 51101

Phone: 712-279-7167

Phone: 712-279-7135

I understand the role and responsibilities of membership on this City Council appointed Board, Commission or Committee and I am willing to serve. In applying for appointment I understand the City Council may make inquiries in the community pertinent to my appointment. I also understand that as a member of any Board, Commission or Committee I may be dismissed from the Board, Commission or Committee and or disqualified by the City Council as a candidate for the Board, Commission or Committee membership for making untrue or discriminatory statements about others, including members of protected classes.

If appointed, I am willing to attend the designated Board, Commission or Committee training. **Yes** ☒ **No** ☐

By typing my name in the box below I am offering my digital signature in lieu of my handwritten signature. I understand that my digital signature carries the same legal bindings as my handwritten signature.

/s/ Heidi Connelly
Signature

Date 2/22/17

Applications are kept on file and active for 18 months from the date you file. A separate application must be completed for each Board, Commission or Committee on which you would consider serving. File applications with the City Clerk's Office, 1st floor, City Hall, 405 6th Street, Sioux City, Iowa, 51101; or mail to City Clerk's Office, P.O. Box 447, Sioux City, Iowa, 51102-0447; or email CityBoardsandCommissions@sioux-city.org. Thank you!



City of Sioux City
EVENTS FACILITIES ADVISORY BOARD
(Advisory Board)

Mission Statement

The Event Facilities Advisory Board (EFAB) recommends policies and regulations to the Executive Director and provides general review of EFAB's financial activities; acting as a liaison in assisting to identify new methods of operation, with a special emphasis on marketing Sioux City, food and beverage, parking, box office procedures, maintenance and cleaning techniques; assist the Bureau in identifying markets, assessing market trends, analyzing market competition, exploring marketing strategies and setting program goals.

MEMBER ROLE

The Event Facilities Advisory Board makes recommendations on the operation of the Tyson Events Center, the Sioux City Convention Center, Orpheum Theater, IBP Ice Center, and Tourism Bureau in Sioux City in a professional and businesslike manner so as to generate optimum revenues from the facilities while minimizing expenses. The Board's principle goal is to ensure effective operations and keeping the operating subsidy from general tax dollars to the lowest possible amount; at the same time maximize the economic impact of the economy of Sioux City through the use of the facilities.

Nominee's Questionnaire

1. Describe your use of the services and events offered by the Event Facilities operations at the Tyson Events Center, Convention Center, Orpheum Theater, IBP Ice Center, and Tourism Bureau.

I have attended numerous concerts at the Tyson Events Center, various conferences and shows at the Convention Center, as well as shows and concerts at the Orpheum Theater. I am very thankful to have so many event options to choose from in Sioux City. Although I haven't used the IBP Ice Center since my younger years, my family recently rented it out for my nephew's birthday party. I visit the visitsiouxcity.org to see what events and activities are going on that might be of interest to my family, friends and I.

2. Have you ever worked in the field of events or entertainment or a similar field? Explain the benefits of your experience.

In my current role, I plan various events for Knoepfler Chevrolet, such as the Car Show, Drive-In Movie, Offsite Sale and Ladies Car Clinic. Outside of work, I help plan the STEMM Auction as well as SCGO's Innovation Market. I know many steps go into the planning process. I look to my fellow coworkers and volunteers for input and assistance in making the event come together and be successful.

3. Do you have specific ideas for improvements or future projects for the Event Facilities Advisory Board?

I think Sioux City does a great job of bringing popular entertainment to our area. At this time, I do not have any specific ideas, but once I am involved in the Board I will be able to see what areas need improvement and how I can be of assistance in making that happen.

4. The Event Facilities Advisory Board is advisory in nature, what do you see your role as being if appointed?

I would provide input on what I feel and what I think others feel would be beneficial events for Sioux City. I would also share my thoughts on other people's input and respect all of the different opinions.

5. Are you able to commit time to the monthly board meeting held on the 4th Friday at 12:00 p.m. and an additional monthly sub-committee meeting held during the two weeks prior? (Please provide detail)

Yes, I would be able to commit to both meetings each month.

By typing my name in the box below I am offering my digital signature in lieu of my handwritten signature. I understand that my digital signature carries the same legal bindings as my handwritten signature.

/s/ Heidi Connelly
Signature

2/22/17
Date



CITY OF SIOUX CITY, IOWA
APPLICATION FOR APPOINTMENT TO A CITY COUNCIL
APPOINTED BOARD, COMMISSION OR COMMITTEE

CITY OF SIOUX CITY

24 MAR '17 AM 9:26

CITY CLERKS OFFICE

Date 23 MARCH 2017

BOARD, COMMISSION or COMMITTEE: HUMAN RIGHTS COMMISSION

GENDER BALANCE - Section 69.16A of the Iowa Code requires gender balance on those City Boards and Commissions required or governed by state law unless the City has made a good faith effort for a period of three months to appoint a qualified person. This affects and includes: Airport Board of Trustees; Civil Service Commission; Human Rights Commission; Library Board of Trustees; and Planning and Zoning Commission.

GENERAL INFORMATION

Name RICHARD J. MOORE Phone Residence (712) 428-4444

Home Address 216 BUCKLEY STREET SIOUX, IA 5055
Street City/State Zip

E-Mail Address REV RJ MOORE @ gmail. com

Employer EVANGELICAL COVENANT CH Phone Business (712) 428-3793

Business Address 306 BUCKLEY STREET SIOUX, IA 5055
Street City/State Zip Code

PLEASE ANSWER ALL OF THE FOLLOWING QUESTIONS:

Are you a Sioux City resident? Yes ☐ No ☒ How many years have you been a resident? IN SIOUX

Are you a registered voter? Yes ☒ No ☐ 21 YRS.

Have you reviewed the Ordinance or Resolution establishing the Board, Commission or Committee you are applying for? Yes ☒ No ☐ (If no, please contact the City Clerk's Office at 712.279.6313 to obtain a copy.)

SERVING ON A BOARD - Are you currently serving on any other City Council appointed Board, Commission or Committee? Yes ☐ No ☒ If yes list here: _____

It is the general policy of the City to allow a person to serve on only one City Council appointed Board, Commission or Committee at any given time. If you answered **yes**, please explain why Council should make an exception to the general policy and allow you to serve on multiple Boards, Commissions or Committees:

Have you previously served on any other City Council appointed Board, Commission or Committee?

Yes ☐ No ☒ If yes list here: _____

COMMUNITY INVOLVEMENT - Please describe your past and present community involvement including voluntary, social, city, church, school, business, and/or professional associations you have been involved in and are applicable to this application. (Include dates of involvement and any offices or leadership positions held.)

CHAIR - WESTWOOD MINISTERIAL ASSOC - 1999 - pres.; LOGAN VALLEY COVENANT
PASTORS - CHAIR 1998 - present; BOARD OF DIRECTORS, ADVISORY BOARD, OR
ADVOCACY MEMBER FOR ALZHEIMER'S ASSOCIATION 2000 - present;
PUBLIC ADDRESS ANNOUNCER - SPORTS, WESTWOOD SCHOOL 1999 - pres
NAACP MEMBER, PARTICIPANT IN SPRING PROGRAMS 2010 - pres
SIOUX COMMUNITY DEVELOPMENT COUNCIL 1998 - pres.
NAIA NATIONAL TOURNAMENT WORK SINCE 2003 - present

STATE, COUNTY, or MUNICIPAL BOARDS or COMMISSIONS - List any you are presently serving on:

NONE AT PRESENT THAT ARE GOV'T BASED.

SPECIAL QUALIFICATIONS - Please list any special qualifications for serving on a City Council appointed Board, Commission or Committee including skills, training, licenses and certificates that are applicable:

CREDENTIALLED AS A TEACHER AND CLERGY.

INTEREST - State why you would like to volunteer to serve and what contributions you believe you can make:

SERVING OUR COMMUNITY IS A WAY I CAN GIVE BACK TO SIOUXLAND

CONFLICT OF INTEREST - Chapters 362.5, 362.6, 403.16 and 403A.22 of the Code of Iowa describe potential conflicts of interest for City officials. A Disclosure of Interest Statement as well as the aforementioned Iowa Code has been attached to this application for your review. **If you have any questions regarding this issue please contact the City Attorney's Office at 712-279-6318.** Are you aware of any conflict of interest or potential conflict of interest that may prevent you from carrying out your responsibilities on this Board, Commission or Committee in the best interest of the City of Sioux City? If so, please describe:

PERSONAL REFERENCES - Please list 2 references, the City Council may contact your references:

Name: FLORA LEE

Name: TIM GALLAGHER

Address: 1608 CASSELMAN ST.

Address: 617 MAIN STREET

SIOUX CITY 51103

MOVILLE, IA 51039

Phone: (712) 255-0629

Phone: (712) 870-4649

I understand the role and responsibilities of membership on this City Council appointed Board, Commission or Committee and I am willing to serve. In applying for appointment I understand the City Council may make inquiries in the community pertinent to my appointment. I also understand that as a member of any Board, Commission or Committee I may be dismissed from the Board, Commission or Committee and or disqualified by the City Council as a candidate for the Board, Commission or Committee membership for making untrue or discriminatory statements about others, including members of protected classes.

If appointed, I am willing to attend the designated Board, Commission or Committee training. Yes ☒ No ☐

By typing my name in the box below I am offering my digital signature in lieu of my handwritten signature. I understand that my digital signature carries the same legal bindings as my handwritten signature.

/s/ B. DOWD
Signature

Date 23 MARCH 2017

Applications are kept on file and active for 18 months from the date you file. A separate application must be completed for each Board, Commission or Committee on which you would consider serving. File applications with the City Clerk's Office, 1st floor, City Hall, 405 6th Street, Sioux City, Iowa, 51101; or mail to City Clerk's Office, P.O. Box 447, Sioux City, Iowa, 51102-0447; or email CityBoardsandCommissions@sioux-city.org. Thank you!



City of Sioux City
HUMAN RIGHTS COMMISSION
(Quasi-Judicial)

MISSION STATEMENT

To ensure a fair and equitable community for all. In compliance with Iowa Law the Human Rights Commission mission is to eliminate discrimination in housing, employment, public accommodations, education and credit. To eliminate discrimination based on age, race, creed, color, sex, national origin, religion, mental or physical disability, familial status, marital status, sexual orientation and gender identity. Sponsor programs promoting goodwill among the various racial, religious and ethnic groups in Siouxland.

MEMBER ROLE

The role of Human Rights Commission is to: 1) effectively enforce local, state and federal laws; 2) serve as an information source about civil rights laws and regulations; and 3) actively assist in the prevention and elimination of the effects of discriminatory acts and/or discriminatory practices in the community. Our goal is to secure for everyone in our city freedom from discrimination due to their race, color, national origin, sex, age, mental or physical disability, religion, creed, sexual orientation, gender identity, marital status (credit only), or presence of children in their home. The role of commissioners is to 1) advocate for the prevention and elimination of discrimination against members of any protected classes; 2) review and determine the merits of allegations of discrimination; 3) hold public hearings on individual allegations of discrimination; and 4) educate the community about the existence and effects of discrimination.

Nominee's Questionnaire

1. Do you understand qualifications for appointment to the Human Rights Commission require compliance with the laws protecting the above named classes and that an unwillingness or inability to comply disqualifies your application? Yes ☒ No ☐
I WOULD NOT APPLY IF I WAS IN DISAGREEMENT WITH GUIDELINES
2. Describe how you see yourself complying the Human Rights Law.
MY FIRST ACTION IS TO COMPLY WITH FEDERAL, STATE AND LOCAL LAWS. COMMUNITY SERVICE TO MANY GROUPS HAS GIVEN
3. Do you understand qualifications call for a general knowledge of human and civil rights laws and regulations? Yes ☒ No ☐ Please explain your knowledge in these areas. *EXPERIENCE IN DIFFICULT SITUATIONS.*
I WILL CONTINUE TO STAY UPDATED ON ALL APPROPRIATE LAWS + GUIDELINES
4. What attracted you to apply for the Human Rights Commission?
I WAS RECOMMENDED TO HRC BY COMMITTEE LEADERS
5. All agency records including closed sessions (in compliance with the law) relating to clients are confidential, will you observe and maintain this policy of confidentiality? Yes ☒ No ☐
6. Are there any further questions or comments that you wish to express at this time?

By typing my name in the box below I am offering my digital signature in lieu of my handwritten signature. I understand that my digital signature carries the same legal bindings as my handwritten signature.

/s/ *[Signature]*
Signature

23 MARCH 2017
Date



CITY OF SIOUX CITY, IOWA
APPLICATION FOR APPOINTMENT TO A CITY COUNCIL
APPOINTED BOARD, COMMISSION OR COMMITTEE

Date

3/15/17

BOARD, COMMISSION or COMMITTEE: HUMAN RIGHTS COMMISSION

GENDER BALANCE - Section 69.16A of the Iowa Code requires gender balance on those City Boards and Commissions required or governed by state law unless the City has made a good faith effort for a period of three months to appoint a qualified person. This affects and includes: Airport Board of Trustees; Civil Service Commission; Human Rights Commission; Library Board of Trustees; and Planning and Zoning Commission.

GENERAL INFORMATION

Name Jaeg L Rosenberg Phone Residence 712-276-4576
Home Address 4014 Ridge Ave Sioux City 51106
Street City/State Zip
E-Mail Address unzjaega@yahoo.com
Employer Transitional Services Phone Business 712-255-0204
Business Address 13th & Pierce SC 51104
Street City/State Zip Code

PLEASE ANSWER ALL OF THE FOLLOWING QUESTIONS:

Are you a Sioux City resident? Yes ☒ No ☐ How many years have you been a resident? _____
Are you a registered voter? Yes ☒ No ☐
Have you reviewed the Ordinance or Resolution establishing the Board, Commission or Committee you are applying for? Yes ☐ No ☒ (If no, please contact the City Clerk's Office at 712.279.6313 to obtain a copy.)

SERVING ON A BOARD - Are you currently serving on any other City Council appointed Board, Commission or Committee? Yes ☐ No ☒ If yes list here: _____

It is the general policy of the City to allow a person to serve on only one City Council appointed Board, Commission or Committee at any given time. If you answered yes, please explain why Council should make an exception to the general policy and allow you to serve on multiple Boards, Commissions or Committees:

Have you previously served on any other City Council appointed Board, Commission or Committee?

Yes ☐ No ☒ If yes list here: _____

COMMUNITY INVOLVEMENT - Please describe your past and present community involvement including voluntary, social, city, church, school, business, and/or professional associations you have been involved in and are applicable to this application. (Include dates of involvement and any offices or leadership positions held.)

Community Advocate for folks with mental physical emotional + substance abuse disabilities & the LGBTQ comm - Secretary Sioux City Museum Board serve as board member of Siouxland Comm Health which serves Iowa SD & Nebraska for 3 years

STATE, COUNTY, or MUNICIPAL BOARDS or COMMISSIONS - List any you are presently serving on:

SPECIAL QUALIFICATIONS - Please list any special qualifications for serving on a City Council appointed Board, Commission or Committee including skills, training, licenses and certificates that are applicable:

Grant Writer, Advocate, Participate in comm events relating to people I advocate for.

INTEREST - State why you would like to volunteer to serve and what contributions you believe you can make:

I believe I have a unique voice & will help all I can to further the board's purposes

CONFLICT OF INTEREST - Chapters 362.5, 362.6, 403.16 and 403A.22 of the Code of Iowa describe potential conflicts of interest for City officials. A Disclosure of Interest Statement as well as the aforementioned Iowa Code has been attached to this application for your review. **If you have any questions regarding this issue please contact the City Attorney's Office at 712-279-6318.** Are you aware of any conflict of interest or potential conflict of interest that may prevent you from carrying out your responsibilities on this Board, Commission or Committee in the best interest of the City of Sioux City? If so, please describe:

PERSONAL REFERENCES - Please list 2 references, the City Council may contact your references:

Name: Mari Kaptein Dahlen CEO

Name: Alex Walters

Address: Sioux Land Comm Health

Address: Morningside College

Phone: 712-212-1332

Phone: 1-712-330-2885

I understand the role and responsibilities of membership on this City Council appointed Board, Commission or Committee and I am willing to serve. In applying for appointment I understand the City Council may make inquiries in the community pertinent to my appointment. I also understand that as a member of any Board, Commission or Committee I may be dismissed from the Board, Commission or Committee and or disqualified by the City Council as a candidate for the Board, Commission or Committee membership for making untrue or discriminatory statements about others, including members of protected classes.

If appointed, I am willing to attend the designated Board, Commission or Committee training. Yes ☐ No ☐


Signature

Date 3/15/17

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City of Sioux City
HUMAN RIGHTS COMMISSION
(Quasi-Judicial)

MISSION STATEMENT

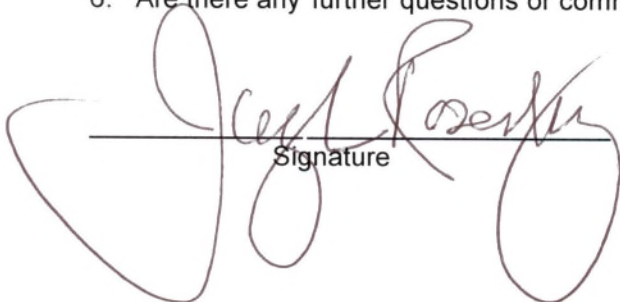
To ensure a fair and equitable community for all. In compliance with Iowa Law the Human Rights Commission mission is to eliminate discrimination in housing, employment, public accommodations, education and credit. To eliminate discrimination based on age, race, creed, color, sex, national origin, religion, mental or physical disability, familial status, marital status, sexual orientation and gender identity. Sponsor programs promoting goodwill among the various racial, religious and ethnic groups in Siouxland.

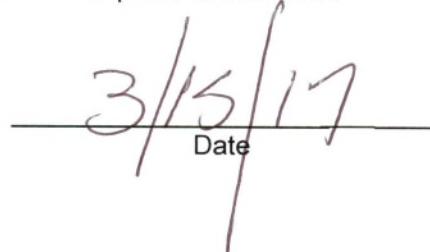
MEMBER ROLE

The role of Human Rights Commission is to: 1) effectively enforce local, state and federal laws; 2) serve as an information source about civil rights laws and regulations; and 3) actively assist in the prevention and elimination of the effects of discriminatory acts and/or discriminatory practices in the community. Our goal is to secure for everyone in our city freedom from discrimination due to their race, color, national origin, sex, age, mental or physical disability, religion, creed, sexual orientation, gender identity, marital status (credit only), or presence of children in their home. The role of commissioners is to 1) advocate for the prevention and elimination of discrimination against members of any protected classes; 2) review and determine the merits of allegations of discrimination; 3) hold public hearings on individual allegations of discrimination; and 4) educate the community about the existence and effects of discrimination.

Nominee's Questionnaire

1. Do you understand qualifications for appointment to the Human Rights Commission require compliance with the laws protecting the above named classes and that an unwillingness or inability to comply disqualifies your application? **Yes** ☒ **No** ☐
2. Describe how you see yourself complying the Human Rights Law.
3. Do you understand qualifications call for a general knowledge of human and civil rights laws and regulations? **Yes** ☒ **No** ☐ Please explain your knowledge in these areas.
4. What attracted you to apply for the Human Rights Commission?
My comm advocacy
5. All agency records including closed sessions (in compliance with the law) relating to clients are confidential, will you observe and maintain this policy of confidentiality? **Yes** ☒ **No** ☐
6. Are there any further questions or comments that you wish to express at this time?


Signature


Date



CITY OF SIOUX CITY, IOWA
APPLICATION FOR APPOINTMENT TO A CITY COUNCIL
APPOINTED BOARD, COMMISSION OR COMMITTEE

CITY OF SIOUX CITY
31 MAR '17 PM 12:42
CITY CLERKS OFFICE

Date 3-30-17

BOARD, COMMISSION, COMMITTEE:

CITY OF SIOUX CITY SENIOR ADVISORY COMMITTEE

GENERAL INFORMATION

Name Jean Carlson Phone Residence 712-276-2908
Home Address 4020 Sherwood Terrace Sioux City, Iowa
Street City/State Zip 51106
E-Mail Address Denny@cableone.net
Employer Retired Educator Phone Business _____
Business Address _____
Street City/State Zip Code

PLEASE ANSWER ALL OF THE FOLLOWING QUESTIONS:

Are you a Sioux City resident? ☒ Yes ☐ No How many years have you been a resident? 33 years
Are you a registered voter? ☒ Yes ☐ No

Have you reviewed the Ordinance or Resolution establishing the Board, Commission or Committee you are applying for? Yes ☒ No ☐ (If no, please contact the City Clerk's Office at 712.279.6313 to obtain a copy.)

(Not yet) But I called the City Clerk's office and a copy will be mailed for me to read.
SERVING ON A BOARD - Are you currently serving on any other City Council appointed Board, Commission or Committee? Yes ☒ No ☐ If yes list here: _____

It is the general policy of the City to allow a person to serve on only one City Council appointed Board, Commission or Committee at any given time. If you answered yes, please explain why Council should make an exception to the general policy and allow you to serve on multiple Boards, Commissions or Committees:

Have you previously served on any other City Council appointed Board, Commission or Committee?

Yes ☒ No ☐ If yes list here: _____

COMMUNITY INVOLVEMENT - Please describe your past and present community involvement including voluntary, social, city, church, school, business, and/or professional associations you have been involved in and are applicable to this application. (Include dates of involvement and any offices or leadership positions held.)

1. Sioux City Elementary Principal and Central Office
(1983-2010) At Risk Director and Safe + Drug Free Schools Program Director in my career of work.
2. As the Sioux City Schools Safe + Drug Free Director I worked with Siouxland Cares, the K-12 school counselors & many Sioux City Community Organizations such as SL Mental Health, Boys Club, Girls Inc, United Way, CSADU etc. →
- (1999-2010) 3. Started the after & before school programs with the United Way & Safe Schools Grant

STATE, COUNTY, or MUNICIPAL BOARDS or COMMISSIONS - List any you are presently serving on:

SPECIAL QUALIFICATIONS - Please list any special qualifications for serving on a City Council appointed Board, Commission or Committee including skills, training, licenses and certificates that are applicable:

I was a teacher, elementary principal & Central office administrator for 39 years. I used negotiation skills and leadership skills and always believed in teamwork.

INTEREST - State why you would like to volunteer to serve and what contributions you believe you can make:

I was an elementary principal in Morningside, the North side & the West side of S.C. I was a Central Office leader for 4 years of my 27 years of educational leadership in S.C. I know the families of Sioux City & also SC history & development.

CONFLICT OF INTEREST - Chapters 362.5, 362.6, 403.16 and 403A.22 of the Code of Iowa describe potential conflicts of interest for City officials. A Disclosure of Interest Statement as well as the aforementioned Iowa Code has been attached to this application for your review. If you have any questions regarding this issue please contact the City Attorney's Office at 712-279-6318. Are you aware of any conflict of interest or potential conflict of interest that may prevent you from carrying out your responsibilities on this Board, Commission or Committee in the best interest of the City of Sioux City? If so, please describe:

PERSONAL REFERENCES - Please list 2 references, the City Council may contact your references:

Name: Linda Salvatore Phillips

Name: Linda Madison

Address: 3101 Morrison Avenue
51104

Address: 15271 Poplar Ave
Mapleton, Iowa 51034

Phone: 711-255-3188

Phone: 712-251-5882

I understand the role and responsibilities of membership on this City Council appointed Board, Commission or Committee and I am willing to serve. In applying for appointment I understand the City Council may make inquiries in the community pertinent to my appointment. I also understand that as a member of any Board, Commission or Committee I may be dismissed from the Board, Commission or Committee and or disqualified by the City Council as a candidate for the Board, Commission or Committee membership for making untrue or discriminatory statements about others, including members of protected classes.

If appointed, I am willing to attend the designated Board, Commission or Committee training ☒ Yes ☐ No


Signature

Date 3-30-2017

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1. The Regular Meeting of the City Council was held at 4:11 p.m. The following Council Members were present on call of the roll: Capron, Groetken, Moore, Scott, and Watters. Absent: None.

Staff members present included: Robert Padmore, City Manager; Nicole M. DuBois, City Attorney; and Lisa McCardle, City Clerk.

Mayor Scott, on behalf of the City Council, proclaimed April 4, 2017 as "National Service Recognition Day"; Rita Donnelly, Police Department Volunteer Coordinator, accepted the proclamation; Mayor also proclaimed April 2017 as "Child Abuse Prevention Month in Siouxland"; Carla Granstrom, Education Coordinator at Mercy Medical Center, accepted the proclamation.

2. The Council interviewed the following applicants for positions on their respective City Council appointed Boards, Commissions and Committees: Doug Strohbeen, Events Facilities Advisory Board; Tracy Winters, Human Rights Commission; and Daniel Burrows, Senior Advisory Committee. Theresa Brehm was unable to appear to interview for the Events Facilities Advisory Board and will be rescheduled at a later date.

CONSENT AGENDA

Motion by Scott, seconded by Moore, to adopt the Consent Agenda; all voting aye. Items 3 through 8B are approved unanimously unless specifically noted after the item.

3. Reading of the City Council minutes of March 27, 2017.

Reading of the minutes of March 27, 2017 was waived and as part of the consent agenda the minutes were approved as presented.

4. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS

- A. GRUNDMAN-HICKS - Resolution awarding a contract to Grundman-Hicks, LLC of Cherokee, Iowa in the amount of \$470,000 for the Half Moon Booster Station Facility Improvements Project. (Project No. 519-132) **2017-0294**
- B. ELECTRIC - Resolution granting a permit to Electric Innovations to own, operate and maintain underground cable commencing at the Jones Street entrance driveway of 623 Jennings Street, then west across Jones Street, then north for approximately 200 feet to the northwest corner of 7th Street and Jones Street, then west for 360 feet to the south side of 701 Jackson Street. **2017-0295**

Glenn Ellis, City Engineer; provided information on the item. Dave Smetter, Mercy Medical Center; spoke on the item.

Motion by Moore, seconded by Capron, to amend the item by granting a permit to Mercy Medical Center as opposed to Electric Innovations and subject to the City receiving all necessary bonds for the application; Capron, Groetken, Moore, and Watters voting aye; Scott abstaining on the item due to a conflict of interest. Resolution passed as amended as part of the consent agenda.

Scott abstaining on the item as amended due to a conflict of interest.

- C. FIBERCOMM - Resolution granting a permit to FiberComm to own, operate and maintain underground cable from the northwest corner of the intersection of Indiana Avenue and Morningside Avenue, then west along Indiana Avenue, then north along South Rustin Street, then west along Marshall Avenue, then south along South Fairmount Street, then east along Macomb Avenue, then south along South Helen Street, then east along Stone Avenue, to the southwest corner of South Paxton Street and Stone Avenue. **2017-0296**

- D. FIBERCOMM - Resolution granting a permit to FiberComm to own, operate and maintain underground cable commencing at the northeast corner of the alley intersection of 8th Street between Douglas Street and Pierce Street, along 8th Street where it exits the right-of-way at 605 8th Street, then resume in public right-of-way on Nebraska Street north of 8th Street, then cross west on Nebraska Street, then west along the alley, between 8th Street and 9th Street to the southwest corner of the alley intersection between Pierce Street and Nebraska Street. **2017-0297**

5. ACTIONS RELATING TO PROPERTY

- A. MOTOROLA - Resolution proposing to sublease a portion of space on the Public Safety Communications Tower located at 3430 West 23rd Street to Motorola Solutions, Inc for installation, operation and maintenance of a communication system and authorizing and directing publication of notice to sublease such real estate. **2017-0298**

Glenn Sedivy, Communications Center Director, provided information on the item.

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

- B. OUTER DRIVE - Resolution inviting proposals for the sale of land in the Combined Floyd River Urban Renewal Area, announcing the intent to accept the proposal of Peace Reformed Church Reformed Church of America, fixing the date for receipt of proposals, and for public hearing and providing for notice thereof. (A portion of vacated Outer Drive abutting property at 4100 Outer Drive)

2017-0299

Jeff Hanson, Community Development Operations Manager; and Glenn Ellis, City Engineer; provided information on the item.

6. PURCHASING

- A. HAWKINS - Resolution awarding a purchase order to Hawkins, Inc in the amount of \$3.18 per pound for the purchase of potassium permanganate for the Water Treatment Plant. (Bid No. 244158) **2017-0300**
- B. HYCHEM - Resolution awarding a purchase order to Hychem, Inc, in the amount of \$2.96 per gallon for the purchase of coagulant (PACL) for the Water Treatment Plant. (Bid No. 244152) **2017-0301**
- C. CARUS - Resolution awarding a purchase order to Carus Corporation in the amount of \$.77 per pound for the purchase of sodium permanganate for the Water Treatment Plant. (Bid No. 244150) **2017-0302**

7. APPLICATIONS FOR BEER AND LIQUOR LICENSES

A. ON-PREMISE SALES

- 1. CLASS A LIQUOR LICENSE (Private Club, no carry-out)
 - A. Sioux City Country Club, 4001 Jackson Street (Renewal)
- 2. CLASS C LIQUOR LICENSE (Commercial, carry-out beer, wine coolers)
 - A. Buffalo Wild Wings, 5001 Sergeant Road (Renewal)
 - B. McCarthy and Bailey's, 417-423 Pearl Street (Renewal)
 - C. Whispering Creek Golf Course, 6500 Whispering Creek Drive (Renewal)
- 3. CLASS B BEER PERMIT (includes wine coolers, carry-out)
 - A. Floyd Slow Pitch Softball, 2500 Chautauqua Drive (New)
(April 6-11, 2017 New 5 Day) (April 20-October 20, 2017 New 6 Month)

B. OFF PREMISE SALES

- 1. CLASS C BEER PERMIT (includes wine coolers)
 - A. Casey's General Store #2608, 1132 Lewis Boulevard (Renewal)
 - B. Casey's General Store #2275, 1000 Riverside Boulevard (Renewal)
 - C. Pronto Express, 1800 Highway 75 North (Renewal)
- 2. CLASS B WINE PERMIT
 - A. McCarthy and Bailey's, 417-423 Pearl Street (Renewal)
- 3. CLASS B NATIVE WINE PERMIT (Iowa wine only)
 - A. Casey's General Store #2608, 1132 Lewis Boulevard (Renewal)

8. BOARD, COMMISSION AND COMMITTEE MINUTES

- A. Events Facilities Advisory Board - January 27, 2017
- B. Library Board of Trustees - March 15, 2017

- End of Consent Agenda -

HEARINGS

9. Hearing and Resolution instituting proceedings to take additional action for the authorization of a Loan and Disbursement Agreement and the issuance of not to exceed \$475,000 Sewer Revenue Capital Loan Notes. **2017-0303**

No protests were received. The hearing was closed on motion by Scott, seconded by Capron; all voting aye.

10. Hearing and Resolution approving plans, specifications, form of contract and estimated cost for the proposed construction of the Interior Remodel - Long Lines Recreation Center Auditorium Space Project. (Project No. 459-102) **2017-0304**

No protests were received. The hearing was closed on motion by Scott, seconded by Moore; Capron, Groetken, Moore and Watters voting aye; Scott voting nay.

11. Hearing and Resolution withdrawing the civil penalty of \$300 against Kum & Go LLC d.b.a. Kum & Go #228, 1925 South Lakeport Street, Sioux City, Iowa for violation of the Iowa cigarette laws pursuant to Iowa Code Section 453A.22(3). **2017-0305**

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

12. Hearing and Resolution assessing a civil penalty of \$300 against Wal-Mart Stores, Incorporated d.b.a. Wal-Mart #1361, 3400 Singing Hills Boulevard, Sioux City, Iowa for violation of the Iowa cigarette laws. **2017-0306**

No protests were received. The hearing was closed on motion by Scott, seconded by Watters; all voting aye.

13. Hearing and Resolution approving proposal to sell certain real property and authorizing a city deed. (That part of vacated 37th Street abutting 3700 Grandview Boulevard) (Petitioner: Eufracio Taracena and Connie K. Taracena) (Purchase price: \$1,682.50 plus costs) **2017-0307**

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

14. Hearing and Resolution approving plans, specifications, form of contract and estimated cost for construction of the Promenade Improvement Project. (Project No. 549-021) **2017-0308**

No protests were received. The hearing was closed on motion by Scott, seconded by Watters; all voting aye.

15. Hearing and Resolution accepting the proposal of Midnight, LLC for the purchase of certain land in the Combined Central Sioux City - CBD Urban Renewal Area, and authorizing and approving a development agreement. (Property located in the 300 block of Wesley Parkway) **2017-0309**

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

ORDINANCES

16. Resolution adopting the 2017 First Quarter Supplement to the Sioux City Municipal Code covering ordinances through Ordinance No. 2017-0293. **2017-0310**

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

17. Ordinance amending Chapter 1.01 entitled "Code Adoption" of the Sioux City Municipal Code to provide for the adoption of the municipal code. **2017-0311**

The ordinance was considered on motion by Moore, seconded by Capron, to pass first consideration; all voting aye.

On motion by Scott, seconded by Moore, 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 second and third considerations; all voting aye.

DISCUSSION

18. Resolution approving a Development Agreement with Clayton Creek, LLC for a rural residential development located at 701 South Roswell Street and 801 South Roswell Street and authorizing the execution thereof. **(Deferred from March 27, 2017)**

Jeff Hanson, Community Development Operations Manager; and Glenn Ellis, City Engineer; provided information on the item.

Motion by Scott, seconded by Capron, to delete this item; all voting aye.

19. Resolution awarding and approving a contract with ESA, Inc of North Sioux City, South Dakota in the amount of \$125,248 for asbestos abatement in the Southeast Balcony Area of the Long Lines Family Recreation Center. (401 Gordon Drive) **(Deferred from March 27, 2017)** **2017-0312**

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

20. Resolution awarding a Service Provider Agreement to Thompson Electric Company of Sioux City, Iowa in the amount of \$27,800 for a portion of the City-Wide Arc Flash Study. **2017-0313**

Spero Vlahoulis, Purchasing Manager; and Stan LaFave, Facilities Maintenance Supervisor; provided information on the item. Todd Weidner, West Plains Engineering, spoke on the item.

Motion by Scott, seconded by Moore, to adopt the proposed resolution; Capron, Groetken, Moore and Watters voting aye; Scott abstaining due to a conflict of interest.

21. Resolution awarding a Service Provider Agreement to West Plains Engineering, Inc. of Sioux Falls, South Dakota in the amount of \$140,930 for a portion of the City-Wide Arc Flash Study. **2017-0314**

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

22. Resolution approving a Development Agreement with Black and Blue Development, LLC for a residential development in the vicinity of 2809 Floyd Boulevard and 2901 Floyd Boulevard to be known as Chestnut Hill and authorizing the execution thereof. **2017-0315**

Justin Vondrak, Assistant City Attorney; and Jeff Hanson, Community Development Operations Manager; provided information on the item.

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

PRESENTATION

23. Reinvestment District Presentation.

Marty Dougherty, Economic and Community Development Director; Renae Billings, Economic Development Specialist; and Donna Forker, Finance Director; provided information on the item.

Ragen Cote, Downtown Partners Executive Director, 418 Pierce St; Tim Seaman, President Events Facility Advisory Board; spoke on the item.

24. **CITIZEN CONCERNS**

There were no citizen concerns.

25. COUNCIL CONCERNS

Groetken thanked the Sioux City Journal for their article highlighting the leisure and recreational opportunities available in the City that add to good quality of life. Groetken stated Troy Nelson, Civil Service Commission, is completing his final term having served 9 years; Groetken reminded citizens that we need applicants to fill the position.

Moore stated he attended the Multicultural Fair and there was a good turn-out; Moore also reminded everyone about the Re-Event at the Long Lines Family Rec Center on April 22nd at 9 a.m. to 2 p.m.

Scott congratulated the Musketeers on winning the Division Clark Cup.

26. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:22 p.m., on motion by Scott, seconded by Moore; all voting aye.

ATTEST: _____
 Lisa L. McCardle, City Clerk Robert E. Scott, Mayor

City Council minutes are available on the Internet at www.sioux-city.org.

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A Closed Session of the City Council was held at 3:00 p.m. The following Council Members were present on call of the roll: Capron, Groetken, Moore, Scott, and Watters. Absent: None.

Staff members present included: Robert Padmore, City Manager; Nicole M. DuBois, City Attorney; and Lisa McCardle, City Clerk.

Motion by Scott, seconded by Groetken, that Council enter closed session to discuss strategy with Counsel about matters that are presently in litigation because public disclosure would be likely to prejudice or disadvantage the position of the City in that litigation; all voting aye.

Motion by Scott, seconded by Watters, that Council enter closed session to discuss strategy with Counsel in matters where litigation is imminent and its disclosure would be likely to prejudice or disadvantage the position of the City in that litigation; all voting aye.

Motion by Scott, seconded by Groetken, that Council return to open session at 4:09 p.m.; all voting aye.

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:10 p.m., on motion by Scott, seconded by Moore; all voting aye.

ATTEST: _____
Lisa L. McCardle, City Clerk

Robert E. Scott, Mayor

City Council minutes are available on the Internet at www.siuix-city.org.

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**JOINT MEETING
OF THE CITY COUNCIL
AND THE ENVIRONMENTAL ADVISORY BOARD**

A Joint Meeting of the City Council and Environmental Advisory Board was held at 12:00 p.m. The following Council Members were present on call of the roll: Capron, Moore and Watters. Absent: Groetken and Scott.

Staff members present included: Robert Padmore, City Manager; Amber Hegarty, Assistant City Attorney; Lisa McCardle, City Clerk; Melissa Campbell, Environmental Services Analyst; and Debra Leigh, Administrative Assistant.

Members of the Environmental Advisory Board (EAB) present included: John R Helms, Kathryn Pfaffle, Carrie Radloff, Adam Wheelock, and Eric Wissing. Absent: Brooke Gilbert, Craig Keiser, Brooke Muhlack and Sara Steussy.

Also present: Jim Redmond, Sierra Club Northwest Iowa Group conservation chairman.

Campbell led introductions and reviewed the EAB Mission Statement. Campbell spoke on the 2016 Board Initiatives which included: researching and making recommendations on glass recycling, promoting waste reduction, volunteering at outreach events and education on preventing storm water pollution. Campbell listed 2016 Outreach Events as the Home Show, Multicultural Fair, Garden Show, ArtSplash and Riverfication.

Discussion was held pertaining to glass recycling and factors effecting glass recycling including feasibility, cost, environmental impact and impact to residents. Campbell reported 10 tons of glass currently in storage collected from the drop off bins; Ripple Glass will pick up the glass for recycling when the City reaches 25 tons collected. Discussion was also held pertaining to recycling education and advertising.

Scott entered at 12:15 p.m.

Campbell provided statistical information on monthly tons of commingled recyclable materials collected for past years; percentage of households that recycle; and stormwater pollution prevention. Information was provided on the 2015 and 2016 ReEvents; the 2017 ReEvent will be held April 22nd at the Long Lines Family Rec Center.

Campbell spoke on the 2016-2017 Goals for the EAB which include: promote glass recycling; involvement in comprehensive plan; volunteer at outreach events; water quality; litter clean-up events; promote household hazardous waste program; and promote planting native plants.

Group discussion was held pertaining to preservation of the Loess Hills areas and recruiting more volunteers; Capron suggested working with the Mayor's Youth Commission to recruit their members as volunteers. Watters encouraged the EAB to continue to work with Parks and Recreation Advisory Board on issues.

Scott exited the meeting at 1:01 p.m.

Moore encouraged the EAB to continue to work on increasing citizen participation in recycling. Group discussion was held pertaining to utilizing recycle bins at City events and ways to increase recycling.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:10 p.m., on motion by Watters, seconded by Capron; all voting aye.

ATTEST: _____
 Lisa L. McCardle, City Clerk Robert E. Scott, Mayor

City Council minutes are available on the Internet at www.siuix-city.org.

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<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 4

FROM: Jeff Hanson, Community Development Operations Manager (CRM)

SUBJECT: Motion acknowledging Board of Adjustment actions of March 28, 2017.

Reviewed By:	<input checked="" type="checkbox"/> Department Director	Finance Department	<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Manager
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RECOMMENDATION:

Staff respectfully requests that Council approve a motion approving Board of Adjustment actions from the March 28, 2017 meeting, based on the following findings;

Board of Adjustment:

Agenda Item 2017-0029: Requested conditional use permit pursuant to 25.02.100 Residential and Commercial Uses of the Home for the property located at 2822 Jackson Street. (Petitioner: Kelly Conolly)

Chris Madsen, Senior Planner, presented the item. He mentioned the petitioner plans to have two to three Bed and Breakfast rooms available for guests to stay. He mentioned the petitioner does not have plans to serve Breakfast, but the kitchen will be available to guests.

Kelly Conolly, the Petitioner, (2822 Jackson Street) spoke on the item stating he has lived in this home for 17 years and along with his wife have beautifully restored this home. It has been their dream to convert this to a Bed and Breakfast and he believes now is the right time. He mentioned he will have a fulltime housekeeper staying in the house that will clean and upkeep the home. He mentioned it is a four car garage and you can actually fit three cars in the driveway if you have to.

John Wockenfuss (2900 Jackson Street) spoke in favor of the item stating he does not see any issues with parking and that he knows this property is a suitable environment for a Bed and Breakfast and is kept up very well by the petitioner.

Susie Feathers (2820 Jackson Street) is not in opposition if the property stays in the condition it is now, as it is taken care of great at the present time. She is concerned if the upkeep will remain with the Bed and Breakfast business. She is also worried about the signage.

Patrick Feathers (2820 Jackson Street) is worried about his property value decreasing due to the Bed and Breakfast next door as he feels that will be a deterrent for a new buyer.

Suzan Stewart asked about signage that they will put up. Chris Madsen, Senior Planner, mentioned once the petitioner has a concrete signage plan in place he will have to apply for a sign permit which will have to be approved through the Planning and Zoning Commission since it is in a residential zone.

Jason Geary asked if all the rooms have to be 500 square feet or if that is an accumulative number. Chris Madsen answered that number includes all of the rooms' total square footage. Jason also asked about the parking requirements. Chris mentioned the requirement is one plus one for each guest room. So the requirement in this case is four, where the petitioner has at least six spots available.

Suzan Stewart asked how long can guests stay. Chris Madsen mentioned there is not a concrete number of days allowed, however it is mentioned in the Municipal Code it is for temporary guests, not for long term.

Jason Geary asked if approved would there be expiration to the Conditional Use Permit. Madsen mentioned there would not be unless the Board of Adjustment puts a limit on that in their motion. He also mentioned the Conditional Use Permit could be revoked at any time if the Board rules to do so. Suzan Stewart asked if the Conditional Use Permit stayed with the property. Madsen responded yes it would.

Jean Calligan asked if they could host weddings at the Bed and Breakfast and serve meals, etc. Chris Madsen stated it would not allow for catering for special events unless the Board included the allowance in the motion.

Calligan (Beukelman) moved to approve the item. Motion Carried. 6-0-0 (Yes: Ross, Bostine-los, Geary, Stewart, Beukelman, Calligan / No:0/ Abstain:0).

DISCUSSION:

File No. 2017-0029

The petitioner is requesting the conditional use permit to operate a Bed and Breakfast Inn for the property located at 2822 Jackson Street. A Bed and Breakfast Inn requires a conditional use permit in the NC.5 zoning district.

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Quality of Life.

Focus Area: Enhance Public/Private Partnerships.

ALTERNATIVES:

None.

ATTACHMENTS:

None

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 5

Mark Simms, Utilities Director

FROM: Donna Forker, Finance Director
Brad Puetz, WTP Superintendent

SUBJECT: Resolution awarding a purchase order to DPC Industries in the amount of \$0.8975 per gallon for the purchase of sodium hypochlorite solution for the Water Treatment Plant. (Bid #244153).

Reviewed By: **x** Department Director **x** Finance Department **x** City Attorney **x** City Manager

RECOMMENDATION:

Staff respectfully requests City Council award a purchase order to DPC Industries, Omaha, Nebraska, in the amount of \$0.8975 per gallon for the purchase of sodium hypochlorite solution for the Water Treatment Plant. (Bid #244153).

DISCUSSION:

Invitations to bid were sent to thirteen (13) companies thought to provide sodium hypochlorite solution. Three (3) bids were received for sodium hypochlorite solution at the Southbridge Regional Water Treatment Plant. Marx Distribution was the apparent low bidder at \$0.8900 per gallon. When speaking with Marx Distribution, it was stated that they could not come to terms with their supplier in order to fulfill a contract. Therefore, the low bidder is now DPC Industries, based on their bid of \$0.8975 per gallon. The three bids received are as follows:

	DPC Industries Omaha, Nebraska	Marx Distribution Sioux City, Iowa	Hawkins Inc. Sioux Falls, South Dakota
Sodium hypochlorite solution. (Price per gallon.)	\$0.8975 (For an approximate yearly total of \$78,082.50)	\$0.8900 (For an approximate yearly total of \$77,430.00)	\$0.9290 (For an approximate yearly total of \$80,823.00)

This price is good for one (1) year and may continue for two (2) additional one (1) year periods, if the price remains the same and both parties agree.

FINANCIAL IMPACT:

Account #510-2104-452.30-12 Water Fund Utilities, Southbridge Water Plant, Environmental Preservation, Chemicals.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Health and Safety.

ALTERNATIVES:

Reject bids.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2017 - _____

RESOLUTION AWARDING A PURCHASE ORDER TO DPC INDUSTRIES INC.
IN THE AMOUNT OF \$0.8975 PER GALLON FOR THE PURCHASE OF SODI-
UM HYPOCHLORITE SOLUTION FOR THE WATER TREATMENT PLANT.
(BID #244153).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that a purchase order be issued to DPC Industries Inc., Omaha, Nebraska, in the amount of \$0.8975 per gallon for the purchase of sodium hypochlorite solution for the Water Treatment Plant. (Bid #244153).

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 6

FROM: Chris Myres, Economic Development Specialist
Glenn Ellis, City Engineer

SUBJECT: Resolution approving and supporting the submission of a grant application to the Iowa Department of Transportation for the Revitalize Iowa's Sound Economy (RISE) Program for the construction of various road improvements in the Bridgeport and Bridgeport West Industrial Parks related to the Seaboard Triumph Foods Pork Processing Plant Project

Reviewed By:	x	Department Director	x	Finance Department	x	City Attorney	x	City Manager
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RECOMMENDATION:

Staff respectfully requests Council approve the above resolution.

DISCUSSION:

Background:

As Council is aware, Seaboard Triumph Foods is currently under construction of their pork processing plant in the Bridgeport West Industrial Park. Phase I of the project is scheduled to be completed in July of 2018 and will create over 1,100 new jobs with an additional 300-400 jobs employed by contractors providing various services to the plant. In addition to more than 2,000 employee vehicles per day traveling to and from the plant, the facility will generate approximately 300 trucks per day delivering raw materials, transporting finished materials, and delivering a wide variety of goods and services to the plant.

Based on the expected surge in traffic, verified through a traffic study conducted by Snyder & Associates, the City applied for and received approximately \$4.8 million in IDOT RISE funds to complete a series of twelve infrastructure projects designed to improve safety, traffic flow, and accessibility to STF and neighboring businesses. These improvements are being designed and constructed in phases, construction on which is expected to be completed in 2017.

Current Project/Phase II Expansion:

With STF's recent announcement of a Phase II expansion to the plant and the addition of 1,000 additional employees and vehicles to the local road network, staff began working with engineers from Howard R. Green and IDOT staff to determine additional RISE-eligible improvements that would accommodate the industrial growth in the Bridgeport area.

Through this process it was identified that the most beneficial improvement to the local road network is a new road which would connect the STF plant directly to the Aviation Boulevard/I-29 Interchange via a southerly route road. These improvements are detailed on the attached drawings provided by Howard R. Green and in the RISE grant application. This route would provide a direct connection away from the Singing Hills/I-29 Interchange and would be completely free of rail crossings. Directing traffic to the Aviation Boulevard/I-29 Interchange will significantly reduce congestion at the Singing Hills/I-29 Interchange.

The engineer's estimate for construction of this road is \$5,723,538. If approved, the RISE program award would provide 80% of project costs up to \$4,578,830. The local match (20%) would be \$1,144,708. STF has agreed to contribute a total of \$1 million to the construction of road improvements in both phases. Assuming the STF contribution is allocated evenly between both phases, the remaining City's share of the Phase II improvements would be \$644,708.

Approval of the above resolution of support will provide the necessary local commitment to allow the IDOT commission to consider the City's RISE application at their April 11, 2017 meeting.

FINANCIAL IMPACT:

The City's portion of the required local match is detailed above. The City's match will be paid from Tax Increment Financing generated by the STF Phase II expansion.

RELATIONSHIP TO STRATEGIC PLAN:

Supports the strategic plan goals to develop Sioux City into a leading Iowa business destination, invest in infrastructure to retain current businesses, develop a long-term economic development strategy, as well as to grow a vibrant and balanced economy.

ALTERNATIVES:

None suggested.

ATTACHMENTS:

Resolution
Road Improvement Concept Drawing
Hard copies of RISE Application

RESOLUTION NO. 2017 - _____
with attachments

RESOLUTION APPROVING AND SUPPORTING THE SUBMISSION OF A
GRANT APPLICATION TO THE IOWA DEPARTMENT OF TRANSPORTATION
FOR THE REVITALIZE IOWA'S SOUND ECONOMY (RISE) PROGRAM FOR
THE CONSTRUCTION OF VARIOUS ROAD IMPROVEMENTS IN THE
BRIDGEPORT AND BRIDGEPORT WEST INDUSTRIAL PARKS RELATED TO
THE SEABOARD TRIUMPH FOODS PORK PROCESSING PLANT PROJECT

WHEREAS, Seaboard Triumph Foods, Inc. has committed to the construction of a new pork processing facility in the Bridgeport West Industrial Park, creating many quality jobs and significant capital investment and tax base; and

WHEREAS, Seaboard Triumph Foods' recent announcement of a Phase II expansion of the plant will create additional traffic and related issues on the local street system in and around the Bridgeport West Industrial Park; and

WHEREAS, the City of Sioux City fully endorses the project as this immediate, non-speculative economic development opportunity will stimulate economic activity throughout the entire community; and

WHEREAS, improvements to the local road infrastructure are vital to the success of the Seaboard Triumph Foods pork processing plant as well as the wide variety of related businesses currently expanding or relocating in the area; and

WHEREAS, the City is currently engaged in negotiations with the business and has determined that RISE program funding is vital to the economic feasibility of the project; and

WHEREAS, the City Council supports this application to the Iowa Department of Transportation to provide critical funding to meet these needs; and

WHEREAS, an immediate RISE award from the Iowa Department of Transportation is essential to the City's job creation efforts as it will provide vital improvements to the Bridgeport and Bridgeport West Industrial Parks' internal road network which will be heavily utilized by the prospective and existing companies; and

WHEREAS, should the RISE funding not be awarded, the City may not be able to construct this vital infrastructure or will at least experience extreme financial hardship in doing so; and

WHEREAS, the roadway to be improved through the use of RISE funds will be dedicated for public use following construction and fall within the jurisdiction of the City of Sioux City and will be adequately maintained by the City.

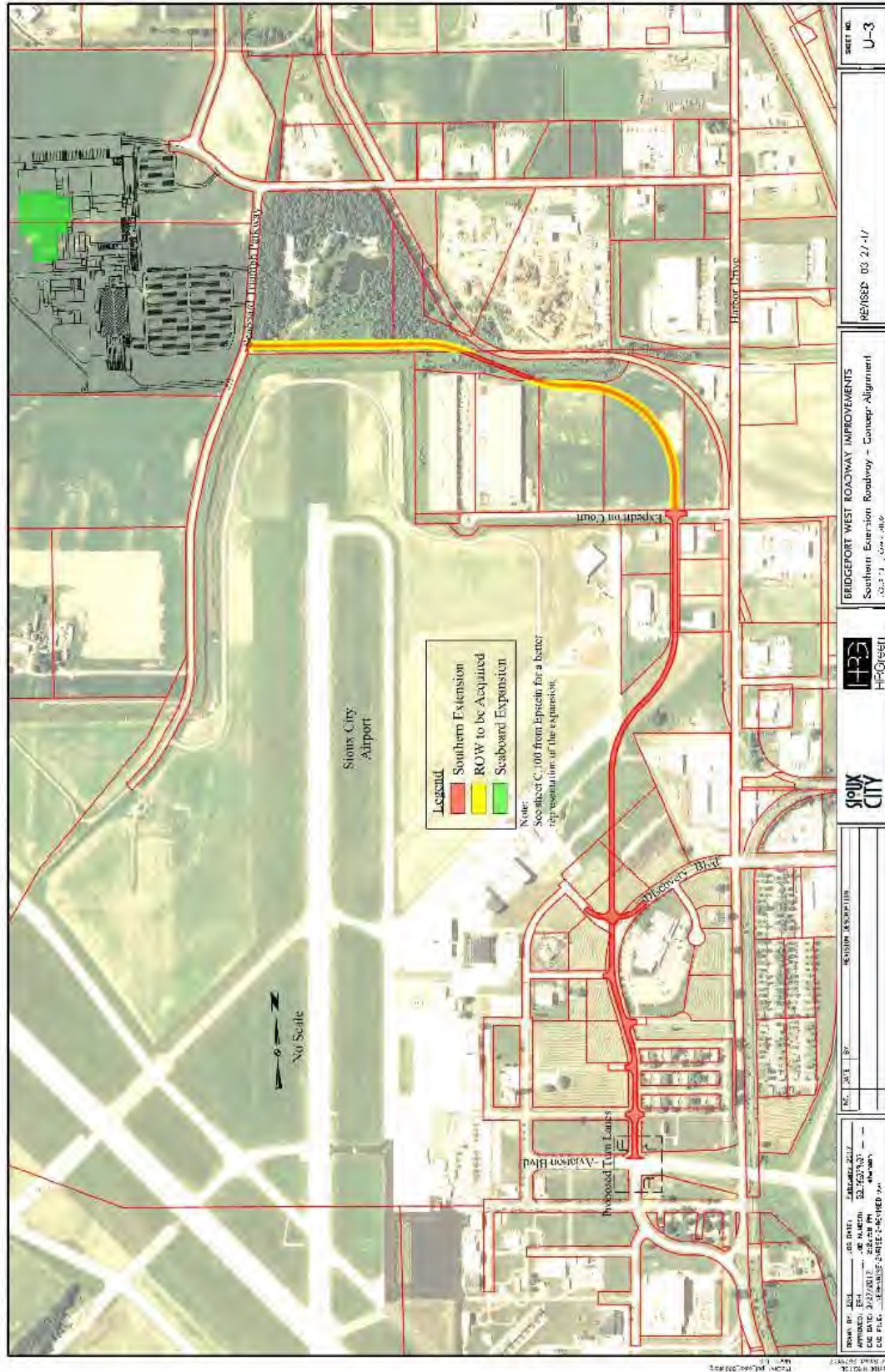
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the Economic Development Department is hereby authorized to submit an application, a copy of which is attached hereto and by this reference made a part hereof, to the Iowa Department of Transportation's Revitalize Iowa's Sound Economy (RISE) Program to request funding for local road infrastructure improvements in the Bridgeport and Bridgeport West Industrial Parks.

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Road Concept Drawing



<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 7A

FROM: Mike Collett, Assistant City Manager

SUBJECT: Resolution adopting plans, specifications, form of contract and estimated cost for the proposed construction of the Asphalt Seal Coating Project (Project No. 6910-749-108) at the Sioux Gateway Airport/Col. Bud Day Field.

Reviewed By:	<input checked="" type="checkbox"/>	Department Director	<input checked="" type="checkbox"/>	Finance Department	<input checked="" type="checkbox"/>	City Attorney	<input checked="" type="checkbox"/>	City Manager
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RECOMMENDATION:

Staff respectfully requests the City Council adopt plans, specifications, form of contract and estimated cost for the proposed construction of the Asphalt Seal Coating Project (Project No. 6910-749-108) at the Sioux Gateway Airport/Col. Bud Day Field.

DISCUSSION:

The City Engineering Division has completed plans, specifications, form of contract and estimated costs for the Sioux Gateway Airport Asphalt Seal Coating Project. This project includes asphalt seal coating at the Sioux Gateway Airport /Col. Bud Day Field including the South Ramp and Taxiway C.

Staff is ready to publish the Notice of Public Hearing on April 15, 2017 and April 22, 2017, and advertise the Notice of Taking Bids on April 12, 2017. A public hearing will be held on April 24, 2017. Bids will be received on May 2, 2017. Work shall be completed within 10 working days, which is anticipated to be in September 2017.

FINANCIAL IMPACT:

This project is funded using GO BONDS under CIP No. 749-108 South Ramp Taxi C Asphalt Sealing. The Engineer's opinion of probable construction cost for the work is \$102,934.00 for the base bid, \$7,944.30 for Alternate 1, \$5,623.80 for Alternate 2, \$1,219.40 for Alternate 3, \$3,125.20 for Alternate 4, and \$9,906.00 for Alternate 5. The project currently has an available balance of \$110,000.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibilities-Infrastructure
Strategic Focus Area-Expand Development Opportunities
#9 Increase Infrastructure and Paving Investment

ALTERNATIVES:

Council may request changes to the project documents or schedule.

ATTACHMENTS:

Resolution

Notice of Taking Bids

Notice of Public Hearing

RESOLUTION NO. 2017 - _____
with attachments

**RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND ESTIMATED COST FOR THE PROPOSED CONSTRUCTION OF THE
ASPHALT SEAL COATING PROJECT (PROJECT NO. 6910-749-108) AT THE
SIOUX GATEWAY AIRPORT/COL. BUD DAY FIELD.**

WHEREAS, it is necessary and in the best interests of the City of Sioux City, Iowa to seal coat the asphalt at the Sioux Gateway Airport /Col. Bud Day Field including the South Ramp and Taxiway C, in Sioux City, Iowa; and

WHEREAS, the City Engineering Division has prepared the plans, specifications, form of contract and estimated cost.

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

- A. The plans, specifications, form of contract and estimated cost, as prepared by the City Engineering Division, and on file in the office of the City Clerk of the City of Sioux City, Iowa, for the proposed Asphalt Seal Coating Project at the Sioux Gateway Airport/Col. Bud Day Field, in Sioux City, Iowa, be and the same are hereby adopted and the time of 4:00 o'clock P.M., Local Time, April 24, 2017, in the City Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, be, and the same is hereby fixed as the time and place for a public hearing on the same as required by law, at which hearing any interested person may appear and file objections to the proposed plans, specifications, form of contract and estimated cost in the amount of \$102,934 for the base bid, \$7,944.30 for Alternate 1, \$5,623.80 for Alternate 2, \$1,219.40 for Alternate 3, \$3,125.20 for Alternate 4 and \$9,906.00 for Alternate 5 for said construction.
- B. The bids will be received by the City Clerk of the City of Sioux City, Iowa, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in said City until 1:00 o'clock P.M., Local Time, May 2, 2017 for the proposed construction of said improvements.
- C. The time of 1:00 o'clock P.M., Local Time, May 2, 2017, in the Fourth Floor Clock Tower Conference Room in City Hall, 405 Sixth Street, Sioux City, Iowa, be and it is hereby fixed as the time and place for the opening of bids for the proposed construction of said improvements, and said bids shall be considered and acted upon at a meeting of the City Council in the City Council Chambers thereafter.
- D. The City Clerk of the City of Sioux City, Iowa, shall cause the attached Notice of Taking Bids to be posted on the City Engineering website and in a relevant contractor plan room service with statewide circulation, and a relevant construction lead generating service with statewide circulation in the manner prescribed by law.

- E. The City Clerk of the City of Sioux City, Iowa, shall cause the attached Notice of Public Hearing to be given by publication in at least one newspaper of general circulation in the manner prescribed by law.

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

NOTICE OF TAKING BIDS FOR THE CONSTRUCTION OF THE ASPHALT SEAL COATING PROJECT (PROJECT NO. 6910-749-108) AT THE SIOUX GATEWAY AIRPORT/COL. BUD DAY FIELD.

Sealed bids will be received by the City of Sioux City City Clerk, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in Sioux City Iowa, until 1:00 P.M., Local Time, May 2, 2017 for the construction of the project, as described in the construction documents. The project is located at the Sioux Gateway Airport/Col. Bud Day Field, 2403 Aviation Boulevard, Sioux City, Iowa and includes asphalt seal coating including the South Ramp and Taxiway C.

Bids received will be opened and tabulated at a public meeting, presided over by a City Engineer, in the 4th Floor Clock Tower Conference Room in the Public Works Department, City Hall, at 1:00 P.M., Local Time, on May 2, 2017. Thereafter, bids will be acted upon by the City Council at such time and place as may be fixed.

Each bid must be made on a form furnished by the City and must be accompanied by a bid bond, a cashier's check or certified check of an Iowa bank or a bank chartered under the laws of the United States, or a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States, in an amount equal to ten percent (10%) of the amount of the bid, made payable to the City Treasurer of the City of Sioux City, Iowa. The check or draft may be cashed by the City Treasurer as liquidated damages in the event the successful bidder fails to enter into a contract within the ten (10) days after notice of award and post bond satisfactory to the City ensuring the faithful fulfillment of the contract.

The contract will be awarded to the lowest responsive, responsible bidder. However, the City reserves the right to reject any or all bids, readvertise for new bids and to waive informalities that may be in the best interest of the City. By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the state of Iowa and to Iowa domestic labor.

The Notice of Public Hearing will be published in the Sioux City Journal on April 15, 2017, and April 22, 2017.

This project has an early start date of June 5, 2017, and a late start date of September 18, 2017. Work shall be completed within 10 Working Days.

Specifications for this project shall be the 2017 version of the Iowa Statewide Urban Standard Specifications for Public Improvements modified in accordance with the 2015 version of the City of Sioux City Supplement.

Copies of said construction documents are available at the office of the City Clerk of Sioux City for examination by the public. The documents are also available for viewing by the public, or sub-contractors, or suppliers, on the City's Engineering website, under the Projects Out to Bid tab www.sioux-city.org/engineering. Construction documents for private use, or potential prime contractors may be obtained from the Engineering Division, City Hall, upon deposit of twenty dollars (\$20) for each set. The deposit will be returned to depositor if the construction documents are returned in good condition within fourteen (14) days from date of award.

Contractors intending to bid as the prime contractor must obtain a hard copy of the plans, specifications and form of contract from the Engineering Division. Failure to obtain a hard copy may result in the bid being deemed nonresponsive and rejected.

/s/ Lisa L. McCardle,
City Clerk of the City of Sioux City, Iowa

Post on the Construction Update Plan Room Network's website at www.mbionline.com and on the City's website at www.sioux-city.org/engineering April 12, 2017

NOTICE OF PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COSTS FOR THE PROPOSED CONSTRUCTION OF THE ASPHALT SEAL COATING PROJECT (PROJECT NO. 6910-749-108) AT THE SIOUX GATEWAY AIRPORT/COL. BUD DAY FIELD.

A public hearing will be held before the Sioux City City Council in the Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, on April 24, 2017 commencing at 4:00 pm local time on the proposed plans, specifications, form of contract and estimate of costs in the amount of \$102,934.00 for the base bid, \$7,944.30 for Alternate 1, \$5,623.80 for Alternate 2, \$1,219.40 for Alternate 3, \$3,125.20 for Alternate 4, and \$9,906.00 for Alternate 5 (the construction documents) for the construction of the Asphalt Seal Coating Project in Sioux City, Iowa (the project). At said hearing, any interested person may appear and file objections to the proposed plans, specifications, contract or estimated cost of the public improvement. The public improvement includes asphalt seal coating and includes the South Ramp and Taxiway C located at the Sioux Gateway Airport/Col Bud Day Field, 2403 Aviation Boulevard in Sioux City, Iowa.

/s/ Lisa L. McCardle,
City Clerk of the City of Sioux City, Iowa

Publish in the Sioux City Journal April 15, 2017 and April 22, 2017

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 7B

FROM: Glenn Ellis, City Engineer
Brittany Anderson, Senior Civil Engineer

SUBJECT: Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the Gordon Drive and 158th Street Traffic Signal Project (Project No. 6839-139-018).

Reviewed By:	<input checked="" type="checkbox"/>	Department Director	<input checked="" type="checkbox"/>	Finance Department	<input checked="" type="checkbox"/>	City Attorney	<input checked="" type="checkbox"/>	City Manager
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RECOMMENDATION:

Staff respectfully requests Council adopt plans, specifications, form of contract, and estimated cost for the Gordon Drive and 158th Street Traffic Signal Project (Project No. 6839-139-018).

DISCUSSION:

Snyder & Associates, Inc. have completed plans and specifications for the Gordon Drive and 158th Street Traffic Signal Project. This project includes the installation of a new traffic signal at the intersection of Gordon Drive and 158th Street, extension of the westbound to south bound turning lane on Gordon Drive, and the construction of pedestrian crosswalk sidewalk ramps at the intersection.

Staff is ready to publish the Notice of Public Hearing on April 15, 2017 and April 22, 2017, and advertise the Notice of Taking Bids on April 12, 2017. A public hearing will be held on April 24, 2017. Bids will be received on May 2, 2017. Work shall be completed within 40 working days, with an early start date of June 1, 2017, and a late start date of June 19, 2017, which is anticipated to be in August 2017.

FINANCIAL IMPACT:

This project is funded using General Obligation Bonds under CIP 139-018 New Signal – Gordon Drive Development. The Engineer's opinion of probable construction cost for the work is \$250,253.00. The project currently has an available balance of \$465,162.99.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

Council may request changes to the project documents or schedule.

ATTACHMENTS:

Resolution

Notice of Taking Bids

Notice of Public Hearing

RESOLUTION NO. 2017 - _____
with attachments

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT,
AND ESTIMATED COST FOR THE PROPOSED CONSTRUCTION OF THE
GORDON DRIVE AND 158TH STREET TRAFFIC SIGNAL PROJECT
(PROJECT NO. 6839-139-018).

WHEREAS, it is necessary and in the best interests of the City of Sioux City, Iowa to construct the Gordon Drive and 158th Street Traffic Signal Project, in Sioux City, Iowa; and

WHEREAS, Snyder & Associates, Inc. of Sioux Falls, South Dakota have prepared the plans, specifications, form of contract, and estimated cost.

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

- A. The plans, specifications, form of contract, and estimated cost, as prepared by Snyder & Associates, Inc., and on file in the office of the City Clerk of the City of Sioux City, Iowa, for the proposed construction of the Gordon Drive and 158th Street Traffic Signal Project, in Sioux City, Iowa, be and the same are hereby adopted and the time of 4:00 o'clock P.M., Local Time, April 24, 2017, in the City Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, be, and the same is hereby fixed as the time and place for a public hearing on the same as required by law, at which hearing any interested person may appear and file objections to the proposed plans, specifications, form of contract and estimated cost in the amount of \$250,253.00 for said improvements.
- B. The bids will be received by the City Clerk of the City of Sioux City, Iowa, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in said City until 1:00 o'clock P.M., Local Time, May 2, 2017 for the proposed construction of said improvements.
- C. The time of 1:00 o'clock P.M., Local Time, May 2, 2017, in the Fourth Floor Clock Tower Conference Room in City Hall, 405 Sixth Street, Sioux City, Iowa, be and it is hereby fixed as the time and place for the opening of bids for the proposed construction of said improvements, and said bids shall be considered and acted upon at a meeting of the City Council in the City Council Chambers thereafter.
- D. The City Clerk of the City of Sioux City, Iowa shall cause the attached Notice of Taking Bids to be posted on the City Engineering website and in a relevant contractor plan room service with statewide circulation, and a relevant construction lead generating service with statewide circulation in a manner prescribed by law.
- E. The City Clerk of the City of Sioux City, Iowa, shall cause the attached Notice of Public Hearing to be given by publication in at least one newspaper of general circulation in the manner prescribed by law.

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

NOTICE OF TAKING BIDS FOR THE CONSTRUCTION OF THE GORDON DRIVE AND 158TH STREET TRAFFIC SIGNAL PROJECT (PROJECT NO. 6839-139-018), IN SIOUX CITY, IOWA.

Sealed bids will be received by the City of Sioux City City Clerk, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in Sioux City Iowa, until 1:00 P.M., Local Time, May 2, 2017, for the construction of the project, as described in the construction documents. The project is located at Gordon Drive and 158th Street and includes the installation of a new traffic signal and the construction of pedestrian crosswalk sidewalk ramps.

Bids received will be opened and tabulated at a public meeting, presided over by a City Engineer, in the 4th Floor Clock Tower Conference Room in the Public Works Department, City Hall, at 1:00 P.M., Local Time, on May 2, 2017. Thereafter, bids will be acted upon by the City Council at such time and place as may be fixed.

Each bid must be made on a form furnished by the City and must be accompanied by a bid bond, a cashier's check or certified check of an Iowa bank or a bank chartered under the laws of the United States, or a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States, in an amount equal to ten percent (10%) of the amount of the bid, made payable to the City Treasurer of the City of Sioux City, Iowa. The check or draft may be cashed by the City Treasurer as liquidated damages in the event the successful bidder fails to enter into a contract within the ten (10) days after notice of award and post bond satisfactory to the City ensuring the faithful fulfillment of the contract.

The contract will be awarded to the lowest responsive, responsible bidder. However, the City reserves the right to reject any or all bids, readvertise for new bids and to waive informalities that may be in the best interest of the City. By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the state of Iowa and to Iowa domestic labor.

The Notice of Public Hearing will be published in the Sioux City Journal on April 15, 2017 and April 22, 2017.

This project has an early start date of June 1, 2017, and a late start date of June 19, 2017. Work shall be completed within 40 Working Days.

Specifications for this project shall be the 2017 version of the Iowa Statewide Urban Standard Specifications for Public Improvements modified in accordance with the 2015 version of the City of Sioux City Supplement.

Copies of said construction documents are available at the office of the City Clerk of Sioux City for examination by the public. The documents are also available for viewing by the public, or sub-contractors, or suppliers, on the City's Engineering website, under the Projects Out to Bid tab www.siuix-city.org/engineering. Construction documents for private use, or potential prime contractors may be obtained from the Engineering Division, City Hall, upon deposit of twenty dollars (\$20) for each set. The deposit will be returned to depositor if the construction documents are returned in good condition within fourteen (14) days from date of award. **Contractors intending to bid as the prime contractor must obtain a hard copy of the plans, specifications and form of contract from the Engineering Division. Failure to obtain a hard copy may result in the bid being deemed nonresponsive and rejected.**

/s/ Lisa L. McCardle,
City Clerk of the City of Sioux City, Iowa

Post on the Construction Update Plan Room Network's website at www.mbionline.com and on the City's website at www.siuix-city.org/engineering) April 12, 2017.

NOTICE OF PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COSTS FOR THE CONSTRUCTION OF THE GORDON DRIVE AND 158TH STREET TRAFFIC SIGNAL PROJECT (PROJECT NO. 6839-139-018), IN SIOUX CITY, IOWA.

A public hearing will be held before the Sioux City City Council in the Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, on April 24, 2017 commencing at 4:00 P.M., Local Time, on the proposed plans, specifications, form of contract, and estimate of cost in the amount of \$250,253.00 (the construction documents) for the construction of the Gordon Drive and 158th Street Traffic Signal Project in Sioux City, Iowa (the project). At said hearing, any interested person may appear and file objections to the proposed plans, specifications, contract, or estimated cost of the public improvement. The public improvement project is located at Gordon Drive and 158th Street and includes the installation of a new traffic signal and the construction of pedestrian crosswalk sidewalk ramps.

/s/ Lisa L. McCardle,
City Clerk of the City of Sioux City, Iowa

Publish in the Sioux City Journal April 15, 2017 and April 22, 2017.

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017

ACTION ITEM # 8A-H

FROM: Amy Walker, City Treasurer

SUBJECT: Resolution electing classifications and procedures for proposed bond projects

Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$15,250,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for essential corporate purposes), and providing for publication of notice thereof (ECP-1)

Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$1,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof (GCP-2)

Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$1,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof (GCP-3)

Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$1,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof (GCP-4)

Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$1,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof (GCP-5)

Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$400,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof (GCP-6)

Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$3,000,000 General Obligation Urban Renewal Bonds of the City of Sioux City, State of Iowa (for essential corporate urban renewal purposes), and providing for publication of notice thereof (ECP/UR-7)

Reviewed By:	x	Department Director	x	Finance Department	x	City Attorney	x	City Manager
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RECOMMENDATION:

Staff respectfully requests Council approve the resolutions electing classifications and fixing the date of a meeting on the proposition to issue General Obligation Bonds. Furthermore, it is recommended that the hearing date be set for May 8, 2017.

DISCUSSION:

These resolutions set the hearings to start the process of issuing General Obligation Bonds to fund the 2018 Capital Improvement Program (CIP) and to refund G.O. Bonds, Series 2009B. The resolutions have been structured by the City's Bond Counsel.

A review of outstanding bond issues was completed by Piper Jaffray & Company, the City's Financial Advisor, to determine opportunities to reduce debt service costs. At this time, it is to the City's advantage to proceed with actions to refund the issue due to projected economic savings.

The hearing amounts have been set to fund project costs of \$19,348,363 and \$2,000,000 to refund existing General Obligation Bonds, Series 2009B. The Project List and the corresponding Stated Purposes of Issuance are attached.

FINANCIAL IMPACT:

Allows the City to fund the FY 2018 CIP Program and take advantage of projected savings by refunding outstanding GO Bonds. The net present value of savings for the refunding is estimated at approximately \$91,000. The savings would be realized over the life of the refunded bonds. If adequate savings will not be realized, the par amount of the bonds issued will be adjusted accordingly.

RELATIONSHIP TO STRATEGIC PLAN:

Proceeding with the issuance of G.O. Bonds shows the City's efforts to maintain our Operational Plans.

ALTERNATIVES:

To not proceed with hearings to issue G.O. Bonds to fund the City's FY 2018 CIP Program and to refund existing debt.

ATTACHMENTS:

Resolutions
Attachment A - Project List
Attachment B – Stated Purpose of Issuance

ITEMS TO INCLUDE ON AGENDA

CITY OF SIOUX CITY, IOWA

General Obligation Bonds.

X Resolution Electing Classifications and Procedures for Proposed Bond Projects

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

April 10, 2017

The City Council of the City of Sioux City, State of Iowa, met in regular session, in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the above date. There were present Mayor Robert E. Scott, in the chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION ELECTING CLASSIFICATIONS AND PROCEDURES FOR PROPOSED BOND PROJECTS", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION ELECTING CLASSIFICATIONS AND PROCEDURES FOR PROPOSED BOND PROJECTS

WHEREAS, this Council proposes to authorize the issuance of general obligation bonds under Chapters 384 and 403 of the Code of Iowa for the purpose of providing funds to pay the costs of the fiscal year 2018 capital improvements projects; and

WHEREAS, the projects consist of both essential corporate purposes and general corporate purposes, as those terms are defined in Section 384.24 of the Code of Iowa; and

WHEREAS, Section 384.28 of the Code of Iowa provides generally that the definitions of essential corporate purposes and general corporate purposes are not mutually exclusive, and that if a project or activity may be reasonably construed to be included in more than one classification, the Council may elect at any time between the classifications and the procedures respectively applicable to each classification; and

WHEREAS, the Treasurer has proposed that the projects to be funded with the proposed general obligation bonds be classified for purposes of the applicable hearing procedures as set forth in the FY2018 Bond List summary attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the classifications and procedures proposed in the FY2018 summary attached hereto be and hereby are in all respects approved, and the City Council hereby elects the classifications and procedures indicated on said summary, as authorized by Section 384.28, for purposes of establishing the classifications and hearing procedures applicable to the proposed FY2018 project bonds.

PASSED AND APPROVED this 10th day of April, 2017.

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WOODBURY

)

I, the undersigned City Clerk of the City of Sioux City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the 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 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 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 the 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 the Council hereto affixed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(SEAL)

ITEMS TO INCLUDE ON AGENDA

CITY OF SIOUX CITY, IOWA

Not to exceed \$15,250,000 General Obligation Bonds (ECP-1)

- Resolution fixing date for a meeting on the proposition to issue.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

April 10, 2017

The City Council of the City of Sioux City, State of Iowa, met in regular session, in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the above date. There were present Mayor Robert E. Scott, in the chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$15,250,000 GENERAL OBLIGATION BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR ESSENTIAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$15,250,000 GENERAL OBLIGATION BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR ESSENTIAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Sioux City, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$15,250,000, as authorized by Section 384.25, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential corporate purpose project(s) as hereinafter described; and

WHEREAS, before the Bonds may be issued, it is necessary to comply with the provisions of the Code, and to publish a notice of the proposal to issue such bonds and of the time and place of the meeting at which the Council proposes to take action for the issuance of the Bonds and to receive oral and/or written objections from any resident or property owner of the City to such action.

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

Section 1. That this Council meet in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the 8th day of May, 2017, for the purpose of taking action on the matter of the issuance of not to exceed \$15,250,000 General Obligation Bonds, for essential corporate purposes, the proceeds of which bonds will be used to provide funds to pay the costs of certain of the improvements and facilities included in the bond-financed portions of the Capital Improvement Program, including those costs incurred in connection with rehabilitation and improvement of parks already owned, including facilities, equipment, signage, and improvements commonly found in City parks; trail and sidewalk improvements; construction, reconstruction, relocation, extension, improvement and equipping of sanitary sewers and facilities, storm sewers and other drainage facilities; improvements for the collection of surface waters, streams, and flood mitigation and the acquisition and improvement of property necessary for such improvements; development and improvement of waterways, river banks and other areas adjacent to flood control improvements; waterworks improvements, including water main; construction, reconstruction and repair of improvements to the City-owned cemetery grounds, infrastructure and facilities; construction, reconstruction and repairing of street improvements, including, intersection, traffic control devices, railway crossings, bridge improvements, bicycle lanes, streetscape, alley and median improvements, and acquisition of real estate for such purposes; acquisition, construction, improvement and installation of street lighting fixtures, connections and facilities; reconstruction, improvement and repair of bridges; construction of improvements at the Sioux Gateway Airport, including replacement and or refurbishment of the airports paved and unpaved surfaces, runway improvements, fence, gate and security, and vertical infrastructure; and refunding outstanding indebtedness of the City, including the General Obligation Urban Renewal Bonds, Series 2009B.

Section 2. To the extent any of the projects or activities described in this resolution may be reasonably construed to be included in more than one classification under Division III of Chapter 384 of the Code of Iowa, the Council hereby elects the "essential corporate purpose" classification and procedure with respect to each such project or activity, pursuant to Section 384.28 of the Code of Iowa.

Section 3. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

Section 4. The notice of the proposed action to issue bonds shall be in substantially the following form:

To be published between April 18-25, 2017 (dates inclusive)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE
CITY OF SIOUX CITY, STATE OF IOWA, ON THE MATTER
OF THE PROPOSED ISSUANCE OF NOT TO EXCEED
\$15,250,000 GENERAL OBLIGATION BONDS OF THE CITY
(FOR ESSENTIAL CORPORATE PURPOSES), AND THE
HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Sioux City, State of Iowa, will hold a public hearing on the 8th day of May, 2017, at 4:00 P.M., in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$15,250,000 General Obligation Bonds, for essential corporate purposes, to provide funds to pay the costs of certain of the improvements and facilities included in the bond-financed portions of the Capital Improvement Program, including those costs incurred in connection with rehabilitation and improvement of parks already owned, including facilities, equipment, signage, and improvements commonly found in City parks; trail and sidewalk improvements; construction, reconstruction, relocation, extension, improvement and equipping of sanitary sewers and facilities, storm sewers and other drainage facilities; improvements for the collection of surface waters, streams, and flood mitigation and the acquisition and improvement of property necessary for such improvements; development and improvement of waterways, river banks and other areas adjacent to flood control improvements; waterworks improvements, including water main; construction, reconstruction and repair of improvements to the City-owned cemetery grounds, infrastructure and facilities; construction, reconstruction and repairing of street improvements, including, intersection, traffic control devices, railway crossings, bridge improvements, bicycle lanes, streetscape, alley and median improvements, and acquisition of real estate for such purposes; acquisition, construction, improvement and installation of street lighting fixtures, connections and facilities; reconstruction, improvement and repair of bridges; construction of improvements at the Sioux Gateway Airport, including replacement and or refurbishment of the airports paved and unpaved surfaces, runway improvements, fence, gate and security, and vertical infrastructure; and refunding outstanding indebtedness of the City, including the General Obligation Urban Renewal Bonds, Series 2009B.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or will abandon the proposal to issue said Bonds.

This notice is given by order of the City Council of the City of Sioux City, State of Iowa, as provided by Section 384.25 of the Code of Iowa.

Dated this 10th day of April, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(End of Notice)

PASSED AND APPROVED this 10th day of April, 2017.

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WOODBURY

)

I, the undersigned City Clerk of the City of Sioux City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the 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 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 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 the 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 the Council hereto affixed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(SEAL)

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Sioux City, in the Counties of Woodbury and Plymouth, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING

Not To Exceed \$15,250,000 General Obligation Bonds (ECP-1)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Sioux City Journal", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

_____, 2017.

WITNESS my official signature this _____ day of _____, 2017.

(SEAL)

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

ITEMS TO INCLUDE ON AGENDA

CITY OF SIOUX CITY, IOWA

Not to exceed \$1,000,000 General Obligation Bonds (GCP-2)

- Resolution fixing date for a meeting on the proposition to issue.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

April 10, 2017

The City Council of the City of Sioux City, State of Iowa, met in regular session, in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the above date. There were present Mayor Robert E. Scott, in the chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$1,000,000 GENERAL OBLIGATION BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$1,000,000 GENERAL OBLIGATION BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Sioux City, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$1,000,000, as authorized by Section 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

WHEREAS, the Issuer has a population in excess of 75,000, and the Bonds for these purposes do not exceed \$1,000,000; and

WHEREAS, before the Bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Bonds and the right to petition for an election.

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

Section 5. That this Council meet in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the 8th day of May, 2017, for the purpose of taking action on the matter of the issuance of not to exceed \$1,000,000 General Obligation Bonds, for general corporate purposes, the proceeds of which bonds will be used to provide funds to pay the costs of certain of the improvements and facilities included in the bond-financed portions of the Capital Improvement Program, including those costs incurred in connection with improvement, repair and equipping various City facilities, including the City Library, Art Center, Athletic fields, annual city-wide pool improvements, and splash pad improvements at the Leeds pool and Cooks pool, as part of the Aquatic Comprehensive Plan and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 6. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

Section 7. The notice of the proposed action to issue bonds shall be in substantially the following form:

To be published between April 18-25, 2017 (dates inclusive)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE
CITY OF SIOUX CITY, STATE OF IOWA, ON THE MATTER
OF THE PROPOSED ISSUANCE OF NOT TO EXCEED
\$1,000,000 GENERAL OBLIGATION BONDS OF THE CITY
(FOR GENERAL CORPORATE PURPOSES), AND THE
HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Sioux City, State of Iowa, will hold a public hearing on the 8th day of May, 2017, at 4:00 P.M., in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$1,000,000 General Obligation Bonds, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Bonds to be issued to provide funds to pay the costs of certain of the improvements and facilities included in the bond-financed portions of the Capital Improvement Program, including those costs incurred in connection with improvement, repair and equipping various City facilities, including the City Library, Art Center, Athletic fields, annual city-wide pool improvements, and splash pad improvements at the Leeds pool and Cooks pool, as part of the Aquatic Comprehensive Plan.

At any time before the date of the meeting, a petition, asking that the question of issuing such Bonds be submitted to the legal voters of the City, may be filed with the Clerk of the City, including the drop box at City Hall during non-business hours, in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Section 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or will abandon the proposal to issue said Bonds.

This notice is given by order of the City Council of the City of Sioux City, State of Iowa, as provided by Section 384.26 of the Code of Iowa.

Dated this 10th day of April, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(End of Notice)

PASSED AND APPROVED this 10th day of April, 2017.

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WOODBURY

)

I, the undersigned City Clerk of the City of Sioux City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the 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 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 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 the 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 the Council hereto affixed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(SEAL)

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Sioux City, in the Counties of Woodbury and Plymouth, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING
Not To Exceed \$1,000,000 General Obligation Bonds (GCP-2)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Sioux City Journal", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

_____, 2017.

WITNESS my official signature this _____ day of _____, 2017.

(SEAL)

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

ITEMS TO INCLUDE ON AGENDA

CITY OF SIOUX CITY, IOWA

Not to exceed \$1,000,000 General Obligation Bonds (GCP-3)

- Resolution fixing date for a meeting on the proposition to issue.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

April 10, 2017

The City Council of the City of Sioux City, State of Iowa, met in regular session, in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the above date. There were present Mayor Robert E. Scott, in the chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$1,000,000 GENERAL OBLIGATION BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$1,000,000 GENERAL OBLIGATION BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Sioux City, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$1,000,000, as authorized by Section 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

WHEREAS, the Issuer has a population in excess of 75,000, and the Bonds for these purposes do not exceed \$1,000,000; and

WHEREAS, before the Bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Bonds and the right to petition for an election.

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

Section 8. That this Council meet in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the 8th day of May, 2017, for the purpose of taking action on the matter of the issuance of not to exceed \$1,000,000 General Obligation Bonds, for general corporate purposes, the proceeds of which bonds will be used to provide funds to pay the costs of certain of the improvements and facilities included in the bond-financed portions of the Capital Improvement Program, including those costs of the improvement, repair and equipping of the Lewis and Clark Stadium; reconstruction, repair, replacement, and acquisition costs associated with the City's parking enterprise; WCICC Information Services equipment upgrades, hardware replacements, related improvements and software; City Technology upgrades, including data processing upgrades, communications, hardware replacement, improvements and software; improving and equipping the Field Services Facility; City funding for development improvements and assistance; and repair and improvement of City recreation facilities, including the boat ramp and adjacent river bank stabilization and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 9. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

Section 10. The notice of the proposed action to issue bonds shall be in substantially the following form:

To be published between April 18-25, 2017 (dates inclusive)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE
CITY OF SIOUX CITY, STATE OF IOWA, ON THE MATTER
OF THE PROPOSED ISSUANCE OF NOT TO EXCEED
\$1,000,000 GENERAL OBLIGATION BONDS OF THE CITY
(FOR GENERAL CORPORATE PURPOSES), AND THE
HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Sioux City, State of Iowa, will hold a public hearing on the 8th day of May, 2017, at 4:00 P.M., in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$1,000,000 General Obligation Bonds, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Bonds to be issued to provide funds to pay the costs of certain of the improvements and facilities included in the bond-financed portions of the Capital Improvement Program, including those costs of the improvement, repair and equipping of the Lewis and Clark Stadium; reconstruction, repair, replacement, and acquisition costs associated with the City's parking enterprise; WCICC Information Services equipment upgrades, hardware replacements, related improvements and software; City Technology upgrades, including data processing upgrades, communications, hardware replacement, improvements and software; improving and equipping the Field Services Facility; City funding for development improvements and assistance; and repair and improvement of City recreation facilities, including the boat ramp and adjacent river bank stabilization.

At any time before the date of the meeting, a petition, asking that the question of issuing such Bonds be submitted to the legal voters of the City, may be filed with the Clerk of the City, including the drop box at City Hall during non-business hours, in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Section 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or will abandon the proposal to issue said Bonds.

This notice is given by order of the City Council of the City of Sioux City, State of Iowa, as provided by Section 384.26 of the Code of Iowa.

Dated this 10th day of April, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(End of Notice)

PASSED AND APPROVED this 10th day of April, 2017.

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WOODBURY

)

I, the undersigned City Clerk of the City of Sioux City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the 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 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 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 the 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 the Council hereto affixed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(SEAL)

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Sioux City, in the Counties of Woodbury and Plymouth, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING
Not To Exceed \$1,000,000 General Obligation Bonds (GCP-3)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Sioux City Journal", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

_____, 2017.

WITNESS my official signature this _____ day of _____, 2017.

(SEAL)

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

ITEMS TO INCLUDE ON AGENDA

CITY OF SIOUX CITY, IOWA

Not to exceed \$1,000,000 General Obligation Bonds (GCP-4)

- Resolution fixing date for a meeting on the proposition to issue.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

April 10, 2017

The City Council of the City of Sioux City, State of Iowa, met in regular session, in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the above date. There were present Mayor Robert E. Scott, in the chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$1,000,000 GENERAL OBLIGATION BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$1,000,000 GENERAL OBLIGATION BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Sioux City, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$1,000,000, as authorized by Section 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

WHEREAS, the Issuer has a population in excess of 75,000, and the Bonds for these purposes do not exceed \$1,000,000; and

WHEREAS, before the Bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Bonds and the right to petition for an election.

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

Section 11. That this Council meet in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the 8th day of May, 2017, for the purpose of taking action on the matter of the issuance of not to exceed \$1,000,000 General Obligation Bonds, for general corporate purposes, the proceeds of which bonds will be used to provide funds to pay the costs of certain of the improvements and facilities included in the bond-financed portions of the Capital Improvement Program, including those costs incurred in connection with enhancements at the Tyson Event Center and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 12. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

Section 13. The notice of the proposed action to issue bonds shall be in substantially the following form:

To be published between April 18-25, 2017 (dates inclusive)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE
CITY OF SIOUX CITY, STATE OF IOWA, ON THE MATTER
OF THE PROPOSED ISSUANCE OF NOT TO EXCEED
\$1,000,000 GENERAL OBLIGATION BONDS OF THE CITY
(FOR GENERAL CORPORATE PURPOSES), AND THE
HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Sioux City, State of Iowa, will hold a public hearing on the 8th day of May, 2017, at 4:00 P.M., in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$1,000,000 General Obligation Bonds, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Bonds to be issued to provide funds to pay the costs of certain of the improvements and facilities included in the bond-financed portions of the Capital Improvement Program, including those costs incurred in connection with enhancements at the Tyson Event Center.

At any time before the date of the meeting, a petition, asking that the question of issuing such Bonds be submitted to the legal voters of the City, may be filed with the Clerk of the City, including the drop box at City Hall during non-business hours, in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Section 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or will abandon the proposal to issue said Bonds.

This notice is given by order of the City Council of the City of Sioux City, State of Iowa, as provided by Section 384.26 of the Code of Iowa.

Dated this 10th day of April, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(End of Notice)

PASSED AND APPROVED this 10th day of April, 2017.

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WOODBURY

)

I, the undersigned City Clerk of the City of Sioux City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the 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 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 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 the 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 the Council hereto affixed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(SEAL)

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Sioux City, in the Counties of Woodbury and Plymouth, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING
Not To Exceed \$1,000,000 General Obligation Bonds (GCP-4)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Sioux City Journal", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

_____, 2017.

WITNESS my official signature this _____ day of _____, 2017.

(SEAL)

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

ITEMS TO INCLUDE ON AGENDA

CITY OF SIOUX CITY, IOWA

Not to exceed \$1,000,000 General Obligation Bonds (GCP-5)

- Resolution fixing date for a meeting on the proposition to issue.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

April 10, 2017

The City Council of the City of Sioux City, State of Iowa, met in regular session, in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the above date. There were present Mayor Robert E. Scott, in the chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$1,000,000 GENERAL OBLIGATION BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$1,000,000 GENERAL OBLIGATION BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Sioux City, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$1,000,000, as authorized by Section 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

WHEREAS, the Issuer has a population in excess of 75,000, and the Bonds for these purposes do not exceed \$1,000,000; and

WHEREAS, before the Bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Bonds and the right to petition for an election.

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

Section 14. That this Council meet in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the 8th day of May, 2017, for the purpose of taking action on the matter of the issuance of not to exceed \$1,000,000 General Obligation Bonds, for general corporate purposes, the proceeds of which bonds will be used to provide funds to pay the costs of certain of the improvements and facilities included in the bond-financed portions of the Capital Improvement Program, including those costs incurred in connection with improvement, repair and equipping various City facilities, including the Convention Center, Long Lings Recreation Center and IBP Ice Center and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 15. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

Section 16. The notice of the proposed action to issue bonds shall be in substantially the following form:

To be published between April 18-25, 2017 (dates inclusive)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE
CITY OF SIOUX CITY, STATE OF IOWA, ON THE MATTER
OF THE PROPOSED ISSUANCE OF NOT TO EXCEED
\$1,000,000 GENERAL OBLIGATION BONDS OF THE CITY
(FOR GENERAL CORPORATE PURPOSES), AND THE
HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Sioux City, State of Iowa, will hold a public hearing on the 8th day of May, 2017, at 4:00 P.M., in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$1,000,000 General Obligation Bonds, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Bonds to be issued to provide funds to pay the costs of certain of the improvements and facilities included in the bond-financed portions of the Capital Improvement Program, including those costs incurred in connection with improvement, repair and equipping various City facilities, including the Convention Center, Long Lings Recreation Center and IBP Ice Center.

At any time before the date of the meeting, a petition, asking that the question of issuing such Bonds be submitted to the legal voters of the City, may be filed with the Clerk of the City, including the drop box at City Hall during non-business hours, in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Section 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or will abandon the proposal to issue said Bonds.

This notice is given by order of the City Council of the City of Sioux City, State of Iowa, as provided by Section 384.26 of the Code of Iowa.

Dated this 10th day of April, 2017.

Lisa L. McCardle, City Clerk, City of Sioux
City, State of Iowa

(End of Notice)

PASSED AND APPROVED this 10th day of April, 2017.

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WOODBURY

)

I, the undersigned City Clerk of the City of Sioux City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the 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 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 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 the 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 the Council hereto affixed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(SEAL)

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Sioux City, in the Counties of Woodbury and Plymouth, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING
Not To Exceed \$1,000,000 General Obligation Bonds (GCP-5)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Sioux City Journal", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

_____, 2017.

WITNESS my official signature this _____ day of _____, 2017.

(SEAL)

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

ITEMS TO INCLUDE ON AGENDA

CITY OF SIOUX CITY, IOWA

Not to exceed \$400,000 General Obligation Bonds (GCP-6)

- Resolution fixing date for a meeting on the proposition to issue.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

April 10, 2017

The City Council of the City of Sioux City, State of Iowa, met in regular session, in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the above date. There were present Mayor Robert E. Scott, in the chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$400,000 GENERAL OBLIGATION BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$400,000 GENERAL OBLIGATION BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Sioux City, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$400,000, as authorized by Section 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

WHEREAS, the Issuer has a population in excess of 75,000, and the Bonds for these purposes do not exceed \$1,000,000; and

WHEREAS, before the Bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Bonds and the right to petition for an election.

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

Section 17. That this Council meet in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the 8th day of May, 2017, for the purpose of taking action on the matter of the issuance of not to exceed \$400,000 General Obligation Bonds, for general corporate purposes, the proceeds of which bonds will be used to provide funds to pay the costs of certain of the improvements and facilities included in the bond-financed portions of the Capital Improvement Program, including those costs of Corridor Improvements within the Pierce Street Corridor Plan, West 7th Street Corridor, Riverside Boulevard/Military Road District, Leeds/Floyd Corridor, and Peters Park Corridor and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 18. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

Section 19. The notice of the proposed action to issue bonds shall be in substantially the following form:

To be published between April 18-25, 2017 (dates inclusive)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE
CITY OF SIOUX CITY, STATE OF IOWA, ON THE MATTER
OF THE PROPOSED ISSUANCE OF NOT TO EXCEED
\$400,000 GENERAL OBLIGATION BONDS OF THE CITY
(FOR GENERAL CORPORATE PURPOSES), AND THE
HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Sioux City, State of Iowa, will hold a public hearing on the 8th day of May, 2017, at 4:00 P.M., in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$400,000 General Obligation Bonds, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Bonds to be issued to provide funds to pay the costs of certain of the improvements and facilities included in the bond-financed portions of the Capital Improvement Program, including those costs of Corridor Improvements within the Pierce Street Corridor Plan, West 7th Street Corridor, Riverside Boulevard/Military Road District, Leeds/Floyd Corridor, and Peters Park Corridor.

At any time before the date of the meeting, a petition, asking that the question of issuing such Bonds be submitted to the legal voters of the City, may be filed with the Clerk of the City, including the drop box at City Hall during non-business hours, in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Section 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or will abandon the proposal to issue said Bonds.

This notice is given by order of the City Council of the City of Sioux City, State of Iowa, as provided by Section 384.26 of the Code of Iowa.

Dated this 10th day of April, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(End of Notice)

PASSED AND APPROVED this 10th day of April, 2017.

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WOODBURY

)

I, the undersigned City Clerk of the City of Sioux City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the 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 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 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 the 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 the Council hereto affixed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(SEAL)

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Sioux City, in the Counties of Woodbury and Plymouth, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING
Not To Exceed \$400,000 General Obligation Bonds (GCP-6)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Sioux City Journal", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

_____, 2017.

WITNESS my official signature this _____ day of _____, 2017.

(SEAL)

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

ITEMS TO INCLUDE ON AGENDA

CITY OF SIOUX CITY, IOWA

Not to exceed \$3,000,000 General Obligation Urban Renewal Bonds (ECP/UR-7)

- Resolution fixing date for a meeting on the proposition to issue.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

April 10, 2017

The City Council of the City of Sioux City, State of Iowa, met in regular session, in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the above date. There were present Mayor Robert E. Scott, in the chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$3,000,000 GENERAL OBLIGATION URBAN RENEWAL BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR ESSENTIAL CORPORATE URBAN RENEWAL PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$3,000,000 GENERAL OBLIGATION URBAN RENEWAL BONDS OF THE CITY OF SIOUX CITY, STATE OF IOWA (FOR ESSENTIAL CORPORATE URBAN RENEWAL PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

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 Donner Park Urban Renewal Plan on December 7, 1987, pursuant to Resolution No. 87/T-6002 and subsequent amendments to the same on September 12, 1988, pursuant to Resolution No. 88/T-6760, June 10, 1991, pursuant to No. 91/T-9955, October 12, 1992, pursuant to Resolution No. 92/U-549; December 20, 1993, pursuant to Resolution No. 93/U-1656; December 19, 1994, pursuant to Resolution No. 94/U-2783, March 24, 1997, pursuant to Resolution No. 97/U-5267, August 24, 2009, pursuant to Resolution No. 2009-0679, September 13, 2010, pursuant to Resolution No. 2010-0670, December 10, 2012, pursuant to Resolution No. 2012-0842, May 13, 2013, pursuant to Resolution No. 2013-0377, November 25, 2013, pursuant to Resolution No. 2013-0877; May 5, 2014, pursuant to Resolution No. 2014-0273, September 8, 2014, pursuant to Resolution No. 2014-0665; December 22, 2014, pursuant to Resolution No. 2014-0939; April 27, 2015 pursuant to Resolution No. 2015-0304; July 13, 2015, pursuant to Resolution No. 2015-0535; September 14, 2015 pursuant to Resolution No. 2015-0693; April 18, 2016 pursuant to Resolution No. 2016-0306; September 26, 2016 pursuant to Resolution No. 2016-0834; and March 20, 2017 pursuant to Resolution No. 2017-0251, for the amended Donner Park Urban Renewal Project Area described therein, which Plan, as amended, is on file in the office of the Recorder of Woodbury County; and

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 Combined Central Sioux City–CBD Urban Renewal Plan on April 5, 1967, pursuant to Resolution No. S-8780, and subsequent amendments to the same on March 28, 1973, pursuant to Resolution No. S-21905, July 25, 1983, pursuant to Resolution No. 83/T-1933, April 8, 1985, pursuant to Resolution No. 85/T-3660, October 7, 1985, pursuant to Resolution No. 85/T-4097, August 10, 1987, pursuant to Resolution No. 87/T-5714, June 4, 1990, pursuant to Resolution No. 90/T-8636, December 17, 1990, pursuant to Resolution No. 90/T-9422, June 1, 1992, pursuant to Resolution No. 92/U-0189, July 7, 2003, pursuant to Resolution No. 2003-0599, November 21, 2011, pursuant to Resolution No. 2011-0825, September 17, 2012, pursuant to Resolution No. 2012-0648, May 13, 2013 pursuant to Resolution No. 2013-0378, November 25, 2013 pursuant to Resolution No. 2013-0879, January 6, 2014 pursuant to Resolution No. 2014-0011, May 5, 2014, pursuant to Resolution No. 2014-0274; June 23, 2014, pursuant to Resolution No. 2014-0424; August 18, 2014, pursuant to Resolution No. 2014-0596; April 27, 2015 pursuant to Resolution No. 2015-0303; October 19, 2015, pursuant to Resolution No. 2015-0797; April 18, 2016, pursuant to Resolution No. 2016-0305; September 26, 2016 pursuant to Resolution No. 2016-0833 and March 20, 2017 pursuant to Resolution No. 2017-0250 for the amended Combined Central Sioux City –CBD Urban Renewal Project Area described therein, which Plan, as amended, is on file in the office of the Recorder of Woodbury County; and

WHEREAS, it is deemed necessary and advisable that the City of Sioux City, State of Iowa, should issue General Obligation Urban Renewal Bonds, to the amount of not to exceed \$3,000,000, as authorized by Sections 384.25 and 403.12, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential corporate urban renewal purpose project(s) as hereinafter described; and

WHEREAS, before bonds may be issued, it is necessary to comply with the procedural requirements of Chapters 384 and 403 of the Code of Iowa, and to publish a notice of the proposal to issue such bonds and the right to petition for an election.

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

Section 20. That this Council meet in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at 4:00 P.M., on the 8th day of May, 2017, for the purpose of taking action on the matter of the issuance of not to exceed \$3,000,000 General Obligation Urban Renewal Bonds, for essential corporate urban renewal purposes, the proceeds of which bonds will be used to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Urban Renewal Plans for the Combined Business District (CBD), and Donner Park (Donner) Urban Renewal Areas, such as those costs associated with streetscape and façade improvements (CBD), street, storm water, utility and public infrastructure improvements (Donner/CBD), and infrastructure and improvements pursuant to development agreements for Sunnybrook (Donner), S. Cypress (Donner) and the Convention Center/Hotel development (CBD).

Section 21. To the extent any of the projects or activities described in this resolution may be reasonably construed to be included in more than one classification under Division III of Chapter 384 of the Code of Iowa, the Council hereby elects the "essential corporate purpose" classification and procedure with respect to each such project or activity, pursuant to Section 384.28 of the Code of Iowa.

Section 22. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

Section 23. The notice of the proposed action to issue bonds shall be in substantially the following form:

To be published between April 18-25, 2017 (dates inclusive)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE
CITY OF SIOUX CITY, STATE OF IOWA, ON THE MATTER
OF THE PROPOSED ISSUANCE OF NOT TO EXCEED
\$3,000,000 GENERAL OBLIGATION URBAN RENEWAL
BONDS OF THE CITY (FOR ESSENTIAL CORPORATE UR-
BAN RENEWAL PURPOSES), AND THE HEARING ON THE
ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Sioux City, State of Iowa, will hold a public hearing on the 8th day of May, 2017, at 4:00 P.M., in the Council Chambers, City Hall, 405 - 6th Street, Sioux City, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$3,000,000 General Obligation Urban Renewal Bonds, for essential corporate urban renewal purposes, to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Urban Renewal Plans for the Combined Business District (CBD), and Donner Park (Donner) Urban Renewal Areas, such as those costs associated with streetscape and façade improvements (CBD), street, storm water, utility and public infrastructure improvements (Donner/CBD), and infrastructure and improvements pursuant to development agreements for Sunnybrook (Donner), S. Cypress (Donner) and the Convention Center/Hotel development (CBD).

At any time before the date of the meeting, a petition, asking that the question of issuing such Bonds be submitted to the legal voters of the City, may be filed with the Clerk of the City, including the drop box at City Hall during non-business hours, in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24(3)(q), 384.25 and 403.12 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or will abandon the proposal to issue said Bonds.

This notice is given by order of the City Council of the City of Sioux City, State of Iowa, as provided by Chapters 384 and 403 of the Code of Iowa.

Dated this 10th day of April, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(End of Notice)

PASSED AND APPROVED this 10th day of April, 2017.

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WOODBURY

)

I, the undersigned City Clerk of the City of Sioux City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the 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 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 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 the 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 the Council hereto affixed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk,
City of Sioux City, State of Iowa

(SEAL)

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Sioux City, in the Counties of Woodbury and Plymouth, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING
Not To Exceed \$3,000,000 General Obligation Urban Renewal Bonds
(ECP/UR-7)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Sioux City Journal", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

_____, 2017.

WITNESS my official signature this _____ day of _____, 2017.

City Clerk, City of Sioux City, State of Iowa

(SEAL)

ATTACHMENT A

City of Sioux City, Iowa
FY 2018
General Obligation Bonds, Series 2017

Proj. No.	Project Name:	Approved CIP Budget	Increases/ (Decreases)	Proposed Bond Issue
138005	Improved Street Lighting	316,400		\$ 316,400
173018	MRBC Repairs June14 Flood	45,000		45,000
173019	Outer Dr Drainage/Floyd River Imprv.	657,500		657,500
319007	Renovate Morningside Library	600,000		600,000
339003	Art Center Capital Projects	77,800		77,800
379010	Annual EFAB Remodel & Repair	560,000		560,000
379025	Tyson Enhancement	965,000		965,000
459005	Annual Athletic Improvements	27,000		27,000
459039	Tennis Court Replacement	135,503		135,503
459040	Park Signage	10,000		10,000
459044	I-29 Trail Relocation	300,972		300,972
459055	AnnI IBP Ice Center Maintenance	64,800		64,800
459102	Ann. Long Lines Rec. Center	348,000		348,000
459133	Ann.Park Restroom Repair/Replace	115,000		115,000
459140	Ann.Park Road/Lots/Trail Imprv.	292,580		292,580
459149	Sgt Floyd Monumt Area Enhancement	18,000		18,000
459179	Pool Improvements-Annual	180,000		180,000
459180	Park Improvements-Annual	297,500		297,500
459212	Annual Lewis/Clark Stadium	362,000		362,000
459214	Aquatic Comprehensive Plan	50,000		50,000
459302	City Trails	325,000		325,000
519237	N Lewis, 1st to 31st St.	1,400,000		1,400,000
549012	S. Royce/Myers Ave Storm	257,500		257,500
549017	Airport Museum Drainage	72,500		72,500
549021	Promenade Water Quality Imprv.	231,658		231,658
549101	Annual Storm Sewer Unspecified	154,500		154,500
549133	Annual Storm Inlet Rebuild	56,650		56,650
569001	Cemeteries Improvement Rehab.	85,000		85,000
611001	City Share New Residential Dev.	50,000		50,000
663239	Reinvest District-CC Hotel	773,000		773,000
663303	Sgt.Road/Sunnybrook Development	465,000		465,000
719001	Ann CBD Infrstrrastructure Imprv.	35,000		35,000
719014	Rail Crossing Imprv.-Downtown	50,000		50,000
719015	Reconst Unspecified Pavement	80,000		80,000
719121	Annual Resurfcing/Panel/Curb & Gutter	730,000		730,000
719130	Annual Railroad Crossings	75,000		75,000
719133	Ann. Infrastructure Reconstruction	577,785		577,785
719138	Annual Bridge Repairs	186,000		186,000

Proj. No.	Project Name:	Approved CIP Budget	Increases/ (Decreases)	Proposed Bond Issue
719206	Bridge Deck Restoration	190,000		190,000
719207	S. Cypress Extension	255,000		255,000
719213	I-29 Construction Repayment	461,000		461,000
719264	W 7th St:Wesley Way-Hamilton	2,554,715		2,554,715
719280	Sunnybrook Development	1,200,000		1,200,000
719331	Ann.Schools in Sioux City Infrastructure	850,000		850,000
728012	Annual Parking Ramp Repair	250,000		250,000
749084	Annual Airport Capital Projects	1,885,000		1,885,000
859006	WCICC Information Services Upgrade	125,000		125,000
859025	Annual Technology Improvements	25,000		25,000
879015	Historic Pearl District	100,000		100,000
879017	Pierce St Corridor Plan	75,000		75,000
879018	West 7th Corridor Improvements	100,000		100,000
879019	Riverside Blvd/Military Road District Plan	50,000		50,000
879020	Leeds/Floyd Corridor Study	50,000		50,000
879022	Peters Park Corridor Improvement	50,000		50,000
889012	Ann. Field Services Facility Maintenance	100,000		100,000
Total CIP Projects		19,348,363	--	\$ 19,348,363
Refunding:				
Series 2009B				2,000,000
Issue Costs/Discount				1,301,637
Total				\$ 22,650,000

**General Obligation Bonds
For the Stated Purpose, Not to Exceed**

PRJ. No.	Project Name	Issue Amount
138005	Improved Street Lighting	316,400
173019	Outer Dr Drainage/Floyd River Improvement	657,500
459039	Tennis Court Replacement	135,503
459040	Park Signage	10,000
459044	I-29 Trail Relocation	300,972
459133	Ann.Park Restroom Repair/Replace	115,000
459140	Ann.Park Road/Lots/Trail Imprv.	292,580
459149	Sgt Floyd Monument Area Enhancement	18,000
459180	Park Improvements-Annual	297,500
459302	City Trails	325,000
519237	N Lewis, 1st to 31st St.	1,400,000
549012	S. Royce/Myers Ave Storm	257,500
549017	Airport Museum Drainage	72,500
549021	Promenade Water Quality Imprv.	231,658
549101	Annual Storm Sewer Unspecified	154,500
549133	Annual Storm Inlet Rebuild	56,650
569001	Cemeteries Improvement Rehab.	85,000
719014	Rail Crossing Imprv.-Downtown	50,000
719015	Reconst Unspecified Pavement	80,000
719121	Annual Resurfcing/Panel/Curb & Gutter	730,000
719130	Annual Railroad Crossings	75,000
719133	Ann. Infrastructure Reconstruction	577,785
719138	Annual Bridge Repairs	186,000
719206	Bridge Deck Restoration	190,000
719213	I-29 Construction Repayment	461,000
719264	W 7th St:Wesley Way-Hamilton	2,554,715
719331	Ann.Schools in Sioux City Infrastructure	850,000
749084	Annual Airport Capital Projects	1,885,000
	Refunding Series 2009B	2,000,000
	Project Costs	14,365,763
	Cost of Issuance	884,237
	Essential Corporate Purpose-1 (4-20)	15,250,000

PRJ. No.	Project Name	Issue Amount
319007	Renovate Morningside Library	600,000
339003	Art Center Capital Projects	77,800
459005	Annual Athletic Improvements	27,000
459179	Pool Improvements-Annual	180,000
459214	Aquatic Comprehensive Plan	50,000
	Project Costs	934,800
	Cost of Issuance	65,200
	General Corporate Purpose-2 (10 day RR)	1,000,000
173018	MRBC Repairs June14 Flood	45,000
459212	Annual Lewis/Clark Stadium	362,000
611001	City Share New Residential Dev.	50,000
728012	Annual Parking Ramp Repair	250,000
859006	WCICC Information Services Upgrade	125,000
859025	Annual Technology Improvements	25,000
889012	Ann. Field Services Facility Maintenance	100,000
	Project Costs	957,000
	Cost of Issuance	43,000
	General Corporate Purpose-3 (10 day RR)	1,000,000
379025	Tyson Enhancement	965,000
	Project Costs	965,000
	Cost of Issuance	35,000
	General Corporate Purpose-4 (10 day RR)	1,000,000
379010	Annual EFAB Remodel & Repair	560,000
459055	Annl IBP Ice Center Maintenance	64,800
459102	Ann. Long Lines Rec. Center	348,000
	Project Costs	972,800
	Cost of Issuance	27,200
	General Corporate Purpose-5 (10 day RR)	1,000,000
879017	Pierce St Corridor Plan	75,000
879018	West 7th Corridor Improvements	100,000
879019	Riverside Blvd/Military Road District Plan	50,000
879020	Leeds/Floyd Corridor Study	50,000
879022	Peters Park Corridor Improvement	50,000
	Project Costs	325,000
	Cost of Issuance	75,000
	General Corporate Purpose-6 (10 day RR)	400,000

PRJ. No.	Project Name	Issue Amount
663239	Reinvest District-CC Hotel	773,000
663303	Sgt.Road/Sunnybrook Development	465,000
719001	Ann CBD Infrastructure Imprv.	35,000
719207	S. Cypress Extension	255,000
719280	Sunnybrook Development	1,200,000
879015	Historic Pearl District	100,000
	Project Costs	2,828,000
	Cost of Issuance	172,000
	Urban Renewal Purpose-7 (10 day RR)	3,000,000
	ECP	14,365,763
	GCP	4,154,600
	UR	2,828,000
	Project Costs & Refunding	21,348,363
	Cost of Issuance	1,301,637
	Total Not to Exceed	22,650,000

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017

ACTION ITEM # 9A

FROM: Jill M. Wanderscheid, Neighborhood Services Manager

Subject: **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.**

Reviewed By:	<input checked="" type="checkbox"/>	Department Director	<input checked="" type="checkbox"/>	Finance Department	<input checked="" type="checkbox"/>	City Attorney	<input checked="" type="checkbox"/>	City Manager
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RECOMMENDATION:

Staff respectfully requests that City Council approve an intergovernmental agreement between the City of Sioux City, City of South Sioux City, and City of Dakota City. This will allow the Sioux City Consortium (Consortium) to continue receiving HOME funds through a formula allocation.

DISCUSSION:

The Consortium consists of the cities of Sioux City, South Sioux City, and Dakota City, with the City of Sioux City acting as the lead agency. One responsibility of the lead agency is to inform HUD each year by letter of our intent to act as lead agency during the next fiscal year. The lead agency is also responsible for contacting the other cities in the Consortium every three years and obtaining their official approval regarding participation in the Consortium for the next three years.

The HOME Investment Partnership Program (HOME) provides formula grants to States and local communities to fund a wide range of activities, including affordable new construction, rehabilitation, homebuyer assistance, and direct rental assistance to low-income households.

Local jurisdictions eligible for at least five hundred thousand dollars (\$500,000) under the formula can receive an allocation. In years when Congress appropriates less than one billion five hundred million dollars (\$1,500,000,000), local jurisdictions eligible for at least three hundred thirty five thousand dollars (\$335,000) can receive an allocation. Last year, HUD allocated nine hundred fifty million dollars (\$950,000,000). Using HUD's online Consortium Builder tool to estimate HOME allocations, Sioux City would not qualify for HOME funds without participating in a Consortium.

Funding has not been announced for the upcoming year, but last year, the amount received was three hundred sixty thousand one hundred forty dollars (\$360,140.00). South Sioux City and Dakota City received fourteen and one-half percent (14.5%) of HOME funds, which equates to fifty two thousand two hundred twenty dollars and thirty cents (\$52,220.30). Sioux City received the remaining three hundred seven thousand nine hundred nineteen dollars and

seventy cents (\$307,919.70). Without South Sioux City's and Dakota City's participation in the Consortium, Sioux City would not receive any HOME funds from HUD.

FINANCIAL IMPACT:

In Sioux City, HOME funds will be used to provide the MyPad program, Tenant-Based Rental Assistance, and creation of affordable owner-occupied and rental housing. South Sioux City and Dakota City will offer down payment assistance and provide Tenant-Based Rental Assistance.

RELATIONSHIP TO STRATEGIC PLAN:

Strategic Focus Area: Grow Sioux City. Expand development opportunities and grow Sioux City. Encourage development of housing opportunities throughout the City.

ALTERNATIVES:

None recommended.

ATTACHMENTS:

Resolution
HOME Investment Partnership Intergovernmental Agreement

RESOLUTION NO. 2017 - _____

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.

WHEREAS, pursuant to the Cranston-Gonzales National Affordable Housing Act, the City of Sioux City, Iowa, may enter into an agreement and consortium with other local governmental units in order to avail itself of the programs offered thereunder; and

WHEREAS, a 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, creating a consortium under such Housing Act, a copy of which is attached hereto and by this reference incorporated herein, has been prepared and should be approved as to form and content.

NOW, THEREFORE BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that 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, as referred to in the preamble hereof, be and the same is hereby approved as to form and content.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized and directed to execute such agreement for and on behalf of the City of Sioux City, Iowa.

BE IT FURTHER RESOLVED that the City Clerk be and she is hereby authorized and directed to file this agreement with the appropriate State offices, whereupon such Agreement shall take effect.

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

HOME INVESTMENT PARTNERSHIP INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT made on _____, 2017 is by and between the City of Sioux City, Iowa, the City of South Sioux City, Nebraska, and the City of Dakota City, Nebraska.

WHEREAS, the Cranston-Gonzales National Affordable Housing Act (42 USC 12701-12837) established the HOME Investment Partnership Program to enable local governmental units to expand the supply of decent, safe, sanitary and affordable housing for low income families in their communities; and

WHEREAS, pursuant to rules established by the United States Department of Housing and Urban Development (24 CFR Part 92) local governmental units may elect to join consortiums for the purpose of qualifying for benefits from the program and administering the program.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. PURPOSES & ORGANIZATION: There is hereby created, for the purposes set forth in the Cranston-Gonzales National Affordable Housing Act (42 USC 12701-12837) and the rules and regulations promulgated thereunder (24 CFR Part 92) a consortium consisting of the City of Sioux City, Iowa, the City of South Sioux City, Nebraska, and the City of Dakota City, Nebraska. The parties agree to cooperate to undertake or to assist in undertaking housing assistance activities for the HOME Investment Partnership Program.
2. ADMINISTRATION: The City of Sioux City, Iowa, is hereby authorized to act in a representative capacity for all member units of local government for the purposes of the Cranston-Gonzales National Affordable Housing Act and the rules and regulations promulgated thereunder. The City of Sioux City, Iowa, shall assume overall responsibility for ensuring that the consortium's HOME Investment Partnership Program is carried out in compliance with all applicable actions, rules and regulations. Each member unit shall be responsible for the administration of their individual participation in the consortium and the program.
3. DURATION: The duration of this Agreement and the consortium created herein shall be co-extensive with the members, or any one of them, participating in the HOME Investment Partnership Program. Nonetheless this Agreement shall remain in effect until the HOME Investment Partnership Program funds from each of the federal fiscal years of the qualification period are closed out pursuant to 24 CFR 92.507. The relevant federal fiscal years of the qualification period are 2018, 2019, and 2020 (July 1, 2018 – June 30, 2020).
4. WITHDRAWAL FROM MEMBERSHIP: No governmental unit which is, or which shall become a member of the consortium shall be permitted to withdraw from membership in the consortium until:
 - a) As to the original members of the consortium, three (3) years from the approval and required filing of this Agreement;
 - b) As to subsequent members of the consortium, three (3) years from the date of their entering an agreement making them a member of the consortium.

5. TERMINATION: Any time after the first three (3) years after the initial approval and required filing of this Agreement, the members may unanimously agree to terminate this Agreement.
6. MEMBER OBLIGATIONS: Each member governmental unit shall be solely responsible for such individual financial and legal responsibilities which may arise due to that member's participation under the program. Upon withdrawal from membership in the consortium, or upon termination of this Agreement, the members shall first enter into a written agreement setting forth the individual financial and legal responsibilities of the members as they shall exist at that time and for which each member shall be responsible.
7. FINANCING: Each member of the consortium shall be solely responsible for financing their participation under this Agreement and in the program. Any real estate or personal property acquired under the program shall be acquired in the name of the affected individual member and shall remain the property of the member under the terms, condition, rules and regulations of the program. Member units shall reimburse the City of Sioux City, Iowa for such administrative costs and expenses the City of Sioux City, Iowa, acting in its representative capacity, incurs on behalf of such member unit.
8. IOWA AUTHORITY: This Agreement is made pursuant to Chapter 28E, Code of Iowa, entitled "Joint Exercise of Governmental Powers". Pursuant to Section 28E.8, Code of Iowa, it shall be filed with the Iowa Secretary of State. Further, pursuant to Section 28E.9, Code of Iowa, this Agreement shall not take effect until approved as to form and legal compatibility by the Iowa Attorney General.
9. NEBRASKA AUTHORITY: This Agreement is made pursuant to the Revised Statutes Nebraska Chapter 13, Article 8, entitled "Interlocal Cooperation Act". Pursuant to Section 13-805 of such Act, this Agreement shall not take effect until filed with and approved by the Nebraska Department of Economic Development.
10. COMPLIANCE WITH FEDERAL REQUIREMENTS: The City of Sioux City, Iowa, as the lead entity in the administration of the program shall assume responsibility for ensuring that the program is carried out in compliance with the requirements of the HOME Investment Partnership Program, including requirements concerning preparing a five-year Consolidated Plan & Strategy and an Annual Action Plan in accordance with the U.S. Department of Housing and Urban Development regulations found in 24 CFR Parts 92 and 91 respectively.
11. FAIR HOUSING: Each member unit of local government shall act affirmatively to further fair housing.
12. AMENDMENTS: This Agreement may be amended, in writing, at any time, upon the unanimous consent of the member governmental units.

13. PROGRAM YEAR START DATE: The program year start date for the consortium is July 1, 2018. All members of the consortium are on the same program year for the Federal Community Development Block Grant, HOME Investment Partnership Program, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS programs.

CITY OF SIOUX CITY, IOWA

By: _____
Robert E. Scott, Mayor

Attest: _____
Lisa McCardle, City Clerk

STATE OF IOWA)
 : ss.
COUNTY OF WOODBURY)

On this ____ day of ____, 2017, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally appeared Robert E. Scott, Mayor of the City of Sioux City, Iowa, and Lisa McCardle, City Clerk of said City, each being to me personally known to be the identical persons and officers named in the foregoing instrument, who executed the same under and by virtue of the authority vested in them by the City Council of said City, and each for themselves acknowledged the execution thereof to be their voluntary act and deed for the purposes herein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and notarial seal at Sioux City, Iowa, the day and year last above written.

(SEAL)

NOTARY PUBLIC in and for said COUNTY and STATE

13. PROGRAM YEAR START DATE: The program year start date for the consortium is July 1, 2018. All members of the consortium are on the same program year for the Federal Community Development Block Grant, HOME Investment Partnership Program, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS programs.

CITY OF SOUTH SIOUX CITY, NEBRASKA

By: _____
Oscar Gomez, Mayor Pro Tem

Attest: _____
Nanci Walsh, City Clerk

STATE OF NEBRASKA)
 : ss.
COUNTY OF DAKOTA)

On this ____ day of ____, 2017, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally appeared Oscar Gomez, Mayor Pro Tem of the City of South Sioux City, Nebraska, and Nanci Walsh, City Clerk of said City, each being to me personally known to be the identical persons and officers named in the foregoing instrument, who executed the same under and by virtue of the authority vested in them by the City Council of said City, and each for themselves acknowledged the execution thereof to be their voluntary act and deed for the purposes herein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and notarial seal at South Sioux City, Nebraska, the day and year last above written.

(SEAL)

NOTARY PUBLIC in and for said COUNTY and STATE

13. PROGRAM YEAR START DATE: The program year start date for the consortium is July 1, 2018. All members of the consortium are on the same program year for the Federal Community Development Block Grant, HOME Investment Partnership Program, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS programs.

CITY OF DAKOTA CITY, NEBRASKA

By: _____
Alyssa Silhacek, City Administrator

Attest: _____
Lacey Hallstrom, Administrative Assistant

STATE OF NEBRASKA)
 : ss.
COUNTY OF DAKOTA)

On this ____ day of _____, 2017, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally appeared Alyssa Silhacek, City Administrator of the City of the City of Dakota City, Nebraska, and Lacey Hallstrom, Administrative Assistant of said City, each being to me personally known to be the identical persons and officers named in the foregoing instrument, who executed the same under and by virtue of the authority vested in them by the City Council of said City, and each for themselves acknowledged the execution thereof to be their voluntary act and deed for the purposes herein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and notarial seal at Dakota City, Nebraska, the day and year last above written.

(SEAL)

NOTARY PUBLIC in and for said COUNTY and STATE

13. PROGRAM YEAR START DATE: The program year start date for the consortium is July 1, 2018. All members of the consortium are on the same program year for the Federal Community Development Block Grant, HOME Investment Partnership Program, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS programs.

APPROVAL BY IOWA AUTHORITY

This Agreement is approved as to form and compatibility with Iowa State Law, pursuant to Section 28E.9, Code of Iowa, this ____ day of _____, 20__

By: _____

Title: _____

13. PROGRAM YEAR START DATE: The program year start date for the consortium is July 1, 2018. All members of the consortium are on the same program year for the Federal Community Development Block Grant, HOME Investment Partnership Program, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS programs.

APPROVAL BY NEBRASKA AUTHORITY

This Agreement is approved by the Nebraska Department of Economic Development, pursuant to Section 13-805, Revised Statutes of Nebraska, this ____ day of _____, 20____.

By: _____

Title: _____

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 9B

FROM: Matt Salvatore, Parks and Recreation Director

SUBJECT: Resolution approving Amendment No. 1 to the Consulting Services Agreement with DeWild Grant Reckert and Associates Company d/b/a DGR Engineering of Sioux City, Iowa for additional design services related to the east portion of the main parking lot and concourse area in an amount not to exceed \$80,000 for the Lewis and Clark Park – Facility Upgrades. (1300 Line Drive)

Reviewed By:	<input checked="" type="checkbox"/> Department Director	Finance Department	<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Manager
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RECOMMENDATION:

Staff respectfully requests City Council approve Amendment No. 1 to the Consulting Services Agreement with DeWild Grant Reckert and Associates Company d/b/a DGR Engineering of Sioux City, Iowa for additional design services for the construction of the Lewis and Clark Park – Facility Upgrades.

DISCUSSION:

The City has scheduled a reconstruction project for the main parking lot of Lewis and Clark Park to be conducted in phases over the next two years (2018 and 2019). Additionally, the City has scheduled a reconstruction project to replace the ticket office building, concourse area, and sidewalks on either side of the stadium. Currently, the paved areas that include the parking lot, concourse, and sidewalks, are inadequately sloped causing water to stand and deteriorate the paving and accumulate at the ticket office building.

DeWild Grant Reckert and Associations Company d/b/a DGR Engineering was awarded a Consulting Services Agreement for the Lewis and Clark Park – Facility Upgrades on August 1, 2016 for services associated with topo survey, concept design and cost estimates. City staff is requesting the approval of Amendment No. 1. for additional design services to include a survey of the east portion of the parking lot where Line Drive will connect and design and bid phase services related to the east portion of the main parking lot and concourse area of Lewis and Clark Park. The Amendment will also include engineering services for a preliminary design of storm sewer and grading to the west to support a future phase of the project.

Amendment No. 1 will include the following services:

1. **Preliminary Survey and Data Collection:** A preliminary topographic survey will be collected in the area and along the east side of the parking lot where improvements related to Line Drive, as part of the Cone Park Project, are to be made. Additionally, a survey will be collected during design to tie in areas including the paving along the east side of the stadium.
2. **Design:** The consultant will prepare design plans showing grading, storm sewer utility and paving plans. The parking lot will be regraded to provide proper slope for drainage. Storm sewer will need to be added to the project beginning at the east end. The preliminary design of the storm sewer, for a future phase, is included in this amendment. A grading plan will be prepared for the east portion, as well as, a preliminary plan for the west future phased portion to help ensure proper connection and drainage between the phased construction projects. The consultant will develop a paving plan for the parking lot for consideration of both PCC and HMA paving. A preliminary opinion of cost will be prepared based on the preliminary design plans. Coordination of the new ticket office building and Cone Park Improvements will be included.
3. **Bid Phase:** The consultant will assist the City throughout the bid letting process.

Construction of Phase I will be completed by the contracted time noted in the awarded contract documents. The project is anticipated to commence in the summer and fall of 2018.

FINANCIAL IMPACT:

The funding for the Consulting Services Agreement will be covered under General Obligation Bonds in CIP #459-212 "Annual Lewis & Clark Park". The FY2018 budget includes a request of \$387,000 to fund the project. Staff has requested funding be moved forward to cover the requested contract cost.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Explore Destination Sioux City

ALTERNATIVES:

Deny Amendment No. 1 and/or require staff to negotiate terms of the amendment.

ATTACHMENTS:

Resolution
Consulting Services Agreement - Amendment No. 1

RESOLUTION NO. 2017 - _____
with attachments

RESOLUTION APPROVING AMENDMENT NO. 1 TO THE CONSULTING SERVICES AGREEMENT WITH DEWILD GRANT RECKERT AND ASSOCIATES COMPANY D/B/A DGR ENGINEERING OF SIOUX CITY, IOWA FOR ADDITIONAL DESIGN SERVICES RELATED TO THE EAST PORTION OF THE MAIN PARKING LOT AND CONCOURSE AREA IN AN AMOUNT NOT TO EXCEED \$80,000 FOR THE LEWIS AND CLARK PARK – FACILITY UPGRADES. (1300 LINE DRIVE)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that Amendment No. 1, a copy of which is attached hereto and by this reference made a part hereof, to the Consulting Services Agreement with DeWild Grant Reckert and Associates Company d/b/a DGR Engineering of Sioux City, Iowa for additional design services related to the east portion of the main parking lot and concourse area for the Lewis and Clark Park – Facility Upgrade in an amount not to exceed \$80,000, be and the same is hereby approved.

BE IT FURTHER RESOLVED that the City Manager be and he is hereby authorized and directed to execute said Amendment No. 1 for and on behalf of the City.

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



March 7, 2017

Mr. Matt Salvatore
City of Sioux City
P.O. Box 447
Sioux City, IA 51102-0447

**Re: Sioux City, Lewis & Clark Park – Facility Upgrade
DGR File 266052**

Dear Matt:

This letter shall serve as Amendment No. 1 to our engineering services agreement for the project reference above.

This amendment pertains to the additional work including survey (east portion where Line Drive is to connect), design and bid phase for improvements related to the east portion of the main parking lot and concourse area. The west limits will be the west side of Stadium Drive as it extends north to the ball stadium. Additionally, preliminary design of storm sewer and grading to the west as part of a future phase will be completed as part of this amendment. Attached is Exhibit A that includes a detailed scope of services.

We respectfully request that our engineering services agreement be increased by a total of \$80,000 not to exceed to account for the additional work not included in the original scope of services.

Sincerely,

DGR Engineering

A handwritten signature in blue ink, appearing to read "Bryan Wells", written over a horizontal line.

Bryan Wells, P.E.


BNW:bav

Enclosure

Mr. Matt Salvatore
Page Two
March 7, 2017

ACCEPTANCE - DEWILD GRANT RECKERT AND ASSOCIATES COMPANY
d/b/a DGR ENGINEERING

Approved By:



Bryan Wells, Vice President

Date March 7, 2017

ACCEPTANCE - CITY OF SIOUX CITY, IOWA

Approved By:

Title _____

Date _____, 2017

Exhibit A

SCOPE OF CONSULTANT SERVICES – AMENDMENT NO. 1 for Lewis & Clark Park - Facility Upgrades Sioux City, Iowa

The City desires to reconstruct the main parking lot of Lewis & Clark Park in phases over two years (2018 and 2019). In addition, there are plans to replace the ticket booth building, concourse area along the stadium and the sidewalks either side of the stadium. Currently the paved areas (parking lot, concourse and sidewalks) are inadequately sloped causing water to sit and deteriorate the paving and back-up into the ticket booth. Work under this Amendment No. 1 includes preliminary and final design and specifications to replace the east portion of the main parking lot from the west side of Stadium Drive to the east existing limit. New storm sewer will be added and connected to the existing east ditch that will be lowered as part of this project. Replacement of the existing light fixtures to include LED on existing poles is also included. Survey will be required in the area where Line Drive work (as part of Cone Park Improvements) is proposed east of the parking lot. Additionally, preliminary design for the grading and storm sewer will be required for the future phase to the west to Line Drive that connects to Lewis Boulevard to ensure the size and depth of the piping is adequate in this first phase. Construction of phase I work (east portion) will take place in summer and fall of 2018.

As part of this project, DGR Engineering will perform the following services:

I. Preliminary Survey and Data Collection

- A. A preliminary topographic survey will be collected in the area and along the east side of the parking lot where improvements related to Line Drive as part of the Cone Park Project are to be made. Additionally, pick-up survey will be collected during design at tie in areas including the paving along the east side of the stadium. The topographic survey will include:
 1. Establishing horizontal and vertical control points suitable for design and construction of a future project in this area.
 2. Identifying existing surface features, including roads, buildings, sidewalks, trees and bushes, retaining walls and visible utilities.
 3. Identifying the existing topography of the site for the purpose of developing and updating a previous digital terrain model of the site.
 4. Locating underground utilities as marked on the surface by public and private utility companies or from record documents. Flowlines of known and accessible structures will be determined.
 5. Showing property boundaries according to platted dimensions. No property survey field work will be provided. Several property pins will be attempted to be located to assist in orientating the platted property lines.

Known existing easements recorded at the courthouse and provided by the City, utility companies and property owners will be added to the survey file.

6. Preparing a site drawing in CAD showing the information indicated above. In addition, existing ground contours will be shown at 1 or 2 foot intervals as appropriate.
- B. The City will provide to the Consultant existing information on existing utilities, as-built plans and other information relevant to the project. The City will also supply current aerial photography for the project area at no cost.
- C. It is assumed that no temporary easements or plats will be needed for the project due to property owner cost share involvement. If easements are determined to be needed during the design phase, this work can be done as part of an amendment to the contract.

II. Design

- A. Consultant shall use previously acquired survey as well as new survey along east line following Cone Park Improvements to prepare design plans showing grading, storm sewer utility and paving plans. Line Drive is to connect to the existing parking lot north along the stadium where it will extend west and then turn south to connect to existing Stadium Drive. The parking lot will be regraded to provide proper slope for drainage. No landscape islands are requested by the City except a raised and paved island along the south side of where Line Drive extends into the parking lot to help vehicles from turning south in front of the IBP Ice Arena. The sidewalk to the IBP Ice Center is to remain with no expected improvements made south of the south parking line along IBP Ice Center. North limit improvements will be to the existing fence that runs along the parking with the exception of some concourse paving replacement along the stadium.
- B. Utility Plan: Storm sewer will need to be added to the project beginning at the east end (downstream end). The existing ditch that is located at the east end is expected to be lowered to provide as much depth as possible in order to extend the storm sewer west in the parking lot in a future phase of reconstruction. The preliminary design of this storm sewer for the future phase is included in this project. New storm sewer will be designed to provide for the conveyance of the 10-year storm within a gravity storm sewer system. The impact of flows from the 100-year storm also will be reviewed.
- C. Grading Plan: A grading plan will be prepared for the east portion (preliminary and final design) as well as a preliminary plan for the west future phased portion to help ensure proper connection and drainage between the phased construction. Existing ADA handicap stalls will be reviewed for location and number. Currently these stalls are located along the 1st base and 3rd base lines. In addition to these locations, additional stalls are requested to be located at in front of the ticket booth area.

- D. Paving Plan: Both PCC and HMA paving for the parking lot will be reviewed. If both to be comparable a bid option for HMA paving will be shown in the plans. It is assumed as part of this proposal that City will provide the life cycle analysis and bid adjustment factor through review of their anticipated replacement and maintenance schedule. City will hire CTS to provide an equivalent pavement thickness design as an amendment to their original geotechnical report.
- E. Staging: It is expected that work will be completed in two (2) stages with the south and east portion of parking lot as Stage 1 (to be completed between July 5, 2018 and September 1, 2018) and the northwest portion as Stage 2 (to be completed from September 1, 2018 to November 1, 2018).
- F. Consultant shall present the preliminary plan showing the grading, drainage and paving improvements to the City for approval prior to beginning final plan preparation.
- G. A preliminary opinion of costs will be prepared (for 2018 work) based on the preliminary plans prepared.
- H. The design and/or redesign of electrical, lighting (other than replacement of fixtures), gas, telephone, fiber, and cable TV service to the site is not included in this proposal. The proposed improvements will be coordinated with the fore-mentioned private utilities for their information.
- I. Specifications: The 2017 Statewide Urban Standard Specifications for Public Improvements (SUDAS) along with the current City supplement will be referenced where applicable. All bid items and quantities will be shown in the plans. The City's typical front end documents will be used with the bid form included.
- J. Meetings: A total of six meetings are included in this scope to review and discuss project details with City staff. No public meetings are included in this proposal.
- K. Lighting: Existing lights fixtures are to be replaced with LED fixtures. Poles are assumed to remain as well as existing wiring.
- L. Landscaping: Islands within the parking lot are not requested by the City. The exception being the divider island along the south side of Line Drive as it extends into the parking lot. Small landscaped areas in the concourse paving will be left for City to complete landscaping with their own forces.
- M. Coordination of new ticket booth: Consultant will work with CMBA Architects to locate and review finish floor elevation of the new ticket booth south and west of the existing booth and to conceptually locate the 8 foot wide trail that is to wrap around the parking lot side of the booth.
- N. Coordination of Cone Park Improvements: The City will provide the plans showing the proposed improvements (grading, storm sewer and paving) along the east side of the parking lot prior to construction of Line Drive Improvements

(by others to be completed by July 31, 2017). Consultant to review with the City those plans to determine if any improvements need to be adjusted as part of that project to better coordinate with this parking lot improvement project.

- O. Erosion control plans will be prepared for the project showing erosion and sediment control measures, existing and proposed drainage paths and staging areas. A SWPPP will also be provided by the Consultant.

III. Bid Phase

- A. Consultant will assist the City during the solicitation for bids for one (1) bid letting by preparing and reproducing the plans, specifications, and contract documents and attending the bid letting. Fifteen copies of plans and specifications are included in this proposal. The city will be responsible for distributing plans and specifications to interested bidders, answering questions and preparing and distributing addendums when needed. Any questions from contractors concerning interpretation of the contract documents that the city needs assistance with will be addressed by Consultant.
- B. Bids received by the City for the project will be tabulated and examined for completeness and accuracy, and a recommendation will be made by the Consultant to the City for the award of the construction contract. City will be responsible for posting and/or distributing bid tabs following the bid opening.
- C. Engineer's Opinion of Probable Cost for the project shall be prepared and provided to the City to use as a basis for bid evaluation.
- D. Consultant will submit a form of agreement to the successful bidder for execution, subject to review and approval by City's legal counsel.

IV. Engineering Fee – Consultant's Project Budget

- A. For a project of this nature and scope, we agree to perform the engineering services detailed in sections I - III on an hourly basis plus direct project expense using the rates in effect at the time the work is performed. A copy of the current hourly rate schedule is enclosed. We estimate the fee for this Scope of Services to be \$80,000, not to exceed. A breakdown per task is shown below.

Preliminary Survey and Data Collection	\$ 5,000
Design	\$ 71,500
Bid Phase	<u>\$ 3,500</u>
Total	\$ 80,000

The engineering services will be billed monthly with each statement representing the work performed during the preceding month.

Additional services can be provided at the Client's request at the hourly rates in effect at the time the work is performed.

- B. We request statements be paid within 30 days after billing with 12 percent per annum charged on all unpaid statements beyond 30 days. Statements not paid within 45 days will cause the Engineer to stop work on the project.
- C. We request any work covered by this Agreement, designed or specified by this Engineer which is suspended or abandoned, be paid for by the Client.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/30/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh & McLennan Agency LLC 300 N Cherapa PL Suite 601 Sioux Falls SD 57103		CONTACT NAME: Toni Horton, CISR, AIS PHONE: 605-339-3874 FAX: 605-339-3620 EMAIL: toni.horton@marshmma.com ADDRESS:															
INSURED DeWilde Grant Rackert and Associates Company, DeWilde Grant Rackert and Associates Company, dba DGR Engineering 1302 S Union St, PO Box 511 Rock Rapids IA 51245-0511		INSURER(S) AFFORDING COVERAGE <table border="1"><thead><tr><th>INSURER</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A: Phoenix Insurance Company</td><td>87814</td></tr><tr><td>INSURER B: Charter Oak Fire Co</td><td>25615</td></tr><tr><td>INSURER C: The Travelers Indemnity Company of</td><td>25866</td></tr><tr><td>INSURER D: Travelers Casualty and Surety Compa</td><td>31194</td></tr><tr><td>INSURER E: Zurich American Ins</td><td>16535</td></tr><tr><td>INSURER F:</td><td></td></tr></tbody></table>		INSURER	NAIC #	INSURER A: Phoenix Insurance Company	87814	INSURER B: Charter Oak Fire Co	25615	INSURER C: The Travelers Indemnity Company of	25866	INSURER D: Travelers Casualty and Surety Compa	31194	INSURER E: Zurich American Ins	16535	INSURER F:	
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INSURER F:																	

COVERAGES **CERTIFICATE NUMBER:** 919402496 **REVISION NUMBER:**
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADOL/INSR FNO/ WVO	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> RCU included <input checked="" type="checkbox"/> Contractual Ind GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> END-OF-PROJECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER		8801C49872PHX16	8/1/2016	8/1/2017	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Excludes auto) \$1,000,000 MED EXP (incl. legal costs) \$10,000 PERSONAL & ADVERTISING \$1,000,000 GENERAL AGGREGATE \$10,000,000 PRODUCTS - COMPOUND \$2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> FINED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		BA1C60526816GRP	8/1/2016	8/1/2017	COMBINED SINGLE LIMIT (Excludes auto) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per occurrence) \$ \$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$1,000		CUP1C5153861847	8/1/2016	8/1/2017	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
D	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in MN) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	XAM8Q46T35716	8/1/2016	8/1/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER \$1 EACH ACCIDENT \$1,000,000 \$1 DISEASE - EA EMPLOYEE \$1,000,000 \$1 DISEASE - INDUCTION \$1,000,000
E	Professional Liability Claims Made Retro Date 1/1/1983		EOC9523686	8/1/2016	8/1/2017	Each Claim/Aggregate Deductible \$500,000 (\$0,000)

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES: (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
City of Sioux City is named as additional insured as respects the General Liability and Auto Liability.

CERTIFICATE HOLDER City of Sioux City 6th and Douglas PO Box 447 Sioux City IA 51102	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 10A

FROM: Glenn Ellis, City Engineer
Eric Jones, Civil Engineer

SUBJECT: Resolution accepting the work and authorizing final payment to RP Constructors, LLC for the 19th Street and Pierce Street Emergency Storm Sewer Repairs Project (Project No. 6885-549-101).

Reviewed By:	<input checked="" type="checkbox"/>	Department Director	<input checked="" type="checkbox"/>	Finance Department	<input checked="" type="checkbox"/>	City Attorney	<input checked="" type="checkbox"/>	City Manager
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RECOMMENDATION:

Staff respectfully requests Council approve the resolution accepting the work and authorizing final payment in the amount of \$96,264.92 now and \$11,364.48 in 30 days to RP Constructors, LLC for the 19th Street and Pierce Street Emergency Storm Sewer Repair Project (Project No. 6885-549-101).

DISCUSSION:

A contract was awarded to RP Constructors, LLC of Dakota Dunes, South Dakota on December 19, 2016 under Resolution No. 2016-1017 for a contract amount of \$237,564.00. The work has been completed and approved by City staff.

This project involved removing and replacing failed concrete, removing and replacing the failed storm sewer manhole and connecting lines, and removing and replacing a brick manhole that was impacted by new storm sewer pipes.

Below is a summary of the project:

Original Contract Amount: \$ 237,564.00

Final Construction Cost: \$ 227,289.65

The final construction cost for this project is \$227,289.65 which is 4.32% below the original contract amount.

FINANCIAL IMPACT:

This project is funded using GO Bonds under CIP 549-101, Annual Storm Sewer Unspecified. The project currently has an available balance of \$87,826.96.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

Council can choose not to accept the work and staff will go back to the contractor to discuss any issues.

ATTACHMENTS:

Resolution

Final Payment Application

RESOLUTION NO. 2017 - _____
with attachments

RESOLUTION ACCEPTING THE WORK AND AUTHORIZING FINAL
PAYMENT TO RP CONSTRUCTORS, LLC FOR THE 19TH STREET AND
PIERCE STREET EMERGENCY STORM SEWER REPAIRS PROJECT
(PROJECT NO. 6885-549-101).

WHEREAS, on December 19, 2017, Sioux City, Iowa entered into a contract with RP Constructors, LLC of Dakota Dunes, South Dakota for the 19th Street and Pierce Street Emergency Storm Sewer Repairs Project within the City as therein described; and

WHEREAS, said contractor has satisfactorily completed the construction of the project in accordance with the terms and conditions of said contract and the plans and specifications as shown by the engineer's report filed with the City Clerk on April 10, 2017, and attached hereto and made a part hereof; and

WHEREAS, in accordance with the terms of the contract, the contractor is entitled to final payment, providing no liens have been filed against the work.

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

- A. The said report of the engineer, be, and the same is hereby approved and adopted and the project is hereby approved and accepted as having been fully completed in accordance with the said plans and specifications and contract and the total project cost of the project under said contract is hereby determined to be \$227,289.65 as shown in said report of the engineer.
- B. The Director of Finance be, and she is hereby authorized and directed to issue a check in the amount of \$96,264.92 now and in the amount of \$11,364.48 in thirty days provided there are no liens or claims against retainage on file, payable from the appropriate fund in favor of RP Constructors, LLC for the construction of the project.

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



1000 N. Shaw | P.O. Box 67 | Sioux City, IA 51101

Project: 19th Street and Pierce Street Emergency Storm Sewer Repair Project

Contractor:
RP Constructors LLC,
PO Box 195
Dakota Dunes, South Dakota, 57248

CERTIFICATE OF PAYMENT NO. 2 *final*

Date of Issuance: 3/23/2017

Project No. 5685-049-101

Contract Date: 11/21/16

Payment Period
12/24/16 to 12/31/16

DETAILED ESTIMATE			
Description	Quantity	Unit Price	Total Cost
See Attached			

Value of Work Completed this Estimate: \$101,831.40

Original Contract Price: \$257,684.00
Approved Change Orders:
No. 1 Date: \$0.00
No. 2 Date: \$0.00
No. 3 Date: \$0.00
No. 4 Date: \$0.00
No. 5 Date: \$0.00
Total Contract Price: \$257,684.00

Total Value of Completed Work: \$227,230.60
Total Retainage (5%): \$11,354.48
Total Net Amount: \$215,876.12

Less: Estimates previously approved:

No.	Net Amount	Retainage
No. 1	\$119,680.25	\$6,297.51
No. 2	\$0.00	\$0.00
No. 3	\$0.00	\$0.00
No. 4	\$0.00	\$0.00
No. 5	\$0.00	\$0.00
Total	\$119,680.25	\$6,297.51

Value of Work Completed this Estimate: \$101,831.40
Retainage held this Estimate: \$5,088.57
NET AMOUNT DUE THIS ESTIMATE: \$96,742.83

The undersigned hereby certifies that the work done and materials delivered have been checked as to quantity and conformance with the plans and specifications, and the Contractor, in accordance with the contract, is entitled to payment as indicated above.

Michael Young 3/23/17
Contractor Date
John Jones 3-23-17
Inspector Date
John Jones 3/23/17
Project Engineer Date
Shawn Ellis 3/23/17
City Engineer Date

cc: Contractor
Engineering
Finance
City's Office

Project Name: 19th Street and Pierce Street Emergency Storm Sewer Repair Project
 Sioux City Project Number: 5885-548-1014
 Contractor: RP Constructors LLC,

Pay Request No. 2 [Page 1]

ITEM NUMBER	DESCRIPTION	UNITS	UNIT PRICE	TOTAL QUANTITY	TOTAL AMOUNT	TOTAL DUE
1	Laborer	HR	\$ 57.50	32.50	\$ 1,888.75	\$ 1,888.75
	Laborer (Overtime)	HR	\$ 86.25	7.00	\$ 603.75	\$ 603.75
2	Finisher	HR	\$ 82.50		\$ -	\$ -
	Finisher (Overtime)	HR	\$ 93.00		\$ -	\$ -
3	Operator	HR	\$ 67.50		\$ -	\$ -
	Operator (Overtime)	HR	\$ 101.25		\$ -	\$ -
4	Foreman	HR	\$ 72.50		\$ -	\$ -
	Foreman (Overtime)	HR	\$ 108.75		\$ -	\$ -
5	Underground Superintendent	HR	\$ 88.00		\$ -	\$ -
	Underground Superintendent (Overtime)	HR	\$ 128.00		\$ -	\$ -
6	Project Manager	HR	\$ 90.00		\$ -	\$ -
	Project Manager (Overtime)	HR	\$ 135.00		\$ -	\$ -
7	Licensed Engineer	HR	\$ 150.00		\$ -	\$ -
	Licensed Engineer (Overtime)	HR	\$ 225.00		\$ -	\$ -
8	Survey Crew or Licensed Surveyor	HR	\$ 165.00		\$ -	\$ -
	Survey Crew or Licensed Surveyor (Overtime)	HR	\$ 247.50		\$ -	\$ -
9	Project Coordinator	HR	\$ 90.00		\$ -	\$ -
	Project Coordinator (Overtime)	HR	\$ 135.00		\$ -	\$ -
10	Clerical	HR	\$ 56.00		\$ -	\$ -
	Clerical (Overtime)	HR	\$ 84.50		\$ -	\$ -
					Sub-Total	\$ 2,472.50
Compaction and Compressors						
11	Small Sheep Foot Roller	HR	\$ 100.00		\$ -	\$ -
12	Large Sheep Foot Roller	HR	\$ 120.00		\$ -	\$ -
13	200-Class Excavator plate compactor	HR	\$ 35.00		\$ -	\$ -
14	300+ Class Excavator plate compactor	HR	\$ 40.00		\$ -	\$ -
15	Jumping Jack	HR	\$ 20.00		\$ -	\$ -
16	Walk Behind Plate Compactor	HR	\$ 10.00		\$ -	\$ -
17	105 CFM Compressor	HR	\$ 40.00		\$ -	\$ -
18	"Pogo" Stick	HR	\$ 50.00		\$ -	\$ -
					Sub-Total	\$ -
Excavators						
19	100 Class or Mini Excavator	HR	\$ 120.00		\$ -	\$ -
20	200 Class with bucket	HR	\$ 160.00		\$ -	\$ -
21	300 Class with bucket	HR	\$ 175.00		\$ -	\$ -
22	400 Class with bucket	HR	\$ 250.00		\$ -	\$ -
					Sub-Total	\$ -
Other Heavy Equipment						
23	JD or Equal tractor backhoe loader	HR	\$ 150.00		\$ -	\$ -
24	Breaker or Plate Compactor for tractor backhoe	HR	\$ 15.00		\$ -	\$ -
25	Track Skid Loader	HR	\$ 65.00		\$ -	\$ -
26	Komatsu 320 Loader and forks	HR	\$ 110.00	-37.00	\$ (4,070.00)	\$ (4,070.00)
27	Komatsu 360 Loader and Forks	HR	\$ 125.00	37.00	\$ 4,625.00	\$ 4,625.00
28	Cat (D6K) Dozer	HR	\$ 110.00		\$ -	\$ -
					Sub-Total	\$ 555.00
Miscellaneous						
29	Paving Screed	HR	\$ 100.00		\$ -	\$ -
30	Paving Walk Behind Screed	DAY	\$ 50.00		\$ -	\$ -
31	Generator	DAY	\$ 50.00		\$ -	\$ -
32	Large Trench Shoring Box	DAY	\$ 200.00	1.00	\$ 200.00	\$ 200.00
33	Smaller Trench Shoring box	DAY	\$ 175.00	1.00	\$ 175.00	\$ 175.00
34	"Rock Box"	DAY	\$ 125.00		\$ -	\$ -
35	3" or smaller pump	DAY	\$ 125.00		\$ -	\$ -
36	3"-6" Pumps and hoses	DAY	\$ 150.00		\$ -	\$ -
37	Total Shoring	HR	\$ 800.00		\$ -	\$ -

39	Sewer Laser	HR	\$ 400.00		\$ -	\$ -
39	Straight Dump Truck	HR	\$ 90.00		\$ -	\$ -
40	Side Dump	HR	\$ 120.00		\$ -	\$ -
41	1/2 ton pick up	HR	\$ 25.00		\$ -	\$ -
42	3/4 ton truck with tools	HR	\$ 90.00		\$ -	\$ -
43	1-Ton Truck With Tools	HR	\$ 40.00		\$ -	\$ -
44	Large Trailer	HR	\$ 25.00		\$ -	\$ -
46	Dump Trailer	HR	\$ 50.00		\$ -	\$ -
46	Conex Jobsite Trailer	DAY	\$ 150.00		\$ -	\$ -
47	Broom	HR	\$ 11.82		\$ -	\$ -
					Sub-Total	\$ 375.00
Steve Harris Construction		LS	\$ 97,922.85	1	\$ 97,922.85	\$ 97,922.85
Materials (Breakdown Below)		LS	\$ 5.34	1.00	\$ 5.34	\$ 5.34
Mark Up (15% of Materials)		LS	\$ 0.80	1.00	\$ 0.80	\$ 0.80
					Total	\$ 101,331.49

Materials						
	Description	Unit	Unit Price	Total Quantity	Total Cost	Total
FD-1						
1	18" HDPE	LF	\$ 8.50		\$ -	\$ -
2	Concrete M-4	YD	\$ 125.00		\$ -	\$ -
3	Clay Dirt	LD	\$ 26.00		\$ -	\$ -
4	Trucking	LS	\$ 180.00		\$ -	\$ -
					Sub-Total	\$ -
FD-3						
5	Precast Structures	LS	\$ 7,921.32		\$ -	\$ -
					Sub-Total	\$ -
FD-4						
6	36" C900	LF	\$ 131.07		\$ -	\$ -
7	Concrete M-4	YD	\$ 130.00		\$ -	\$ -
8	82x8 Base Sub	EA	\$ 666.82		\$ -	\$ -
9	Rock	TON	\$ 23.89		\$ -	\$ -
10	Trench Box Rental	LS	\$ 300.00		\$ -	\$ -
					Sub-Total	\$ -
FD-5						
11	M4 Concrete	YD	\$ 130.00		\$ -	\$ -
12	Precast Structures	LS	\$ 7,741.00		\$ -	\$ -
					Sub-Total	\$ -
FD-6						
13	Concrete	YD	\$ 120.00		\$ -	\$ -
14	1" Clean Rock	TON	\$ 23.80		\$ -	\$ -
15	Precast Structure	LS	\$ 712.40		\$ -	\$ -
					Sub-Total	\$ -
FD-7						
16	8" PVC SDR 35	LF	\$ 3.75		\$ -	\$ -
17	8" Clay Pencil	EA	\$ 21.98		\$ -	\$ -
18	Toilet Rental	LS	\$ 47.27		\$ -	\$ -
					Sub-Total	\$ -
FD-8						
19	12" C900	LF	\$ 14.78		\$ -	\$ -
20	15" HDPE	LF	\$ 8.50		\$ -	\$ -
21	15" RCP	LF	\$ 14.23		\$ -	\$ -
22	Trucking	LS	\$ 1,395.00		\$ -	\$ -
					Sub-Total	\$ -
FD-9						
23	Concrete M-4	YD	\$ 127.00		\$ -	\$ -
24	1.5" Crushed Rock	TON	\$ 19.95		\$ -	\$ -
25	Rock	TON	\$ 19.95		\$ -	\$ -

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 10B

FROM: Glenn Ellis, City Engineer

SUBJECT: Resolution accepting the work of Lessard Contracting, Inc. for the construction of the Sanitary Sewer from just west of Hamilton Boulevard on Zenith Drive, east to Myrtle Street Project (Project No. IM-NHS-29-7(55)149—03-97).

Reviewed By:	<input checked="" type="checkbox"/>	Department Director	<input checked="" type="checkbox"/>	Finance Department	<input checked="" type="checkbox"/>	City Attorney	<input checked="" type="checkbox"/>	City Manager
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RECOMMENDATION:

Staff respectfully requests Council approve the resolution accepting the work of Lessard Contracting, Inc. of Sergeant Bluff, Iowa for the construction of the Sanitary Sewer from just west of Hamilton Boulevard on Zenith Drive, east to Myrtle Street Project (Project No. IM-NHS-29-7(55)149—03-97).

DISCUSSION:

A contract was awarded to Lessard Contracting, Inc. of Sergeant Bluff, Iowa on September 8, 2014, under Resolution No. 2014-0669 for a contract amount of \$3,620,789.55. The City has administered this project per Cooperative Agreement No. 2014-16-297 with the Iowa Department of Transportation (IDOT). The work has been completed and approved by City staff. The IDOT has completed their audit, and have provided final acceptance of this project.

This project included the relocation of the sanitary sewer interceptor within the north Interstate right-of-way from just west of Hamilton Boulevard, north on Zenith Drive, to just east of Myrtle Street. The existing sanitary sewer on Myrtle Street was also relocated. The project included construction of 36 inch and 8 inch sanitary sewer by open cut and trenchless methods. This work also included patching on Zenith Drive, patching parking lots, and the full reconstruction of Myrtle Street in the area of the sanitary sewer improvements. The total working days for the contract was 90 working days, and 60 working days associated with work on Site 1 (functioning new sanitary sewer system).

Below is a summary of the project costs:

Original Contract Amount: \$3,620,789.55

Change Order No. 1 Summary: \$0.00

This change order was approved by staff on October 8, 2014, and included changing the late start date from September 22, 2014 to October 7, 2014 due to the award of the contract by the IDOT on September 22, 2014 in accordance with Standard Specification 1108.02. This

change order did not include any additional time.

Change Order No. 2 Summary: \$0.00

This change order was approved by staff on October 8, 2014, and included the replacement of sanitary sewer pipe material due to a shortage of available pipe. The pipe material was changed from clay to HOBAS, and did not include a cost adjustment. This change order did not include any additional time.

Change Order No. 3 Summary: \$8,990.40

This change order was approved by staff on December 16, 2014, and included a deduct for non-compliance with traffic control for not having an ATSSA certified traffic control technician on staff. The change order also included additional barrier rail, and a deadman thrust block. This change order did not include any additional time.

Change Order No. 4 Summary: \$8,004.38

This change order was approved by staff on December 23, 2014, and included boring the water services instead of trenching. This change order did not include any additional time.

Change Order No. 5 Summary: \$117,499.71

This change order was approved by staff on February 11, 2015, and included additional scope of work to excavate material associated with an obstruction encountered while boring. This change order added 14 working days to the contract. The new working day requirement for Site 1 is 74 days. There were no additional days provided for the overall project.

Change Order No. 6 Summary: (\$1,828.29)

This change order was approved by staff on July 22, 2015, and included price adjustments for liquidated damages in the amount of ½ a day, slump test deviations, and pavement thickness incentive. This change order did not include any additional time.

Change Order No. 7 Summary: \$26,901.71

This change order was approved by staff on August 2, 2016, and included additional contract payment items, and revision of contract quantities. This change order did not include any additional time.

Change Order No. 8 Summary: \$13,298.50

This change order was approved by staff on August 2, 2016 and included cost for flowable mortar used for encasement of the HOBAS sewer pipe, a price adjustment to credit the liquidated damages assessed in Change Order #6, an electric line relocation, and a revision to the measured quantities of the trenched sanitary sewer pipe. This change order also added 13 working days (13.5 days total with the ½ day credit from Change Order #6). The new working day requirement for Site 1 is 87.5 days.

Change Order No. 9 Summary: (\$68,306.55)

This change order was approved by staff on January 20, 2017 and included quantity corrections and adjustments for Audit of Final Pay Estimate. This change order did not include any additional time.

Final Construction Cost: \$3,670,898.48

The final construction cost for this project is \$3,670,898.48, which is 1.38% above the original contract amount.

FINANCIAL IMPACT:

This project is funded under CIP Project 719-213 I-29 Reconstruction Master Project. The project currently has an available balance of \$32,941,005.42.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

Council can choose not to accept the work and staff will go back to the contractor to discuss any issues.

ATTACHMENTS:

Resolution
Engineer's Recommendation of Acceptance
IDOT Final Acceptance

RESOLUTION NO. 2017 - _____
with attachments

RESOLUTION ACCEPTING THE WORK OF LESSARD CONTRACTING, INC.
FOR THE CONSTRUCTION OF THE SANITARY SEWER FROM JUST WEST
OF HAMILTON BOULEVARD ON ZENITH DRIVE, EAST TO MYRTLE STREET
PROJECT (PROJECT NO. IM-NHS-029-7(55)149--03-97).

WHEREAS, pursuant to Resolution No. 2014-0394, passed and approved by the City Council on June 16, 2014, the City of Sioux City, Iowa and the Iowa Department of Transportation entered into Cooperative Agreement No. 2014-16-297 for development and completion of the Sanitary Sewer from just west of Hamilton Boulevard on Zenith Drive, east to Myrtle Street Project; and

WHEREAS, pursuant to said Cooperative Agreement No. 2014-16-297, the City shall be the lead local governmental agency for carrying out the provisions of the agreement; and

WHEREAS, on September 8, 2014, pursuant to Resolution No. 2014-0669, the City Council awarded a contract to Lessard Contracting, Inc. of Sergeant Bluff, Iowa in the amount of \$3,620,789.55 for construction of the Sanitary Sewer from just west of Hamilton Boulevard on Zenith Drive, east to Myrtle Street Project, which contract and performance bonds were approved by the City Council on September 8, 2014, pursuant to Resolution No. 2014-0669; and

WHEREAS, said contractor has satisfactorily completed the construction of the project in accordance with the terms and conditions of said contract and the plans and specifications as shown by the final acceptance's report from the Iowa Department of Transportation filed with the City Clerk on April 3, 2017, and attached hereto and made a part hereof.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the final acceptance's report from the Iowa Department of Transportation, be, and the same is hereby approved and adopted and the project is hereby approved and accepted as having been fully completed in accordance with the said plans and specifications and contract and the total project cost of the project under said contract is hereby determined to be \$3,670,898.48 as shown in said final acceptance's report from the Iowa Department of Transportation.

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



March 27, 2017

Mr. Glenn Ellis, P.E.
Engineering Division
City of Sioux City
P.O. Box 447
Sioux City, IA 51102

**Re: Sanitary Sewer – W. of Hamilton Blvd Zenith Dr. & E. to Myrtle St. (55)
DGR File 264058**

Dear Glenn:

The project was constructed in substantial compliance with the provisions of the construction contract and therefore, DGR recommends the Owner accept the project. The final construction cost of the project was \$3,670,898.48 which is \$50,108.93 or 1.38% over the original contract amount of \$3,620,789.55.

Sincerely,

DGR Engineering

A handwritten signature in blue ink that reads "Bryan Wells".

Bryan Wells, P.E.

BNW:bav



STATEMENT OF COMPLETION AND FINAL ACCEPTANCE OF WORK

Contractor Lessard Contracting, Inc. Letting Date 08-19-14
 Work Type Sanitary Sewer Contract ID 97-0297-055
 Accounting ID(s) 31900
 Project Number(s) IM-NHS-029-7(55)149-63-87

Type of Contract

- ☐ Specified Start Date _____
☐ Approximate Start Date _____
☒ Late Start Date 10/07/2014
☐ Completion Date Contract _____

Actual Start Date 10/07/2014
 Field Completion Date 06/23/2015

Side No (s)	00	01			
Working Days Specified	90	74			
Working Days Charged	76.5	74			
Closure Days Specified					
Closure Days Charged					

Recommended for Acceptance	Iowa DOT Contract Acceptance
Signature <u>Bryan Wells</u> Project Engineer	Signature <u>Brian Catus</u> District Construction Engineer
Date <u>7-25-16</u> Bryan Wells	Date <u>7/25/16</u> Brian Catus

Approved and Work Accepted on Behalf of the Board of Supervisors of

County this _____ Day of _____ Year _____
 Signature _____
 County Engineer

For Central Office Use Only

☐ Recorded Finance ☐ Recorded Construction & Materials

NOTE: On county administered projects, the County Engineer is required to sign "Recommended for Acceptance" and "Approved and Work Accepted on Behalf of the Board of Supervisors".

Project Engineer - Send original to District

District - Forward original to Office of Construction & Materials and copy to Project Engineer

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017

ACTION ITEM # 11

FROM: Luke Roder, Budget Manager

SUBJECT: Approve total checks issued for the reporting period of March 2017, in the amount of \$8,417,136.85

Reviewed By: ☒ Department Director ☒ Finance Department ☒ City Attorney ☒ City Manager

RECOMMENDATION:

Staff respectfully requests the Council to approve the total checks issued for March 2017 on Monday's Agenda.

DISCUSSION:

The Finance Department has on file a list of gross cumulative payments paid to each separate accounts payable vendor on a monthly basis. This listing is available for Council Members' perusal. On your agenda for Monday is a total amount of these payments for City Council approval. The day after the Council meeting, the Finance Department files the list with The Sioux City Journal for publication.

Detailed information on these listed payments can be found in the Finance Department. This department keeps a weekly claim register, which lists vendor name, vendor number, and account code. Any question from Council members or citizens concerning vendor payments are easily answered using a cross-reference system on the mainframe computer, which searches information on vendor payments.

FINANCIAL IMPACT:

None

RELATIONSHIP TO STRATEGIC PLAN:

This action shows the City's effort to maintain sound fiscal policy in dealing with the City's budget and financial assets and relates to the Trust and Open Communication values in the strategic plan.

ALTERNATIVES:

Under the Code of Iowa, all checks issued must be approved by the City Council.

ATTACHMENTS:

None

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017

ACTION ITEM # 12A-Q

FROM: Lisa McCardle, City Clerk

SUBJECT: Applications For Beer and Liquor Licenses

CLASS C LIQUOR LICENSE (Commercial, beer, wine carry-out)

- A. 21st Amendment, 1008 4th Street (Renewal)
- B. Bamboozie Drydock, 1805 Council Oak Drive (Renewal)
- C. Blue Ribbon Tap, 415 Pearl Street (Renewal)
- D. JT's Pub, 1742 Riverside Boulevard (Renewal)
- E. La Fiesta Charra, 3079 Floyd Boulevard (Renewal)
- F. Marty's Tap, 1306 Court Street (Renewal)
- G. Paxton Street Tavern, 2110 South Paxton Street
(04/21/17-04/23/17 Temporary Outdoor)
- H. Paxton Street Tavern, 2110 South Paxton Street
(04/28/17-04/30/17 Temporary Outdoor)
- I. Paxton Street Tavern, 2110 South Paxton Street
(05/05/17-05/07/17 Temporary Outdoor)
- J. Paxton Street Tavern, 2110 South Paxton Street
(05/12/17-05/14/17 Temporary Outdoor)
- K. Paxton Street Tavern, 2110 South Paxton Street
(05/19/17-05/21/17 Temporary Outdoor)
- L. Paxton Street Tavern, 2110 South Paxton Street
(05/26/17-05/28/17 Temporary Outdoor)
- M. Paxton Street Tavern, 2110 South Paxton Street
(06/02/17-06/04/17 Temporary Outdoor)
- N. Paxton Street Tavern, 2110 South Paxton Street
(06/09/17-06/11/17 Temporary Outdoor)
- O. Paxton Street Tavern, 2110 South Paxton Street
(06/16/17-06/18/17 Temporary Outdoor)
- P. Steinbeck's Pub, 3929 Floyd Boulevard (Renewal)
- Q. Uncle Dave's Neighborhood Pub, 1427 West 3rd Street (Renewal)

Reviewed By:	<input checked="" type="checkbox"/> Department Director	Finance Department	<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Manager
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RECOMMENDATION:

Staff respectfully requests and recommends approval of the above Beer and Liquor Licenses.

DISCUSSION:

Fire Code Inspections were completed; Building, Electrical, Mechanical and Plumbing Inspections were performed; and Zoning Code has been verified for the above applicants, no violations were found unless otherwise noted.

All Outdoor Events are approved pending final inspections once the event is set up.

Property tax records were verified and taxes are paid to date; the business utility accounts are also current for all applicants unless otherwise noted.

Police Records for the establishments were reviewed and the Police Department recommends approval for all applicants unless otherwise noted.

FINANCIAL IMPACT:

None.

RELATIONSHIP TO STRATEGIC PLAN:

Health and Safety Vision - We will enhance public health and safety by maximizing the utilization of technology, improved community engagement, and improved communications and facilities.

ALTERNATIVES:

Council may, at their discretion, vote for approval or deny in opposition of the City departments' recommendations.

ATTACHMENTS:

None

BOARD OF ADJUSTMENT

ABBREVIATED MEETING MINUTES

MARCH 28, 2017

A regular meeting of the Board of Adjustment was held this date in the City Council Chambers located on 5th Floor, City Hall, 405 - 6th Street, Sioux City, Iowa, at which time the following items were considered.

MEMBERS PRESENT

Suzan Stewart, Chair
Ryan Ross
Lee Beukelman
Michelle Bostinelos
Jason Geary, Vice Chair
Jean Calligan

MEMBERS ABSENT

Joe Krage

STAFF PRESENT

Chris Madsen, Senior Planner
Ron Kueny, Zoning Enf. Officer
Glenn Ellis, City Engineer
Kelly Leigh, Admin. Secretary
Justin Vondrak, Assistant City Attorney

Stewart called the meeting to order at 5:20 p.m., and read the opening statement explaining the procedure. She then introduced the Board members and City staff to the audience. The Board was asked if any had contact with the owner, petitioner, agent, or anyone listed on the notification list regarding the agenda items.

Agenda Item 2017-0029: Requested conditional use permit pursuant to 25.02.100 Residential and Commercial Uses of the Home for the property located at 2822 Jackson Street. (Petitioner: Kelly Conolly)

Chris Madsen, Senior Planner, presented the item. He mentioned the petitioner plans to have 2 to 3 Bed and Breakfast rooms available for guests to stay. He mentioned the petitioner does not have plans to serve Breakfast, but the kitchen will be available to guests.

Kelly Conolly, the Petitioner, (2822 Jackson Street) spoke on the item stating he has lived in this home for 17 years and along with his wife have beautifully restored this home. It has been their dream to convert this to a Bed and Breakfast and he believes now is the right time. He mentioned he will have a fulltime housekeeper staying in the house that will clean and upkeep the home. He mentioned it is a 4 car garage and you can actually fit 3 cars in the driveway if you have to.

John Wockenfuss (2900 Jackson Street) spoke in favor of the item stating he does not see any issues with parking and that he knows this property is a suitable environment for a Bed and Breakfast and is up kept very well by the petitioner.

Susie Feathers (2820 Jackson Street) is not in opposition if the property stays in the condition it is now, as it is taken care of great at the present time. She is concerned if the upkeep will remain with the Bed and Breakfast business. She is also worried about the signage.

Patrick Feathers (2820 Jackson Street) is worried about his property value decreasing due to the Bed and Breakfast next door as he feels that will be a deterrent for a new buyer.

Suzan Stewart asked about signage that they will put up. Chris Madsen, Senior Planner, mentioned once the petitioner has a concrete signage plan in place he will have to apply for a sign permit which will have to be approved through the Planning and Zoning Commission since it is in a residential zone.

Jason Geary asked if all the rooms have to be 500 square feet or if that is an accumulative number. Chris Madsen answered that number includes all of the rooms' total square footage. Jason also asked about the parking requirements. Chris mentioned the requirement is 1 plus 1 for each guest room. So the requirement in this case is 4, where the petitioner has at least 6 spots available.

Suzan Stewart asked how long can guests stay. Chris Madsen mentioned there is not a concrete number of days allowed, however it is mentioned in the code it is for temporary guests, not for long term.

Jason Geary asked if approved would there be expiration to the Conditional Use Permit. Madsen mentioned there would not be unless the Board of Adjustment puts a limit on that in their motion. He also mentioned the Conditional Use Permit could be revoked at any time if the Board rules to do so. Suzan Stewart asked if the Conditional Use Permit stayed with the property. Madsen responded yes it would.

Jean Calligan asked if they could host weddings at the Bed and Breakfast and serve meals, etc. Chris Madsen stated it would not allow for catering for special events unless the Board included the allowance in the motion.

Calligan (Beukelman) moved to approve the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Geary, Stewart, Beukelman, Calligan / No:0/ Abstain:0). Electronic Vote

Other Business

- a. Other items brought forward by the Board and / or staff.
- b. Approval of February 14, 2017 minutes.

Beukelman (Calligan) moved to approve the minutes. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Beukelman, Stewart, Calligan, Geary/ No: 0/ Abstain: 0). Roll Call Vote

There being no further business, the meeting was adjourned at 5:55 pm.

*Submitted by
Kelly Leigh*

CHAIR

PLANNING DIRECTOR



**PARKING AND SKYWALK SYSTEM
BOARD OF TRUSTEES
MEETING MINUTES
March 22, 2017**

The Parking and Skywalk System Board of Trustees met at 9:00 a.m. on Wednesday, March 22, 2017, in the 3rd Floor Conference Room, Ho-Chunk Centre, 600 4th Street, Sioux City, Iowa.

MEMBERS PRESENT:	MEMBERS ABSENT:	OTHERS PRESENT:
Mark Reinders, Chair	Alexcia Boggs, Vice Chair	Rexor Hofer, Per Mar Security
Monette Harbeck	Ragen Cote	Mark Kirchner, Per Mar Security
Tim Matasovsky		Ann Mach, ABM Parking
Tiffany Parsons		Heidi Farrens
Matt Robins		

CALL TO ORDER

Reinders called the meeting to order at 9:23 a.m.

MINUTES

Motion by Parsons, seconded by Matasovsky, to approve the minutes of February 15, 2017; all voting aye.

REPORTS & COMMUNICATIONS

Skywalk Operations – Harbeck reported there were roof leaks in the North/South alley section the week of March 13 through March 20, 2017. These roofs were under warranty and were repaired by JC Roofing. Stripping and waxing of all skywalk floors is underway but taking longer than expected. Harbeck asked the Board for specific skywalk project preference ideas from the Board. Harbeck suggested the East/West alley walls and ceilings would be a great project but had concerns about the artwork at this location. There are also heating and air conditioning units that may need replacement or repairs. The Board is asked to contact Harbeck with new project ideas.

Parsons enter the meeting at 9:34 a.m.

Parking Operations - Harbeck distributed mock ups of the possible public parking signs for Rivers Landing Ramp. The Board agreed that the sign should be backlit. Robins suggested that "Parking" be spelled from top to bottom on the sign rather than bottom to top as was on the sample provided. Reinders asked that the street name be kept for esthetic purposes. A new sample will be created. Harbeck stated a bid for the Heritage Parking Ramp LED Lighting Project has been accepted and will be presented before City Council on Monday, March 27, 2017. Bids has been submitted for the repairs to the Discovery Ramp which will focus on the main entrance.

Downtown Informational Report - Cote being absent, a report was not provided.

ABM Parking Services Report - Mach reported that a new part time employee has been hired and will work mornings.

Skywalk Security Update - Per Mar Security – Kirchner had nothing new to report.

UNFINISHED BUSINESS

Ramps - One hour free/first hour free - The Board will defer this issue to the Joint Meeting with Council on April 19, 2017.

Skywalk Hours – Harbeck shared new concerns from tenants in the Ho-Chunk Building regarding the new skywalk hours to take effect May 1, 2017. Harbeck suggested security arrive earlier (6:00 a.m. for example) to escort transients out of unsecured areas, but not open the whole system until 6:30 a.m. This would still require the system to close a half hour earlier (10:00 p.m. Monday through Saturday). Kirchner suggested the Board should wait to see how April, a warmer month, affects the issue. The Board will discuss hours again in April.

NEW BUSINESS

Approval of costs and distribution to properties for January 2017 - Motion by Robins, seconded by Matasovsky, to approve the costs and distribution to properties for February 2017; all voting aye.

Joint Meeting with City Council - Harbeck stated the meeting is on April 19, 2017 at 12:00 p.m. The Board will meet prior to the joint meeting at 11:00 a.m. Farrens will reserve Lower Level Conference Room in City Hall for the extended time.

ADJOURNMENT

Being no further discussion, it was motioned by Reinders, seconded by Matasovsky, to adjourn the meeting at 9:50 a.m.; all voting aye.



**PARKS & RECREATION
ADVISORY BOARD
AND
ENVIRONMENTAL ADVISORY BOARD
JOINT MEETING MINUTES
MARCH 8, 2017**

A meeting of the Parks and Recreation Advisory Board was held at 4 p.m., Long Lines Family Rec Center, 401 Gordon Drive, 3rd Floor Conference Room, Sioux City, Iowa.

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>	<u>OTHERS</u>
Fran Palmersheim	Matt Salvatore	Eric Wissing, EAB
Brent Ruch	Kelly Bach	John Helms, EAB
Scott Brouillette	Angel Wallace	Kathryn Pfaffle, EAB
Chris Boesch	Eric Griffith	Carrie Radloff, EAB
Cindy Brewer	Brittany Scott	Sara Steussy, EAB
Joseph Riker	Tim Tushla	Adam Wheelock, EAB
Brad Krommenhoek	Todd Lien	Jim Redmond, Citizen
Gretchen Baller	Melissa Campbell	Dianne Blankenship, Citizen
	Mark Simms	Jeanne Bockholt, Citizen
<u>MEMBERS ABSENT</u>		William Burrows, Citizen
Andrew Glisar		

1. **CALL OF THE ROLL**

Meeting was called to order by Palmersheim at 4:01 p.m.

The members of the Environmental Advisory Board were introduced.

Krommenhoek entered the meeting at 4:02 pm.

Boesch entered the meeting at 4:04 pm.

2. **APPROVAL OF THE MINUTES**

Reading of the minutes of February 1, 2017, was waived and on motion by Brouillette, seconded by Krommenhoek, to approve the minutes; all voting aye.

3. **COMMUNITY INTEREST AND CONCERNS**

Bill Burrows, Citizen, said Leeds Park has been staked and questioned the status of the project. Salvatore responded the contractor will break ground on the splash pad next week.

Burrows reported there is bare ground near the new climbing wall, outside the pit. More wood chips are needed.

Burrows questioned the results of the Carlin Park survey. Salvatore said there were approximately 300-400 responses received. The items receiving the most support are a picnic shelter and traditional playground equipment. The Park Board will approve a recommendation at its April meeting. Burrows questioned when the results would be made available to the public. Salvatore said he plans to schedule a meeting to present them to the Leeds neighborhood. Burrows suggested sending out the results to the same people who were surveyed. Salvatore added this is cost prohibitive. Brouillette commented putting the results on line. Salvatore stated staff will put together a press release with the information.

Wallace reported she received a citizen's request to install a dog drinking fountain on the trail at Linn and Transit Ave, along with a bench. The citizen mentioned she could fundraise. Wallace was unsure to the extent of the fundraising. Salvatore asked Wallace to follow up with her on the possibility of fundraising for this request.

Bach noted a dog drinking fountain costs approximately \$2,500 and a bench \$1,200. The cost to tap the main underground is around \$6,000. The fountain is a high maintenance item with three different valves which continually fail.

4. MANAGEMENT OF INVASIVE SPECIES

Diane Blankenship, Citizen, said since the 1980's there has been a tremendous change in the landscape of War Eagle Park. There are prairie species and butterflies that are no longer there. Herbaceous plants were crowded out by woodland. Jim Redmond, Citizen, added there was construction that also contributed to this that could have been avoided.

Bach asked if the EAB could assist with any resources to manage this problem. Carrie Radloff, EAB, said they have a good group of volunteers. Some are educated on the invasive species; but, others would need training. Brouillette noted he recently visited California; and, they have volunteers removing the invasive species along the natural sea shore areas.

Radloff asked how staff handles a citizen's complaint on mowing. Bach stated there are plans to reduce the amount of mowing and maintenance done at War Eagle Park; as, stabilization is a concern.

Melissa Campbell, Environmental Services Analyst, reported there will be a litter cleanup on Friday, April 21 from 12 pm – 5 pm. They are asking businesses and 60 Adopt-A-Park groups to volunteer and organize 10 or more people for cleanup. Salvatore added the program is called Litter Dash which is receiving positive feedback. There is a website for signing up. This first year will focus on trash clean up and then it will be expanded to include removing invasive species. Palmersheim suggested involving the Mayor's Youth Commission.

Radloff noted she received a citizen concern regarding tree care and damage in City parks; and, staff not pruning properly. Bach said berm is placed around the trees to prevent this but will fall back on the crew leader to watch the seasonal staff. The newly planted trees in Grandview Park will be left alone to allow them to become established. The City's stock of trees is doing fairly well. MidAmerican has been generous in donating over 100 trees. Salvatore noted \$1,000 worth of tree pans were purchased and are being tested out in the Cemeteries. Tree pans lock in moisture and protect from mowers. If it is a positive result, staff will purchase more.

5. INCREASING NATIVE PLANTS AND PRAIRIE

Bach stated Prairie Park is a 53-acre park with a non-powered wind mill, a green roof shelter which will be the only one in town, and trees planted around the edges. There has been a redirection for this park to a passive, learning park. It will not be a place to go barbeque with your family. The goal is to keep it as natural as possible. There has been an increase in wildlife as ducks are migrating through.

Kathie Pfaffle, EAB, asked if there are plans to connect the bluff above to Prairie Park. Bach said someday but not in the near future. Stusse questioned if there will be signage at the new Prairie Park. Bach stated the signs are being created.

Pfaffle stated the City is beginning to work on its Comprehensive Plan. She questioned if there are plans for Parks and Recreation to be involved. Campbell added they have contacted Jeff Hanson, Community Development Operations Manager, about preserving open/green spaces and involving the EAB in the planning process. Salvatore responded Parks and Recreation would be happy to be involved in this process.

6. APPROVAL OF PARKS & RECREATION FEES

Salvatore said increasing Parks and Recreation fees is being considered due to discussions during the budget process with City Council. The City has budgeted the increases based on these discussions. Palmersheim noted they should be reviewed on an annual basis. Salvatore agreed and stated he plans to be more proactive.

Motion by Brewer, seconded by Ruch, to accept the proposal and go forward to the City Council; all voting aye.

7. CAMPGROUND UPDATE

Salvatore reported the campground project was discussed during budget. The City has been working with a private land owner to negotiate a price to acquire the land for this project; but there has not been an agreement. City Council is committed to this project.

8. PARKS AND RECREATION BOARD CONCERNS

The Sertoma Trail loop from Cone Park to Sertoma Park received 10 bids; the low bid was \$25,000 under the engineer's estimate. The project is scheduled to be completed by August.

The Curling Classic will be held next weekend.

The Cone Park Day Lodge went to the City Council on Monday and was approved unanimously.

9. ADJOURNMENT

There being no further business, the meeting was adjourned at 5:08 p.m., on motion by Brewer, seconded by Baller; all voting aye.

CITY PLANNING AND ZONING COMMISSION

ABBREVIATED MEETING MINUTES

MARCH 28, 2017

A regular meeting of the City Planning and Zoning Commission was held this date at 4:00 p.m. in the City Council Chambers, 5th Floor, City Hall, 405 - 6th Street, Sioux City, Iowa, at which time the following items were considered.

MEMBERS PRESENT

Suzan Stewart, Chair
Jason Geary, Vice Chair
Michelle Bostinelos
Ryan Ross
Jean Calligan
Lee Beukelman

MEMBERS ABSENT

Joe Krage

STAFF PRESENT

Chris Madsen, Senior Planner
Ron Kueny, Zoning Enforcement Officer
Kelly Leigh, Administrative Secretary
Justin Vondrak, Assistant City Attorney
Glenn Ellis, City Engineer

Stewart called the meeting to order at 4:00 p.m., and read the opening statement explaining the procedures. She then introduced the Commission Members and City staff to the audience. The Commission was asked if any member would be abstaining on any agenda item.

Agenda Item 2017-0028: Requested vacation of a portion of the north south alley adjacent to 3905 7th Avenue. (Petitioner: City of Sioux City)

Chris Madsen, Senior Planner, asked the Commission that this item be deleted.

Bostinelos (Beukelman) moved to delete the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No:0/ Abstain: 0). Roll Call Vote

Agenda Item 2017-0030: Requested site plan approval for the site located at 2808 Irene Street. (Petitioner: Jarco)

Chris Madsen, Senior Planner, presented information about the proposed site plan and stated the petitioner is asking for a reduction in the setback from what code allows which is 20 foot to an 8 foot setback.

Suzan Stewart, Chair, asked staff how often waivers are granted from what code allows. Madsen responded since the new 2015 Zoning Code has been in place, around 10-12 times waivers have been granted by the Commission.

Jason Geary asked Engineering staff how they determine if sidewalk waivers are granted. Glenn Ellis, City Engineer, responded saying there are several criteria for granting sidewalk waivers, such as sidewalk channels in the area, if there are constraints placing sidewalks on the site, or if it cost prohibitive to install sidewalks.

Geary (Beukelman) moved to approve the site plan granting a 14 foot setback instead of the proposed 8 foot setback. Motion Carried. 6-0-0. (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No:0/ Abstain: 0). Electronic Vote

Agenda Item 2017-0008: Requested site plan approval in West 3rd Street right of way adjacent to 23 West 3rd Street. (Petitioner: FiberComm)

The following presentations and comments were in regards to Agenda Item's 2017-0008 through Agenda Item 2017-0018:

Chris Madsen, Senior Planner, provided information on the mini cell towers that FiberComm are requesting. He mentioned these towers were previously heard by the Planning and Zoning Commission at the February 14, 2017 meeting and all except 1 tower location were deferred with direction to work with staff to see if replacing existing light poles in the area with the mini cell tower poles were feasible. Staff and FiberComm have decided on new locations for the poles and that is what the Commission is reviewing tonight. He stated FiberComm agreed to paint the poles black to match the City's plan for new poles in the right of way. All locations except 2 are replacing existing light poles that are already in the right of way.

Suzan Stewart asked Justin Vondrak, Assistant City Attorney, to recap all of the things the Commission cannot consider when making their recommendation to the City Council. Justin replied with the two major things the Commission cannot consider would be: the Commission cannot suggest another site nearby and they cannot consider health effects from the towers.

Chris Madsen then gave specific information regarding Agenda Item 2017-0008 stating this location would replace an existing street light already located in the right of way and this location is approximately 98 feet from the previous location proposed.

Suzan Stewart asked if staff considered any poles with power lines on them. Madsen responded saying they did not consider any poles that had other power/utilities on them, just standard street light poles.

Jeff Zyzda with FiberComm, spoke on the item stating they have worked with City staff since the February 14, 2017 meeting and have come up with the new sites proposed tonight. He mentioned none of the poles that are being proposed to be replaced by FiberComm's new poles have secondary lines to homes.

Jason Geary asked who would be responsible for maintaining the poles. Zyzda replied that FiberComm would be 100% responsible for all maintenance on the poles.

Suzan Stewart asked if they will repaint the poles once they start to chip. Zyzda replied that FiberComm will keep them looking nice as it is in their best interest to do so. Stewart also asked that with all the changes in the telecommunications world how long FiberComm thinks before these towers will become obsolete. Zyzda replied that he anticipates the poles will be there for a long time, however the technology on the pole might change as the years go on and technology progresses.

Chris Madsen also mentioned that the right of way permit that the petitioner will have to obtain for the towers through the Engineering Department will outline damage and replacement responsibilities.

Suzan Stewart asked how long the other reviews take, for example FCC review, etc. Zyzda mentioned that if they are replacing an existing pole in the right of way, they can bypass FCC review. Only the two new proposed poles will go through FCC review.

Geary (Beukelman) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No:0/ Abstain: 0).
Electronic Vote

Agenda Item 2017-0009: Requested site plan approval in Nebraska Street right of way adjacent to 1320 Nebraska Street. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 120 feet from the previous proposed location.

Suzan Stewart, Chair stated to incorporate the previous comments and discussion from Agenda Item 2017-0018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Frank Caukey spoke on behalf of Castle on the Hill Organization (610 13th Street) stating he is in favor of the new proposed towers, just not in this location. He would like to see it moved to an alleyway where existing poles are. He also stated he thought when maintenance of the pole occurs it will block traffic in the street. He would like to see it moved to 14th and Nebraska intersection.

Dennis Ard (1304 28th Street) also spoke on behalf of Castle on the Hill Organization (610 13th Street) asking why residents within 280 feet were notified. He also stated he knows the Commission cannot consider health factors however within 80 feet from the pole are apartments and 200 feet from the pole there are the Castle on the Hill Apartments and he is concerned about health hazards. He is also concerned about the Castle on the Hill owns nearby, and he believes this tower will decrease the value of that lot.

Chris Madsen stated that it is in the Code that they have to notify 200 feet from the proposed location plus right of way, which in this case comes to 280 feet. He stated they also sent notification to all property owners that received notification from the previous proposed location from the February 14, 2017 meeting so they were aware of the changes as well.

Geary (Bostinelos) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No:0/ Abstain: 0). Electronic Vote

Agenda Item 2017-0010: Requested site plan approval in Pierce Street right of way adjacent to 1821 Pierce Street. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 57 feet from the previous proposed location. He also stated that they received a comment from Mid American Energy stating that the light pole proposed to be replaced might need to remain. He mentioned he would follow up with Mid American on that issue.

Suzan Stewart, Chair stated to incorporate the previous comments and discussion from Agenda Item 2017-00018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Geary (Calligan) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0). Electronic Vote

Agenda Item 2017-0011: Requested site plan approval in 27th Street right of way adjacent to 512 27th Street. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 940 feet from the previous proposed location.

Suzan Stewart, Chair stated to incorporate the previous comments and discussion from Agenda Item 2017-00018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Jason Geary asked if this pole will interfere with the new clinic being built on this site. Chris Madsen mentioned that it will not interfere with their plans.

Suzan Stewart asked if the Pierce Street reconstruction will have any effect on this site. Glenn Ellis mentioned the reconstruction does not extend that far East.

Geary (Beukelman) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0). Electronic Vote

Agenda Item 2017-0012: Requested site plan approval in Nebraska Street right of way adjacent to 3261 Nebraska Street. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this is one of the two locations that would not replace an existing light pole. He mentioned FiberComm would remove one of the street lights in the area but would put the tower in this proposed location. He also mentioned there was an owner in opposition to the proposed February 14, 2017 location, however since the changed location she is now okay with the placement of the tower.

Suzan Stewart, Chair stated to incorporate the previous comments and discussion from Agenda Item 2017-00018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Beukelman (Calligan) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0). Electronic Vote

Agenda Item 2017-0013: Requested site plan approval in Glen Oaks Boulevard right of way adjacent to 3414 Glen Oaks Boulevard. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 2.5 feet from the previous proposed location.

Suzan Stewart, Chair stated to incorporate the previous comments and discussion from Agenda Item 2017-00018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Geary (Beukelman) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0). Electronic Vote

Agenda Item 2017-0014: Requested site plan approval in Pierce Street right of way adjacent to 117 Pierce Street. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this is the second location that would not replace an existing light pole. He mentioned there is a light pole in the area; however it is too close to the railroad to make the mini cell towers feasible. He also mentioned there is a streetlight near the Chamber of Commerce building but it did not work for FiberComm's coverage.

Suzan Stewart, Chair stated to incorporate the previous comments and discussion from Agenda Item 2017-00018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Dale McKinney (4200 Country Club Boulevard) owns the building at 117 Pierce Street and stated that he was hoping to find a new proposed location replacing an existing light pole like the other locations have done.

Jeff Zyzda from FiberComm mentioned each particular site has gone through extensive RF propagation studies and these locations are proposed where they are due to those statistics gathered from those studies.

Geary (Bostinelos) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0). Electronic Vote

Agenda Item 2017-0015: Requested site plan approval in Stadium Drive right of way adjacent to 4061 Stadium Drive. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 56 feet from the previous proposed location.

Suzan Stewart, Chair, stated to incorporate the previous comments and discussion from Agenda Item 2017-00018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Bostinelos (Beukelman) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0). Electronic Vote

Agenda Item 2017-0016: Requested site plan approval in Stadium Drive right of way adjacent to 3400 Line Drive. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 50 feet from the previous proposed location.

Suzan Stewart, Chair, stated to incorporate the previous comments and discussion from Agenda Item 2017-00018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Calligan (Beukelman) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0). Electronic Vote

Agenda Item 2017-0017: Requested site plan approval in Indian Hills Drive right of way adjacent to 2307 Indian Hills Drive. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 50 feet from the previous proposed location. He also mentioned they have received one new response from the property adjacent asking why the streetlight to the West cannot be replaced and used for a location.

Suzan Stewart, Chair, stated to incorporate the previous comments and discussion from Agenda Item 2017-00018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Rod Hanson (924 46th Street) owns the property at 2307 Indian Hills Drive and asked why this pole cannot be moved up a block as it will be an eye sore for the home owner, it is right in front of a house compared to other locations; it will be dangerous when repairs are happening as the location is right on a curve in the road and will block drivers view.

Lee Beukelman asked how far it would be to move to the existing light pole nearby. Madsen responded it is 251 feet.

Jean Calligan asked why the current light pole in front of the house was placed there in the first place and wonders why it wasn't moved further away. Glenn Ellis, City Engineer, mentioned he is not sure this specific pole why it was placed exactly where it is, however the City does have a lighting spacing uniformity and if moved more than 50 feet one direction or another could mess with uniformity in the area. Chris Madsen also mentioned if this location is granted there is a 5 foot radius around the pole it can be moved within to account for underground utilities, etc. so that gives them a little flexibility to move a few feet away from the house if necessary.

Geary (Bostinelos) moved to recommend to the City Council approval of the item. Motion Carried. 5-1-0 (Yes: Ross, Bostinelos, Stewart, Geary, Calligan/ No: Beukelman/ Abstain: 0). Electronic Vote

Agenda Item 2017-0018: Requested site plan approval in Indian Hills Drive right of way adjacent to 4001 Indian Hills Drive. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 59 feet from the previous proposed location.

Suzan Stewart, Chair, stated to incorporate the previous comments and discussion from Agenda Item 2017-00018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Beukelman (Calligan) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Calligan, Beukelman/ No: 0 / Abstain: 0). Electronic Vote

Other Business.

- a. Report by Staff regarding Planning and Zoning items at the City Council meeting.*
- b. Other items brought forward by the Commission and / or staff.*
- c. Approval of the minutes of the March 14, 2017 Planning and Zoning Commission minutes.*

Beukelman (Geary) moved to recommend to the City Council approval of the March 14, 2017 minutes. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Calligan, Beukelman/ No: 0 / Abstain: 0).

There being no further business, the meeting was adjourned at 5:19 p.m.

*Submitted by
Kelly Leigh*

CHAIR

PLANNING DIRECTOR

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 14

FROM: Jeff Hanson, Community Development Operations Manager (CRM)

SUBJECT: Hearing and Ordinance adopting a site plan for a portion of Wesley Parkway right of way adjacent to 23 West 3rd Street. (Area Zoned GC (General Commercial)). (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0008).

Reviewed By:	<input checked="" type="checkbox"/> Department Director	Finance Department	<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Manager
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RECOMMENDATION:

Staff respectfully requests City Council approve the requested site plan, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2017-0008: Requested site plan approval in West 3rd Street right of way adjacent to 23 West 3rd Street. (Petitioner: FiberComm)

The following presentations and comments were in regards to Agenda Item's 2017-0008 through Agenda Item 2017-0018:

Chris Madsen, Senior Planner, provided information on the mini cell towers that FiberComm are requesting. He mentioned these towers were previously heard by the Planning and Zoning Commission at their February 14, 2017 meeting and all except one tower location were deferred with direction to work with staff to see if replacing existing light poles in the area with the mini cell tower poles were feasible. Staff and FiberComm have decided on new locations for the poles and that is what the Commission is reviewing tonight. He stated FiberComm agreed to paint the poles black to match the City's plan for new poles in the right of way. All locations except two are replacing existing light poles that are already in the right of way.

Suzan Stewart asked Justin Vondrak, Assistant City Attorney, to recap all of the things the Commission cannot consider when making their recommendation to the City Council. Justin replied with the two major things the Commission cannot consider would be: the Commission cannot suggest another site nearby and they cannot consider health effects from the towers.

Chris Madsen then gave specific information regarding Agenda Item 2017-0008 stating this location would replace an existing street light already located in the right of way and this location is approximately 98 feet from the previous location proposed.

Suzan Stewart asked if staff considered any poles with power lines on them. Madsen responded saying they did not consider any poles that had other power/utilities on them, just standard street light poles.

Jeff Zyzda with FiberComm, spoke on the item stating they have worked with City staff since the February 14, 2017 meeting and have come up with the new sites proposed tonight. He mentioned none of the poles that are being proposed to be replaced by FiberComm's new poles have secondary lines to homes.

Jason Geary asked who would be responsible for maintaining the poles. Zyzda replied that FiberComm would be 100% responsible for all maintenance on the poles.

Suzan Stewart asked if they will repaint the poles once they start to chip. Zyzda replied that FiberComm will keep them looking nice as it is in their best interest to do so. Stewart also asked that with all the changes in the telecommunications world how long FiberComm thinks before these towers will become obsolete. Zyzda replied that he anticipates the poles will be there for a long time, however the technology on the pole might change as the years go on and technology progresses.

Chris Madsen also mentioned that the right of way permit that the petitioner will have to obtain for the towers through the Engineering Department will outline damage and replacement responsibilities.

Suzan Stewart asked how long the other reviews take, for example FCC review, etc. Zyzda mentioned that if they are replacing an existing pole in the right of way, they can bypass FCC review. Only the two new proposed poles will go through FCC review.

Geary (Beukelman) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No:0/ Abstain: 0).

Findings of Fact:

- 1) The proposed towers would be 40' in height and located in City right of way.
- 2) The petitioner has agreed to stealth design the tower and replace an existing street light.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) Obtain State Historic Preservation Office approval.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

1) Deny the request.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Rendering

Attachment E: Application

BACKGROUND REPORT:

FiberComm LC has partnered with a cellular service provider to locate up to sixty small cell towers throughout Sioux City. Each proposed tower would have a height of approximately 40' and would include a power pedestal and underground vault connecting to FiberComm LC's network. The small cell towers are each proposed to be located in City right-of-way. Each tower has the potential for two carriers. This leaves open the possibility that other carriers may wish to install similar towers throughout Sioux City.

On January 23, 2017 FiberComm LC applied for approval of the first 12 sites. Due to recent Zoning and Sign Code revisions, each of these small cell towers will require site plan approval through the Planning and Zoning Commission and City Council. According to Municipal Code Section 25.02.190(25.c.):

Site Plan Required. All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 Site Plan. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

Section 106 of the National Historic Preservation Act requires that all new cell towers receive approval through the State Historic Preservation Office, with comment from the local Historic Preservation Commission. These approvals have not been applied for, and would be required after City approval.

ANALYSIS:

As stated, the petitioner is requesting site plan approval for a small cell tower located in West 3rd Street right of way adjacent to 23 West 3rd Street. City Staff have met with FiberComm on site at the various proposed sites after the February 14, 2017 Planning and Zoning Commission deferral to review each individual site, and to identify any potential existing street lights or poles in the vicinity.

FiberComm and City Staff identified a number of existing street lights and poles in the vicinity. FiberComm chose an existing street light approximately 98 feet from the original proposed location to replace with a new stealth designed small cell tower / street light. City Staff believe these towers will minimize the visual impact of the cell tower on surrounding properties.

EXISTING ZONING AND LAND USE:

GC ; City Right of Way

EXISTING ZONING REQUIREMENTS:

The GC district is meant for a broad range of smaller and larger scale commercial use types situated on parcels that have on-site parking.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: BP ; Billboard

South: NC.5 ; Single Family Residential

East: CE ; Hard Rock

West: GC ; Restaurant

DEPARTMENT COMMENTS

Engineering Department: This location would require Corp of Engineers approval.

MidAmerican Energy:

- An application for service will be required for electric service for these locations.
- The customer is responsible for installation and owns all cable for commercial UG electric.
- Please meet with MEC to discuss the closest available electric source for these locations.
- There may be costs from MidAmerican to remove the existing street light facility and splice the UG circuit together for locations where the lighting circuit serves more than one light.
- Will need a dedicated source back to MEC electric facilities.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Mixed Use Commercial". "Mixed-Use Commercial" is defined as areas that provide a general merchandising and convenience destination for residents of the City.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is located in in the Parkway SubArea of the Combined Central Sioux City CBD Urban Renewal TIF District.

SUBAREA / CORRIDOR PLAN:

The subject property is not located in a subarea or corridor plan.

FLOOD PLAIN:

The subject property is not located in a flood plain. The site is, however within 300 feet of the Perry Creek levee, and will require Army Corps approval.

CITIZEN RESPONSE:

Thirteen notices were sent within the required timeframe. No responses were received.

ATTACHMENT A

ORDINANCE NO. 2017 - _____

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF WESLEY PARKWAY RIGHT OF WAY ADJACENT TO 23 WEST 3RD STREET. (AREA ZONED GC (GENERAL COMMERCIAL))

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: That the City Council has conducted a public hearing on this proposed site plan.

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1305 of said Ordinance No. 2015-0215 as amended:

25.02.030.1305: The Site Plan dated March 1, 2017 for property presently zoned GC (General Commercial) and legally described as follows:

Within a 5' radius of 96.4110111W, 42.4947972N, in the City of Sioux City,
County of Woodbury and State of Iowa,

is hereby adopted and approved.

Section 3: That a detailed site plan dated March 1, 2017 including, but not limited to, a site development map and text to be used for the development of the above described property is on file in the office of the City Clerk of the City of Sioux City, Iowa, and is hereby approved and adopted and is by this reference made a part hereof.

Section 4: That the boundaries of zones as shown on the official zoning map on file in the office of the City Clerk of the City of Sioux City, Iowa, is hereby modified and corrected in accordance herewith, and said map and all information shown thereon shall be as much a part of this Ordinance as though all the matters and information set forth in said map were fully set forth herein.

Section 5: That all Ordinances, or parts of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-_____ adopted by the City Council of Sioux City on _____, 2017. Signed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 15, 2017

Lisa L. McCardle, City Clerk

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF WESLEY
PARKWAY RIGHT OF WAY ADJACENT TO 23 WEST 3RD STREET. (AREA
ZONED GC (GENERAL COMMERCIAL))

This is a summary of Ordinance Number 2017-_____ passed by the Sioux City City Council on _____, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance adopts a Site Plan dated March 1, 2017 for property within the City of Sioux City, Woodbury County, Iowa, presently zoned GC (General Commercial) and legally described as follows:

Within a 5' radius of 96.4110111W, 42.4947972N, in the City of Sioux City,
County of Woodbury and State of Iowa.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2017.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered, on April 10, 2017, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1305: Adoption of a site plan for the following described real property zoned as GC (General Commercial):

Within a 5' radius of 96.4110111W, 42.4947972N, in the County of Woodbury and State of Iowa.

(A portion of Wesley Parkway right of way adjacent to 23 West 3rd Street) (2017-0008)

At said hearing parties in interest and citizens will have an opportunity to be heard in relation to said proposed amendment and change.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal April 3, 2017.

ATTACHMENT B



GENERAL AREA MAP

ATTACHMENT C



NOTIFICATION MAP

ATTACHMENT D



 <p>712-224-2626 1605 9th St. Sioux City, IA 51101</p>	<p>PROJECT: 3rd & Wesley Pkwy Small Cell (SCY Hilton SC2) Proposed Location</p> <p>DATE: MAR 2017 CONTACT: Jeff Zyda, jzyda@fibercomm.net SCALE: Not to Scale PAGE: 5 of 15</p>	<p> Small Cell Location</p>
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SITE RENDERING

ATTACHMENT E

CITY OF SIOUX CITY Design Review Committee Request Form

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447
(515) 281-2222



The Design Review Committee meets every Thursday at 10:00 am, as necessary, to review and approve applications. Requests for DRC review must be received by **12:00 p.m. the Monday before** the desired meeting. Applications may be required to be heard over two meetings: the first meeting as a time to provide comments to the applicant and the second meeting for final approval or referral to another governing body.

Before completing, read the entire Request Form and related applications. A pre-application conference is **required** for all applications for cluster, mixed housing, and planned neighborhoods, traditional neighborhood development, as well as applications for development in the Airport Protection (AP), Classic Entertainment (CE), Historic Area (HA), and Public Institutional (PI) zoning districts. However, pre-application conferences may be requested for any development type.

PETITIONER/APPLICANT INFORMATION

Name FiberComm LLC

Street Address 6505 9th St

City Sioux City State IA ZIP 51101

Phone 712-224-2020 E-mail Address jzucha@fibercomm.net

Petitioner's interest in the property: Owner ☐ Contract Buyer ☐ Architect ☐ Engineer ☐ Other: Telecommunications Utility

PROPERTY OWNER (IF DIFFERENT)

Name City of Sioux City Right-of-Way

Street Address Adjacent 14 W 3rd St

City Sioux City State IA ZIP 51101

Phone n/a E-mail Address n/a

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

West Right-of-Way of 3rd St. & Wesley Pkwy. GPS coordinates: 42 29' 46.30" N & 96 24' 38.80" W

DESIGN REVIEW COMMITTEE REQUEST

The Design Review Committee serves as an administrative body that provides review and recommendations for applications relating to certain development types. Generally, many applications can be approved by the DRC administratively. However, the DRC can refer applications to the Planning and Zoning Commission as appropriate. A full list of permits and approval procedures are listed in Subchapter 25.06-B Permits and Procedures of the Code.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Site Plan
(Include Site Plan application) | <input type="checkbox"/> Neighborhood Conservation Building Improvement
(provide plans, site drawings, and dimensions) | <input type="checkbox"/> Accessory Dwelling Unit
(provide plans, site drawings, and dimensions) |
| <input type="checkbox"/> Certificate of Appropriateness
(Include CA application) | <input type="checkbox"/> Major changes to a Site/Concept Plan
(Include Planned Development application) | <input type="checkbox"/> Minor Changes to a Site/Concept Plan
(Include Planned Development application) |

SIGNATURE

Owner/Petitioner's Signature

Application Date 2/6/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regis/siouxcity-ia/index.aspx>.

For Office Use Only

File Number:

Staff Reviewer:

CITY OF SIOUX CITY

Application for a Site Plan

(Complete along with the Design Review Committee Request Form)

Planning Division
Room 208
405 8th Street
P.O. Box 447
Sioux City, IA 51102-
0447



SUBJECT PROPERTY INFORMATION

Owner: City of Sioux City Right-of-Way (FiberComm LC)

Street Address: Adjacent 1/4 W 3rd St.

Zoning District: Lot 508

Existing Use: City Right of Way

Proposed Use: Wireless Telecommunications

REQUEST

Use the checklist on the additional sheet for the items required for site plan approval. In general, all items listed on the checklist shall be submitted, or a brief explanation as to why they are not included shall be provided. Site plans are generally approved administratively. However, the Planning and Zoning Commission shall review the site plan upon referral of the Administrator if (Subsection 25.06.080.10 Site Plan).

1. Discretion is required as to the appropriateness and level of conformity of the site plan with the standards of this Code and the policies and objectives of City plans;
2. In the determination of the Design Review Committee the site plan does not conform to the standards and requirements of this Code;
3. The applicant requests variations or modifications to the standards set out in Subchapter 25.03-C, Design Standards; or
4. The applicant appeals the recommendation of the Design Review Committee or the decision of the Administrator and requests the review and decision of the Planning and Zoning Commission.

SIGNATURE

Owner/Planner's Signature:

Application Date: 2/6/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encycoplex.com/rngs/siouxcity-ia/index.aspx>

For Office Use Only

File Number:

DOB# Assigned:

APPLICATION

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 15

FROM: Jeff Hanson, Community Development Operations Manager (CRM)

SUBJECT: **Hearing and Ordinance adopting a site plan for a portion of Pierce Street right-of-way adjacent to 117 Pierce Street. (Area Zoned GC (General Commercial)). (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0014)**

Reviewed By:	<input checked="" type="checkbox"/> Department Director	Finance Department	<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Manager
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RECOMMENDATION:

Staff respectfully requests City Council approve the requested site plan, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2017-0014: Requested site plan approval in Pierce Street right of way adjacent to 117 Pierce Street. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this is the second location that would not replace an existing light pole. He mentioned there is a light pole in the area; however it is too close to the railroad to make the mini cell towers feasible. He also mentioned there is a streetlight near the Chamber of Commerce building but it did not work for FiberComm's coverage.

Suzan Stewart, Chair stated to incorporate the previous comments and discussion from Agenda Item 2017-0018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Dale McKinney (4200 Country Club Boulevard) owns the building at 117 Pierce Street and stated that he was hoping to find a new proposed location replacing an existing light pole like the other locations have done.

Jeff Zyzda from FiberComm mentioned each particular site has gone through extensive RF propagation studies and these locations are proposed where they are due to those statistics gathered from those studies.

Geary (Bostinelos) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0).

Findings of Fact:

- 1) The proposed towers would be 40' in height and located in City right of way.
- 2) The petitioner has agreed to stealth design the tower.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) Obtain State Historic Preservation Office approval.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

- 1) Deny the request.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Rendering

Attachment E: Application

BACKGROUND REPORT:

FiberComm LC has partnered with a wireless service provider to locate up to sixty small cell towers throughout Sioux City. The purpose of these towers is not to expand coverage in the Sioux City market, but to provide data capacity to Verizon Wireless users. Each proposed tower would have a height of approximately 40' and would include a power pedestal and underground vault connecting to FiberComm LC's network. The small cell towers are each proposed to be located in City right-of-way. Each tower has the potential for two carriers, and after meeting with FiberComm LC representatives, it appears FiberComm LC and Verizon would occupy the proposed cell towers. This leaves open the possibility that other carriers may wish to install similar towers throughout Sioux City.

On January 23, 2017 FiberComm LC applied for approval of the first 12 sites. Due to recent Zoning and Sign Code revisions, each of these small cell towers will require site plan approval through the Planning and Zoning Commission and City Council. According to Municipal Code Section 25.02.190(25.c.):

Site Plan Required. All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 Site Plan. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

Section 106 of the National Historic Preservation Act requires that all new cell towers receive approval through the State Historic Preservation Office, with comment from the local Historic Preservation Commission. These approvals have not been applied for, and would be required after City approval.

ANALYSIS:

As stated, the petitioner is requesting site plan approval for a small cell tower located in pierce Street right of way adjacent to 117 Pierce Street. City Staff have met with FiberComm on site at the various proposed sites after the February 14, 2017 Planning and Zoning Commission deferral to review each individual site, and to identify any potential existing street lights or poles in the vicinity.

FiberComm and City Staff were not able to identify any existing street lights or poles in the vicinity that could be replaced. FiberComm chose to provide a new stealth designed small cell tower / street light in the same location as the original proposal. City Staff believe these towers will minimize the visual impact of the cell tower on surrounding properties.

EXISTING ZONING AND LAND USE:

GC ; City Right of Way

EXISTING ZONING REQUIREMENTS:

The GC district is meant for a broad range of smaller and larger scale commercial use types situated on parcels that have on-site parking.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: DC ; Famous Daves

South: GC ; Siouxland Chamber

East: GC ; Ashley Home Furniture

West: GC ; Offices

DEPARTMENT COMMENTS

Engineering Department: Need to ensure that the location is in line with the other walkway obstructions (i.e. trees, railroad gate, lights, etc.), and does not create more of an obstruction in the walkway.

MidAmerican Energy:

- An application for service will be required for electric service for these locations.
- The customer is responsible for installation and owns all cable for commercial UG electric.
- Please meet with MEC to discuss the closest available electric source for these locations.
- There may be costs from MidAmerican to remove the existing street light facility and splice the UG circuit together for locations where the lighting circuit serves more than one light.
- Will need a dedicated source back to MEC electric facilities.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as “Downtown”. “Downtown” is an example of a true “mixed-use center”. It contains a mix of cultural, financial, governmental, institutional, entertainment, residential, and recreational uses. Continued growth of all types of land uses is appropriate.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is located in the CBD West SubArea of the Combined Central Sioux City – CBD Urban Renewal TIF District.

SUBAREA / CORRIDOR PLAN:

The subject property is not located in a subarea or corridor plan.

FLOOD PLAIN:

The subject property is located in the 500 year flood plain.

CITIZEN RESPONSE:

Eight notices were sent within the required timeframe. One response was received wishing to move the tower to the east side of Pierce Street.

ATTACHMENT A

ORDINANCE NO. 2017 - _____

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF PIERCE STREET RIGHT-OF-WAY ADJACENT TO 117 PIERCE STREET. (AREA ZONED GC (GENERAL COMMERCIAL))

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: That the City Council has conducted a public hearing on this proposed site plan.

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1311 of said Ordinance No. 2015-0215 as amended:

25.02.030.1311: The Site Plan dated March 1, 2017 for property presently zoned GC (General Commercial) and legally described as follows:

Within a 5' radius of 96.4050277W, 42.4918667N, in the City of Sioux City, County of Woodbury and State of Iowa,

is hereby adopted and approved.

Section 3: That a detailed site plan dated March 1, 2017 including, but not limited to, a site development map and text to be used for the development of the above described property is on file in the office of the City Clerk of the City of Sioux City, Iowa, and is hereby approved and adopted and is by this reference made a part hereof.

Section 4: That the boundaries of zones as shown on the official zoning map on file in the office of the City Clerk of the City of Sioux City, Iowa, is hereby modified and corrected in accordance herewith, and said map and all information shown thereon shall be as much a part of this Ordinance as though all the matters and information set forth in said map were fully set forth herein.

Section 5: That all Ordinances, or parts of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-_____ adopted by the City Council of Sioux City on _____, 2017. Signed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 15, 2017

Lisa L. McCardle, City Clerk

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF PIERCE
STREET RIGHT-OF-WAY ADJACENT TO 117 PIERCE STREET. (AREA
ZONED GC (GENERAL COMMERCIAL))

This is a summary of Ordinance Number 2017-_____ passed by the Sioux City City Council on _____, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance adopts a Site Plan dated March 1, 2017 for property within the City of Sioux City, Woodbury County, Iowa, presently zoned GC (General Commercial) and legally described as follows:

Within a 5' radius of 96.4050277W, 42.4918667N, in the City of Sioux City,
County of Woodbury and State of Iowa.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2017.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered, on April 10, 2017, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1311: Adoption of a site plan for the following described real property zoned as GC (General Commercial):

Within a 5' radius of 96.4050277W, 42.4918667N, in the County of Woodbury and State of Iowa.

(A portion of Pierce Street right-of-way adjacent to 117 Pierce Street) (2017-0014)

At said hearing parties in interest and citizens will have an opportunity to be heard in relation to said proposed amendment and change.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal April 3, 2017.

ATTACHMENT B



GENERAL AREA MAP

ATTACHMENT C



NOTIFICATION MAP

ATTACHMENT D



SITE RENDERING

ATTACHMENT E

CITY OF SIOUX CITY Design Review Committee Request Form

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447



The Design Review Committee meets every Thursday at 10:00 a.m. as necessary, to review and approve applications. Requests for DRC review must be received by **12:00 p.m. the Monday before** the desired meeting. Applications may be required to be heard over two meetings: the first meeting as a time to provide comments to the applicant and the second meeting for final approval or referral to another governing body.

Before completing, read the entire Request Form and related application. A pre-application conference is **required** for all applications for cluster, mixed housing, and planned neighborhoods; traditional neighborhood development; as well as applications for development in the Airport Redevelopment (AP), Casino Entertainment (CE), Historic Area (HA), and Public Institutional (PI) zoning districts. However, pre-application conferences may be requested for any development type.

PETITIONER/APPLICANT INFORMATION

Name FiberComin LLC

Street Address 1605 9th St.

City Sioux City

State IA

ZIP 51101

Phone 712-224-2000

E-mail Address cynthia@fibercomin.net

Petitioner's interest in the property Owner ☐ Contract Buyer ☐ Architect ☐ Engineer ☐ Other: Telecommunications Utility

PROPERTY OWNER (IF DIFFERENT)

Name City of Sioux City Right-of-Way

Street Address Adjacent 117 Pierce St.

City Sioux City

State IA

ZIP 51101

Phone n/a

E-mail Address n/a

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

West Right of Way of Pierce St. south of rail crossing. GPS coordinates: 42.25° 30.61' N & 96.24° 18.03' W

DESIGN REVIEW COMMITTEE REQUEST

The Design Review Committee serves as an administrative body that provides review and recommendations for applications relating to certain development types. Generally, many applications can be approved by the DRC administratively. However, the DRC can refer applications to the Planning and Zoning Commission as appropriate. A full list of permits and approval procedures are listed in Subchapter 25.06-B Permits and Procedures of the Code.

☐ Site Plan
(Include Site Plan application)

☐ Neighborhood Conservation Building
Improvement
(provide plans, site drawings, and dimensions)

☐ Accessory Dwelling Unit
(provide plans, site drawings, and dimensions)

☐ Certificate of Appropriateness
(include CA application)

☐ Major changes to a Site/Concept Plan
(include Planned Development application)

☐ Minor Changes to a Site/Concept Plan
(include Planned Development application)

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regis/siouxcity-ia/index.aspx>.

For Office Use Only

File Number:

Staff Reviewer:

CITY OF SIOUX CITY

Application for a Site Plan

(Complete along with the Design Review Committee Request Form)

Planning Division
Room 308
425 6th Street
P.O. Box 947
Sioux City, IA 51102-
0447



SUBJECT PROPERTY INFORMATION

Owner: City of Sioux City Right-of-Way (FiberComms LC)

Street Address: Adjacent 117th Pierce St.

Zoning District: Lot Size:

Existing Use: City Right of Way

Proposed Use: Wireless Telecommunications

REQUEST

Use the checklist on the additional sheet for the items required for site plan approval. In general, all items listed on the checklist shall be submitted, or a brief explanation as to why they are not included shall be provided. Site plans are generally approved administratively. However, the Planning and Zoning Commission shall review the site plan upon referral of the Administrator if (Subsection 25.06(4)(b) of Site Plan):

1. Discretion is required as to the appropriateness and level of conformity of the site plan with the standards of this Code and the policies and objectives of City plans;
2. In the determination of the Design Review Committee the site plan does not conform to the standards and requirements of this Code;
3. The applicant requests variations or modifications to the standards set out in Subchapter 25.03-C, Design Standards; or
4. The applicant appeals the recommendation of the Design Review Committee or the decision of the Administrator and requests the review and decision of the Planning and Zoning Commission.

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regis/siouxcity-ia/index.aspx>

For Office Use Only

File Number:

Staff Reviewer:

APPLICATION

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 16

FROM: Jeff Hanson, Community Development Operations Manager (CRM)

SUBJECT: Hearing and Ordinance adopting a site plan for a portion of Glen Oaks Boulevard right-of-way adjacent to 3414 Glen Oaks Boulevard. (Area Zoned NC.5 (Neighborhood Conservation, 5,000 square feet per unit minimum)). (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0013).

Reviewed By:	x	Department Director	x	City Attorney	x	City Manager
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RECOMMENDATION:

Staff respectfully requests City Council approve the requested site plan, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2017-0013: Requested site plan approval in Glen Oaks Boulevard right of way adjacent to 3414 Glen Oaks Boulevard. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 2.5 feet from the previous proposed location.

Suzan Stewart, Chair stated to incorporate the previous comments and discussion from Agenda Item 2017-0018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Geary (Beukelman) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0).

Findings of Fact:

- 1) The proposed towers would be 40' in height and located in City right of way.
- 2) The petitioner has agreed to stealth design the tower and replace an existing street light.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) Obtain State Historic Preservation Office approval.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

1) Deny the request.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Rendering

Attachment E: Application

BACKGROUND REPORT:

FiberComm LC has partnered with a cellular service provider to locate up to sixty small cell towers throughout Sioux City. Each proposed tower would have a height of approximately 40' and would include a power pedestal and underground vault connecting to FiberComm LC's network. The small cell towers are each proposed to be located in City right-of-way. Each tower has the potential for two carriers. This leaves open the possibility that other carriers may wish to install similar towers throughout Sioux City.

On January 23, 2017 FiberComm LC applied for approval of the first 12 sites. Due to recent Zoning and Sign Code revisions, each of these small cell towers will require site plan approval through the Planning and Zoning Commission and City Council. According to Municipal Code Section 25.02.190(25.c.):

Site Plan Required. All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 Site Plan. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

Section 106 of the National Historic Preservation Act requires that all new cell towers receive approval through the State Historic Preservation Office, with comment from the local Historic Preservation Commission. These approvals have not been applied for, and would be required after City approval.

ANALYSIS:

As stated, the petitioner is requesting site plan approval for a small cell tower located in Glen Oaks Boulevard right of way adjacent to 3414 Glen Oaks Boulevard. City Staff have met with FiberComm on site at the various proposed sites after the February 14, 2017 Planning and Zoning Commission deferral to review each individual site, and to identify any potential existing street lights or poles in the vicinity.

FiberComm and City Staff identified a number of existing street lights and poles in the vicinity. FiberComm chose an existing street light approximately 2.5 feet from the original proposed location to replace with a new stealth designed small cell tower / street light. City Staff believe these towers will minimize the visual impact of the cell tower on surrounding properties.

EXISTING ZONING AND LAND USE:

NC.5 ; City Right of Way

EXISTING ZONING REQUIREMENTS:

The NC.5 district is meant for a variety of housing types and other allowed uses in a mixed-use environment, with improved standards for compatibility through conditional use approval.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: NC.4 ; Opportunities Unlimited Residence

South: NC.5 ; Opportunities Unlimited Offices

East: NC.4 ; Single Family Residential

West: NC.5 ; Opportunities Unlimited Offices

DEPARTMENT COMMENTS**MidAmerican Energy:**

- An application for service will be required for electric service for these locations.
- The customer is responsible for installation and owns all cable for commercial UG electric.
- Please meet with MEC to discuss the closest available electric source for these locations.
- There may be costs from MidAmerican to remove the existing street light facility and splice the UG circuit together for locations where the lighting circuit serves more than one light.
- May need to be reconfigured to UG as this area is due to change in the future due to future road construction rebuild plans and property development at the NE corner of the intersection.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Suburban Residential". "Suburban Residential" is defined as development consistent with contemporary design practices that are sensitive to existing environmental characteristics of the location.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is located in the Glen oaks SubArea of the Teton Urban Renewal TIF District.

SUBAREA / CORRIDOR PLAN:

The subject property is not located in a subarea or corridor plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Thirteen notices were sent within the required timeframe. No responses were received.

ATTACHMENT A

ORDINANCE NO. 2017 - _____

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF GLEN OAKS BOULEVARD RIGHT-OF-WAY ADJACENT TO 3414 GLEN OAKS BOULEVARD. (AREA ZONED NC.5 (NEIGHBORHOOD CONSERVATION, 5,000 SQUARE FEET PER UNIT MINIMUM))

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: That the City Council has conducted a public hearing on this proposed site plan.

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1310 of said Ordinance No. 2015-0215 as amended:

25.02.030.1310: The Site Plan dated March 1, 2017 for property presently zoned NC.5 (Neighborhood Conservation, 5,000 square feet per unit minimum) and legally described as follows:

Within a 5' radius of 96.3839611 W, 42.5301722N, in the City of Sioux City, County of Woodbury and State of Iowa,

is hereby adopted and approved.

Section 3: That a detailed site plan dated March 1, 2017 including, but not limited to, a site development map and text to be used for the development of the above described property is on file in the office of the City Clerk of the City of Sioux City, Iowa, and is hereby approved and adopted and is by this reference made a part hereof.

Section 4: That the boundaries of zones as shown on the official zoning map on file in the office of the City Clerk of the City of Sioux City, Iowa, is hereby modified and corrected in accordance herewith, and said map and all information shown thereon shall be as much a part of this Ordinance as though all the matters and information set forth in said map were fully set forth herein.

Section 5: That all Ordinances, or parts of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-_____ adopted by the City Council of Sioux City on _____, 2017. Signed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 15, 2017

Lisa L. McCardle, City Clerk

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF GLEN OAKS
BOULEVARD RIGHT-OF-WAY ADJACENT TO 3414 GLEN OAKS
BOULEVARD. (AREA ZONED NC.5 (NEIGHBORHOOD CONSERVATION,
5,000 SQUARE FEET PER UNIT MINIMUM))

This is a summary of Ordinance Number 2017-_____ passed by the Sioux City City Council on _____, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance adopts a Site Plan dated March 1, 2017 for property within the City of Sioux City, Woodbury County, Iowa, presently zoned NC.5 (Neighborhood Conservation, 5,000 square feet per unit minimum) and legally described as follows:

Within a 5' radius of 96.3839611 W, 42.5301722N, in the City of Sioux City,
County of Woodbury and State of Iowa.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2017.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered, on April 10, 2017, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1310: Adoption of a site plan for the following described real property zoned as NC.5 (Neighborhood Conservation, 5,000 square feet per unit minimum):

Within a 5' radius of 96.3839611 W, 42.5301722N, in the County of Woodbury and State of Iowa.

(A portion of Glen Oaks Boulevard right-of-way adjacent to 3414 Glen Oaks Boulevard) (2017-0013)

At said hearing parties in interest and citizens will have an opportunity to be heard in relation to said proposed amendment and change.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal April 3, 2017.

ATTACHMENT B



GENERAL AREA MAP

ATTACHMENT C



NOTIFICATION MAP

ATTACHMENT D



SITE RENDERING

ATTACHMENT E

CITY OF SIOUX CITY Design Review Committee Request Form

Planning Division
Room 303
401 6th Street
P.O. Box 547
Sioux City, IA 51102
(515)



The Design Review Committee meets every Thursday at 10:00 am, as necessary, to review and approve applications. Requests for DRC review must be received by **12:00 p.m. the Monday before** the desired meeting. Applications may be required to be heard over two meetings: the first meeting as a title to provide comments to the applicant and the second meeting for final approval or referral to another governing body.

Before completing, read the entire Request Form and related application. A pre-application conference is **required** for all applications for cluster, mixed housing, and planned neighborhoods, traditional neighborhood development, as well as applications for development in the Airport, Protection (AP), Casual Entertainment (CE), Historic Area (HA), and Public Institutional (PI) zoning districts. However, pre-application conferences may be requested for any development type.

PETITIONER/APPLICANT INFORMATION

Name: P&B Comm LLC

Street Address: 1605 9th St.

City: Sioux City State: IA ZIP: 51101

Phone: 712-234-2020 E-mail Address: pycia@pbcomm.net

Petitioner's Interest in the property: Owner ☐ Contract Buyer ☐ Architect ☐ Engineer ☐ Other: Telecommunications Utility

PROPERTY OWNER (IF DIFFERENT)

Name: City of Sioux City Right-of-Way

Street Address: Adjacent 3417 Glen Oaks Blvd, Opportunities Unlimited

City: Sioux City State: IA ZIP: 51104

Phone: n/a E-mail Address: n/a

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

Southwest corner of 35th St. & Glen Oaks Blvd. GPS coordinates: 42° 31' 40.60" N & 96° 23' 2.28" W

DESIGN REVIEW COMMITTEE REQUEST

The Design Review Committee serves as an administrative body that provides review and recommendations for applications relating to certain development types. Generally, many applications can be approved by the DRC administratively. However, the DRC can refer applications to the Planning and Zoning Commission as appropriate. A full list of permits and approval procedures are listed in *Subchapter 25.04-B Permits and Procedures of this Code*.

- | | | |
|---|---|--|
| <input type="checkbox"/> Site Plan
(include Site Plan Application) | <input type="checkbox"/> Neighborhood Conservation Building Improvement
(provide plans, site drawings, and dimensions) | <input type="checkbox"/> Accessory Dwelling Unit
(provide plans, site drawings, and dimensions) |
| <input type="checkbox"/> Certificate of Appropriateness
(include CA application) | <input type="checkbox"/> Major changes to a Site/Concept Plan
(include Planned Development application) | <input type="checkbox"/> Minor Changes to a Site/Concept Plan
(include Planned Development application) |

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encycodeplus.com/reg/siouxcity-ia/index.aspx>.

For Office Use Only:

File Number:

DOB Number:

CITY OF SIOUX CITY

Application for a Site Plan

(Complete along with the Design Review Committee Request Form)

Planning Division
Room 308
405 2nd Street
P.O. Box 447
Sioux City, IA 51102
6447



SUBJECT PROPERTY INFORMATION

District: City of Sioux City Right-of-Way (FiberConn) (C)

Street Address: Adjacent 3417 Glen Oaks Blvd. Opportunities Unlimited

Zoning District: Lot Size

Existing Use: City Right of Way

Proposed Use: Wireless Telecommunications

REQUEST

Use the checklist on the additional sheet for the items required for site plan approval. In general, all items listed on the checklist shall be submitted, or a brief explanation as to why they are not included shall be provided. Site plans are generally approved administratively. However, the Planning and Zoning Commission shall review the site plan upon referral of the Administrator if (Subsection 25.06.080.10 Site Plan).

1. Discretion is required as to the appropriateness and level of conformity of the site plan with the standards of this Code and the policies and objectives of City plans;
2. In the determination of the Design Review Committee the site plan does not conform to the standards and requirements of this Code;
3. The applicant requests variances or modifications to the standards set out in Subchapter 25.05-C, Design Standards; or
4. The applicant appeals the recommendation of the Design Review Committee or the decision of the Administrator and requests the review and decision of the Planning and Zoning Commission.

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.unicodeplus.com/reg/siouxcity-ia/index.aspx>

For Office Use Only

File Number:

Staff Reviewer:

APPLICATION

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 17

FROM: Jeff Hanson, Community Development Operations Manager (CRM)

SUBJECT: Hearing and Ordinance adopting a site plan for a portion of Nebraska Street right-of-way adjacent to 3261 Nebraska Street. (Area Zoned NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum)). (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0012).

Reviewed By:	x	Department Director	x	City Attorney	x	City Manager
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RECOMMENDATION:

Staff respectfully requests City Council approve the requested site plan, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2017-0012: Requested site plan approval in Nebraska Street right of way adjacent to 3261 Nebraska Street. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this is one of the two locations that would not replace an existing light pole. He mentioned FiberComm would remove one of the street lights in the area but would put the tower in this proposed location. He also mentioned there was an owner in opposition to the proposed location at the February 14, 2017 Planning and Zoning commission meeting. However, since the changed location she is now okay with the placement of the tower.

Suzan Stewart, Chair stated to incorporate the previous comments and discussion from Agenda Item 2017-0018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Beukelman (Calligan) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0).

Findings of Fact:

- 1) The proposed towers would be 40' in height and located in City right of way.
- 2) The petitioner has agreed to stealth design the tower.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) Obtain State Historic Preservation Office approval.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

1) Deny the request.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Rendering

Attachment E: Application

BACKGROUND REPORT:

FiberComm LC has partnered with a cellular service provider to locate up to sixty small cell towers throughout Sioux City. Each proposed tower would have a height of approximately 40' and would include a power pedestal and underground vault connecting to FiberComm LC's network. The small cell towers are each proposed to be located in City right-of-way. Each tower has the potential for two carriers. This leaves open the possibility that other carriers may wish to install similar towers throughout Sioux City.

On January 23, 2017 FiberComm LC applied for approval of the first 12 sites. Due to recent Zoning and Sign Code revisions, each of these small cell towers will require site plan approval through the Planning and Zoning Commission and City Council. According to Municipal Code Section 25.02.190(25.c.):

Site Plan Required. All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 Site Plan. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

Section 106 of the National Historic Preservation Act requires that all new cell towers receive approval through the State Historic Preservation Office, with comment from the local Historic Preservation Commission. These approvals have not been applied for, and would be required after City approval.

ANALYSIS:

As stated, the petitioner is requesting site plan approval for a small cell tower located in Nebraska Street right of way adjacent to 3261 Nebraska Street. City Staff have met with FiberComm on site at the various proposed sites after the February 14, 2017 Planning and Zoning Commission deferral to review each individual site, and to identify any potential existing street lights or poles in the vicinity.

FiberComm and City Staff were not able to identify any existing street lights or poles in the vicinity that could be replaced. FiberComm chose to provide a new stealth designed small cell tower / street light in the same location as the original proposal. City Staff believe these towers will minimize the visual impact of the cell tower on surrounding properties.

EXISTING ZONING AND LAND USE:

NC.4 ; City Right of Way

EXISTING ZONING REQUIREMENTS:

The NC.4 district is meant for a variety of housing types in a mixed housing neighborhood.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: NC.4 ; Single Family Residential

South: NC.4 ; Single Family Residential

East: NC.4 ; Single Family Residential

West: NC.4 ; Single Family Residential

DEPARTMENT COMMENTS**MidAmerican Energy:**

- An application for service will be required for electric service for these locations.
- The customer is responsible for installation and owns all cable for commercial UG electric.
- Please meet with MEC to discuss the closest available electric source for these locations.
- There may be costs from MidAmerican to remove the existing street light facility and splice the UG circuit together for locations where the lighting circuit serves more than one light.
- Will need a dedicated source back to MEC electric facilities.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Urban Residential". "Urban Residential" is defined as older areas of higher density where infill and redevelopment are in forms and densities similar to existing urban development types and densities within these areas.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is not located in an urban renewal district.

SUBAREA / CORRIDOR PLAN:

The subject property is not located in a subarea or corridor plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Thirty five notices were sent within the required timeframe. Two phone calls and one letter were received in opposition to the original request. Barbara Lewis, the adjacent property owner who had sent the below response form, called prior to the Planning and Zoning Commission in favor of the new location and design of the proposed small cell tower.

NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
SIOUX CITY, IOWA

You are hereby notified that the Sioux City Planning and Zoning Commission will consider the item identified below at a public hearing to be held on **Tuesday, February 14, 2017, at 4:00 P.M.**, in the City Council Chambers, Fifth Floor of City Hall, 405 6th Street, Sioux City, Iowa. You are invited to attend the hearing to voice your opinion in regard to this agenda item. The Planning and Zoning Commission will consider this item and make a recommendation that will be forwarded to the City Council at a later date. For further information, please call this office at (712) 279-6340. (This item is on file in Room 308, City Hall.)

PURPOSE OF THIS REQUEST:

Agenda Item 2017-0012

The petitioner, FiberComm LC, requests site plan approval to construct an approximately 35' tall telecommunication tower in Nebraska Street right of way adjacent to 3261 Nebraska Street. A general area map and tower rendering are attached for your review.

Chris Madsen, AICP, CFM
Senior Planner

ADA NOTICE

The City of Sioux City does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Individuals who need auxiliary aids for effective communication in programs and services of the City of Sioux City are invited to make their needs and preferences known to the ADA Compliance Officer, City Hall, 405 - 6th Street, Room 294, 712-279-6359. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

If you are unable to attend this hearing but would like to have your comments on record, you may forward this response slip to the City Planning Division, P.O. Box 447 Sioux City, IA 51102, call (712) 279-6340, Fax (712) 224-5218, or e-mail planzone@sioux-city.org.

Your Name: Barbara Lewis Agenda Date: 2/14/2017

Address: 3261 Nebraska St. Agenda Item No.: 2017-0012

Your Comments Regarding This Item: I do not want this in my front yard. I have spent a lot of money getting and keeping my yard beautiful, maintaining & mowing weekly. I also have a sprinkler system in that area. My water sewer comes into my house from the street at that location also. If I want to sell in the future who is going to want to purchase a house with a 35' pole in their front yard. If this pole needs to be in this location why not on the north side of my house. Not the front. Will they pay me rent so I can trim and maintain the look of this pole? Again look at putting it on 33rd Street if it needs to be in this location. I do have a car on the corner. This is going to block you

I will not be able to attend this meeting going to be out of town.

Where the tower is, it began in the 1980s. It's along or at FiberComm house. The area is. Have them it.

ATTACHMENT A

ORDINANCE NO. 2017 - _____

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF NEBRASKA STREET RIGHT-OF-WAY ADJACENT TO 3261 NEBRASKA STREET. (AREA ZONED NC.4 (NEIGHBORHOOD CONSERVATION, 5,000 SQUARE FEET PER UNIT MINIMUM))

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: That the City Council has conducted a public hearing on this proposed site plan.

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1309 of said Ordinance No. 2015-0215 as amended:

25.02.030.1309: The Site Plan dated March 1, 2017 for property presently zoned NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum) and legally described as follows:

Within a 5' radius of 96.4039055W, 42.5272028N, in the City of Sioux City, County of Woodbury and State of Iowa,

is hereby adopted and approved.

Section 3: That a detailed site plan dated March 1, 2017 including, but not limited to, a site development map and text to be used for the development of the above described property is on file in the office of the City Clerk of the City of Sioux City, Iowa, and is hereby approved and adopted and is by this reference made a part hereof.

Section 4: That the boundaries of zones as shown on the official zoning map on file in the office of the City Clerk of the City of Sioux City, Iowa, is hereby modified and corrected in accordance herewith, and said map and all information shown thereon shall be as much a part of this Ordinance as though all the matters and information set forth in said map were fully set forth herein.

Section 5: That all Ordinances, or parts of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-_____ adopted by the City Council of Sioux City on _____, 2017. Signed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 15, 2017

Lisa L. McCardle, City Clerk

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF NEBRASKA
STREET RIGHT-OF-WAY ADJACENT TO 3261 NEBRASKA STREET. (AR-
EA ZONED NC.4 (NEIGHBORHOOD CONSERVATION, 5,000 SQUARE
FEET PER UNIT MINIMUM))

This is a summary of Ordinance Number 2017-_____ passed by the Sioux City City Council on _____, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance adopts a Site Plan dated March 1, 2017 for property within the City of Sioux City, Woodbury County, Iowa, presently zoned NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum) and legally described as follows:

Within a 5' radius of 96.4039055W, 42.5272028N, in the City of Sioux City,
County of Woodbury and State of Iowa.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2017.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered, on April 10, 2017, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1309: Adoption of a site plan for the following described real property zoned as NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum):

Within a 5' radius of 96.4039055W, 42.5272028N, in the County of Woodbury and State of Iowa.

(A portion of Nebraska Street right-of-way adjacent to 3261 Nebraska Street) (2017-0012)

At said hearing parties in interest and citizens will have an opportunity to be heard in relation to said proposed amendment and change.

CITY OF SIOUX CITY, IOWA

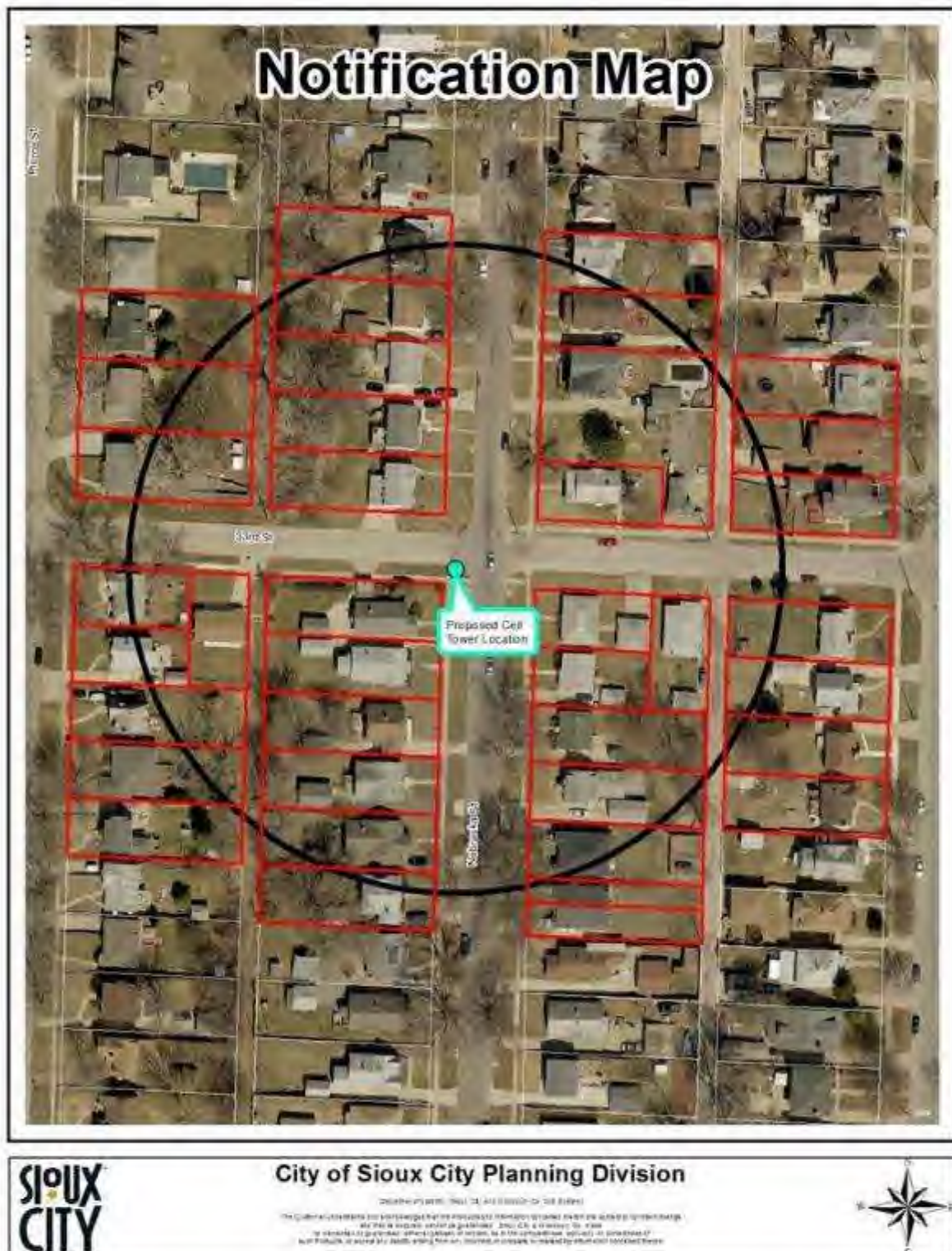
/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal April 3, 2017.

ATTACHMENT B

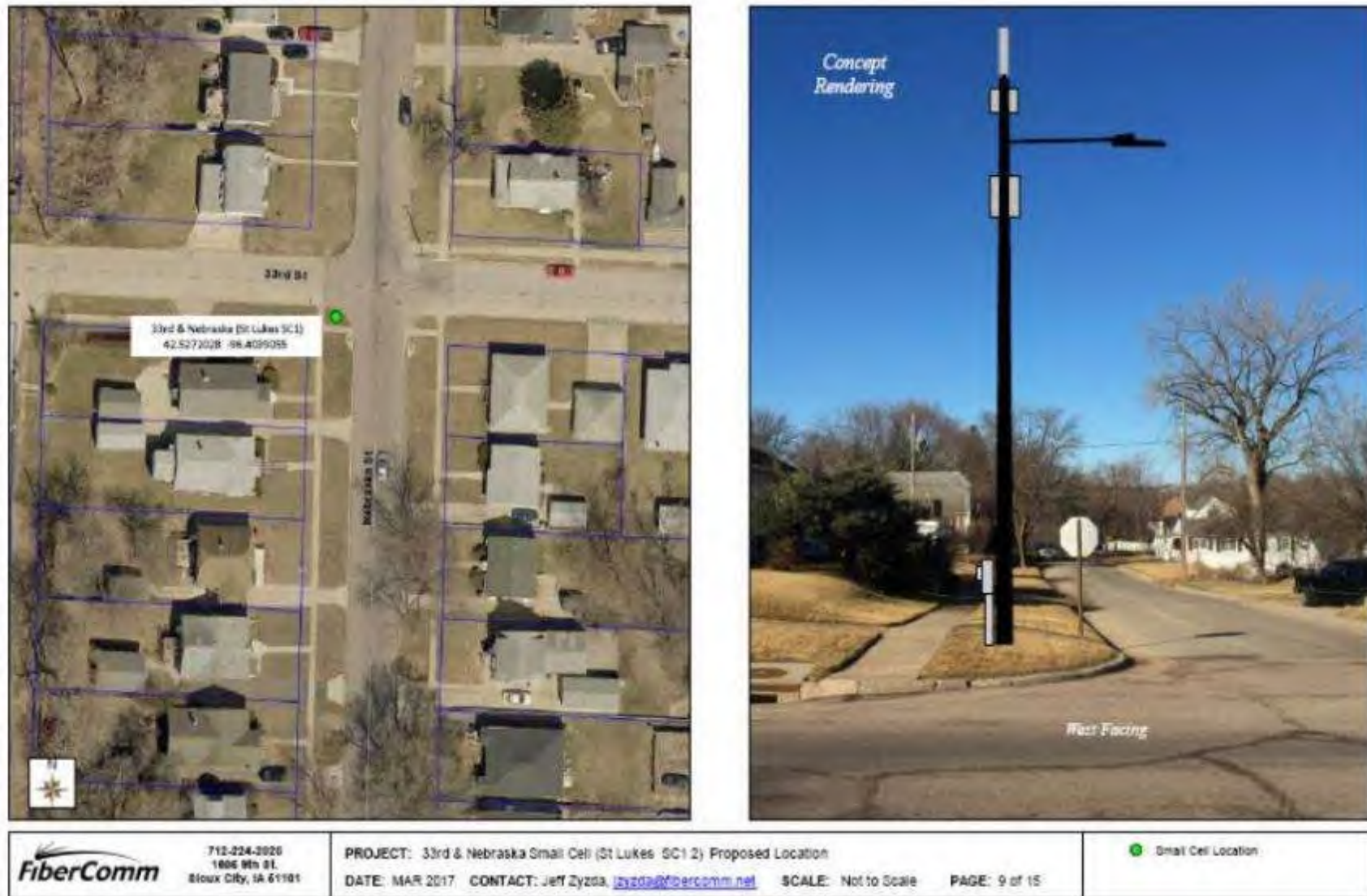


GENERAL AREA MAP



NOTIFICATION MAP

ATTACHMENT D



SITE RENDERING

ATTACHMENT E

CITY OF SIOUX CITY Design Review Committee Request Form

Planning Division
Room 308
405 6th Street
P.O. Box 947
Sioux City, IA 51102-
0947



The Design Review Committee meets every Thursday at 10:00 am, as necessary, to review and approve applications. Requests for DRC review must be received by **12:00 p.m. the Monday before** the desired meeting. Applicants may be required to be heard over two meetings: the first meeting is a time to provide comments to the applicant and the second meeting for final approval or referral to another governing body.

Before completing, read the entire request form and related application. A pre-application conference is **required** for all applications for duplex, mixed housing, and planned neighborhoods; traditional neighborhood development, as well as applications for development in the Airport Protection (AP), Casino Entertainment (CE), Historic Area (HA), and Public Institutions (PI) zoning districts. However, pre-application conferences may be requested for any development type.

PETITIONER/APPLICANT INFORMATION

Name: Peter Corns (C)
Street Address: 1905 9th St.
City: Sioux City State: IA ZIP: 51101
Phone: 712-234-2020 E-mail Address: jayc@pbercorns.net
Petitioner's interest in the property: Owner ☐ Contract Buyer ☐ Architect ☐ Engineer ☐ Other: Telecommunications Utility

PROPERTY OWNER (IF DIFFERENT)

Name: City of Sioux City Right-of-Way
Street Address: Adjacent 38th Nebraska St.
City: Sioux City State: IA ZIP: 51102
Phone: N/A E-mail Address: N/A

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

Southwest corner of 33rd St. & Nebraska St. GPS coordinates: 42° 31' 37.74" N & 96° 24' 14.04" W

DESIGN REVIEW COMMITTEE REQUEST

The Design Review Committee serves as an administrative body that provides review and recommendations for applications relating to certain development types. Generally, many applications can be approved by the DRC administratively. However, the DRC can refer applications to the Planning and Zoning Commission as appropriate. A full list of permits and approval procedures are listed in Subchapter 25.06-B Permits and Procedures of the Code.

☐ Site Plan (include Site Plan application) ☐ Neighborhood Conservation Building Improvement (provide plans, site drawings, and dimensions) ☐ Accessory Dwelling Unit (include plans, site drawings, and dimensions)
☐ Certificate of Appropriateness (include CA application) ☐ Minor changes to a Sign/Concept Plan (include Planned Development application) ☐ Minor Changes to a Sign/Concept Plan (include Planned Development application)

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/reg/siouxcity-ia/index.aspx>.

For Office Use Only

File Number:

Staff Reviewer:

CITY OF SIOUX CITY

Application for a Site Plan

(Complete along with the Design Review Committee Request Form)

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-
0447



SUBJECT PROPERTY INFORMATION

Owner: City of Sioux City Right-of-Way (RiberComm LLC)

Street Address: Adjacent 3251 Nebraska St.

Zoning District: UH Sub

Existing Use: City Right of Way

Proposed Use: Wireless Telecommunications

REQUEST

Use the checklist on the additional sheet for the items required for site plan approval. In general, all items listed on the checklist shall be submitted, or a brief explanation as to why they are not included shall be provided. Site plans are generally approved administratively; however, the Planning and Zoning Commission shall review the site plan upon referral of the Administrator if Subsection 25.06.08(1) Site Plan:

1. Discretion is required as to the appropriateness and level of conformity of the site plan with the standards of this Code and the policies and objectives of City plans;
2. In the determination of the Design Review Committee the site plan does not conform to the standards and requirements of this Code;
3. The applicant requests variances or modifications to the standards set out in Subchapter 25.03-C, Design Standards; or
4. The applicant appeals the recommendation of the Design Review Committee or the decision of the Administrator and requests the review and decision of the Planning and Zoning Commission.

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/rugs/sioux-city-ia/index.aspx>

For Office Use Only

File Number:

Staff Reviewer:

APPLICATION

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 18

FROM: Jeff Hanson, Community Development Operations Manager (CRM)

SUBJECT: Hearing and ordinance adopting a site plan for a portion of Indian Hills Drive right-of-way adjacent to 2307 Indian Hills Drive. (area zoned NC.2 (Neighborhood Conservation, 7,000 square feet per unit minimum)). (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0017)

Reviewed By:	x	Department Director	x	City Attorney	x	City Manager
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RECOMMENDATION:

Staff respectfully requests City Council approve the requested site plan, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2017-0017: Requested site plan approval in Indian Hills Drive right of way adjacent to 2307 Indian Hills Drive. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 50 feet from the previous proposed location. He also mentioned they have received one new response from the property adjacent asking why the street light to the west cannot be replaced and used for a location.

Suzan Stewart, Chair, stated to incorporate the previous comments and discussion from Agenda Item 2017-0018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Rod Hanson (924 46th Street) owns the property at 2307 Indian Hills Drive and asked why this pole cannot be moved up a block as it will be an eye sore for the home owner; it is right in front of a house compared to other locations; it will be dangerous when repairs are happening as the location is right on a curve in the road and will block driver's view.

Lee Beukelman asked how far it would be to move to the existing light pole nearby. Madsen responded it is 251 feet.

Jean Calligan asked why the current light pole in front of the house was placed there in the first place and wonders why it wasn't moved further away. Glenn Ellis, City Engineer, mentioned he is not sure why this specific pole was placed where it is, however the City does have a street light spacing uniformity and if moved more than 50 feet one direction or another could mess with uniformity in the area. Chris Madsen also mentioned there is a 5 foot radius the pole could be moved to account for underground utilities, etc. so that gives them a little flexibility to move a few feet away from the house if necessary.

Geary (Bostinelos) moved to recommend to the City Council approval of the item. Motion Carried. 5-1-0 (Yes: Ross, Bostinelos, Stewart, Geary, Calligan/ No: Beukelman/ Abstain: 0).
Findings of Fact:

- 1) The proposed towers would be 40' in height and located in City right of way.
- 2) The petitioner has agreed to stealth design the tower and replace an existing street light.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) Obtain State Historic Preservation Office approval.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

- 1) Deny the request.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Rendering

Attachment E: Application

BACKGROUND REPORT:

FiberComm LC has partnered with a cellular service provider to locate up to sixty small cell towers throughout Sioux City. The purpose of these towers is not to expand coverage in the Sioux City market, but to provide data capacity to Verizon Wireless users. Each proposed tower would have a height of approximately 40' and would include a power pedestal and underground vault connecting to FiberComm LC's network. The small cell towers are each proposed to be located in City right-of-way. Each tower has the potential for two carriers, and after meeting with FiberComm LC representatives, it appears FiberComm LC and Verizon would occupy the proposed cell towers. This leaves open the possibility that other carriers may wish to install similar towers throughout Sioux City.

On January 23, 2017 FiberComm LC applied for approval of the first 12 sites. Due to recent Zoning and Sign Code revisions, each of these small cell towers will require site plan approval through the Planning and Zoning Commission and City Council. According to Municipal Code Section 25.02.190(25.c.):

Site Plan Required. All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 Site Plan. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

Section 106 of the National Historic Preservation Act requires that all new cell towers receive approval through the State Historic Preservation Office, with comment from the local Historic Preservation Commission. These approvals have not been applied for, and would be required after City approval.

ANALYSIS:

As stated, the petitioner is requesting site plan approval for a small cell tower located in Indian Hills Drive right of way adjacent to 2207 Indian Hills Drive. City Staff have met with FiberComm on site at the various proposed sites after the February 14, 2017 Planning and Zoning Commission deferral to review each individual site, and to identify any potential existing street lights or poles in the vicinity.

FiberComm and City Staff identified a number of existing street lights and poles in the vicinity. FiberComm chose an existing street light approximately 50 feet from the original proposed location to replace with a new stealth designed small cell tower / street light. City Staff believe these towers will minimize the visual impact of the cell tower on surrounding properties.

EXISTING ZONING AND LAND USE:

PI ; City Right of Way

EXISTING ZONING REQUIREMENTS:

The PI district is meant for public, semi-public, and institutional land uses that are unique in nature and scale and thus, most appropriate in their own district and subject to their own standards.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: PI ; St. Michaels Church
South: NC.4 ; Ridge Oaks Apartments
East: NC.2 ; Single Family Residential
West: NC.4 ; Single Family Residential

DEPARTMENT COMMENTS**MidAmerican Energy:**

- An application for service will be required for electric service for these locations.
- The customer is responsible for installation and owns all cable for commercial UG electric.
- Please meet with MEC to discuss the closest available electric source for these locations.
- There may be costs from MidAmerican to remove the existing street light facility and splice the UG circuit together for locations where the lighting circuit serves more than one light.
- Will need a dedicated source back to MEC electric facilities.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as “Suburban Residential”. “Suburban Residential” is defined as development consistent with contemporary design practices that are sensitive to existing environmental characteristics of the location.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is located in the Glen Oaks SubArea of the Teton Urban Renewal TIF District.

SUBAREA / CORRIDOR PLAN:

The subject property is not located in a subarea or corridor plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Seven notices were sent within the required timeframe. One response was received in opposition.

Your Name: Rodney + LeAnn Hanson Agenda Date: 3/28/2017

Address: 2309 Indian Hills Dr Agenda Item No: 2017-0017

Your Comments Regarding This Item: We oppose the cell tower for the following reasons: it will not be aesthetically pleasing, our underground utilities are on that side of the driveway, it would only be 3 feet from our mailbox - which at times could affect our mail delivery - (USPS will not deliver if they cannot access your mailbox by their vehicle) We ask that you choose the original proposed location right next to our property at 2223 Indian Hills Dr that right of way has 3 streetlights at least 1 should meet all your needs + have no visual impact to homeowners -

ATTACHMENT A

ORDINANCE NO. 2017 - _____

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF INDIAN HILLS DRIVE RIGHT-OF-WAY ADJACENT TO 2307 INDIAN HILLS DRIVE. (AREA ZONED NC.2 (NEIGHBORHOOD CONSERVATION, 7,000 SQUARE FEET PER UNIT MINIMUM))

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: That the City Council has conducted a public hearing on this proposed site plan.

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1314 of said Ordinance No. 2015-0215 as amended:

25.02.030.1314: The Site Plan dated March 1, 2017 for property presently zoned NC.2 (Neighborhood Conservation, 7,000 square feet per unit minimum) and legally described as follows:

Within a 5' radius of 96.380415W, 42.533910N, in the City of Sioux City, County of Woodbury and State of Iowa,

is hereby adopted and approved.

Section 3: That a detailed site plan dated March 1, 2017 including, but not limited to, a site development map and text to be used for the development of the above described property is on file in the office of the City Clerk of the City of Sioux City, Iowa, and is hereby approved and adopted and is by this reference made a part hereof.

Section 4: That the boundaries of zones as shown on the official zoning map on file in the office of the City Clerk of the City of Sioux City, Iowa, is hereby modified and corrected in accordance herewith, and said map and all information shown thereon shall be as much a part of this Ordinance as though all the matters and information set forth in said map were fully set forth herein.

Section 5: That all Ordinances, or parts of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-_____ adopted by the City Council of Sioux City on _____, 2017. Signed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 15, 2017

Lisa L. McCardle, City Clerk

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF INDIAN HILLS
DRIVE RIGHT-OF-WAY ADJACENT TO 2307 INDIAN HILLS DRIVE. (AREA
ZONED NC.2 (NEIGHBORHOOD CONSERVATION, 7,000 SQUARE FEET
PER UNIT MINIMUM))

This is a summary of Ordinance Number 2017-_____ passed by the Sioux City City Council on _____, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance adopts a Site Plan dated March 1, 2017 for property within the City of Sioux City, Woodbury County, Iowa, presently zoned NC.2 (Neighborhood Conservation, 7,000 square feet per unit minimum) and legally described as follows:

Within a 5' radius of 96.380415W, 42.533910N, in the City of Sioux City,
County of Woodbury and State of Iowa.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2017.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered, on April 10, 2017, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1314: Adoption of a site plan for the following described real property zoned as NC.2 (Neighborhood Conservation, 7,000 square feet per unit minimum):

Within a 5' radius of 96.380415W, 42.533910N, in the County of Woodbury and State of Iowa.

(A portion of Indian Hills Drive right-of-way adjacent to 2307 Indian Hills Drive) (2017-0017)

At said hearing parties in interest and citizens will have an opportunity to be heard in relation to said proposed amendment and change.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal April 3, 2017.

ATTACHMENT B



GENERAL AREA MAP

ATTACHMENT C



NOTIFICATION MAP

ATTACHMENT D



SITE RENDERING

ATTACHMENT E

CITY OF SIOUX CITY Design Review Committee Request Form

Planning Division
Room 308
401 6th Street
P.O. Box 447
Sioux City, IA 51102-0447



The Design Review Committee meets every Thursday at 10:00 a.m., as necessary, to review and approve applications. Requests for DRC review must be received by **12:00 p.m. the Monday before** the desired meeting. Applications may be required to be heard over two meetings: the first meeting as a time to provide comments to the applicant and the second meeting for final approval or referral to another governing body.

Before completing, read the entire Request Form and related application. A pre-application conference is **required** for all applications for duplex, mixed housing, and planned neighborhoods; traditional neighborhood development, as well as applications for development in the Airport Protection (AP), Casino Entertainment (CE), Historic Area (HA), and Public Institutional (PI) zoning districts. However, pre-application conferences may be requested for any development type.

PETITIONER/APPLICANT INFORMATION

Name: FiberComm, LLC

Street Address: 1805 5th St.

City: Sioux City State: IA ZIP: 51101

Phone: 712-254-2030 E-mail Address: jayz@fibercomm.net

Petitioner's Interest in the property: Owner ☐ Contract Buyer ☐ Architect ☐ Engineer ☐ Other: Telecommunications Utility

PROPERTY OWNER (IF DIFFERENT)

Name: City of Sioux City Right-of-Way

Street Address: Adjacent 2223 Indian Hills Dr. - St. Michael's Church

City: Sioux City State: IA ZIP: 51104

Phone: N/A E-mail Address: N/A

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

South Right-of-Way of Indian Hills Dr. GPS coordinates: 42 32' 2.17" N & 96 22' 10.42" W

DESIGN REVIEW COMMITTEE REQUEST

The Design Review Committee serves as an administrative body that provides review and recommendations for applications relating to certain development types. Generally, many applications can be approved by the DRC administratively. However, the DRC can refer applications to the Planning and Zoning Commission as appropriate. A full list of permits and approval procedures are listed in *Subchapter 25.08-B Permits and Procedures of the Code*.

- | | | |
|---|--|--|
| <input type="checkbox"/> Site Plan
(Include Site Plan application) | <input type="checkbox"/> Neighborhood Conservation Building
Improvement
(provide plans, site drawings, and dimensions) | <input type="checkbox"/> Accessory Dwelling Unit
(provide plans, site drawings, and dimensions) |
| <input type="checkbox"/> Certificate of Appropriateness
(Include CA application) | <input type="checkbox"/> Major changes to a Site/Concept Plan
(Include Planned Development application) | <input type="checkbox"/> Minor Changes to a Site/Concept Plan
(Include Planned Development application) |

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/reg/siouxcity-ia/index.aspx>.

For Office Use Only:

File Number:

Staff Reviewer:

CITY OF SIOUX CITY

Application for a Site Plan

(Complete along with the Design Review Committee Request Form.)

Planning Division
Room 308
405 6th Street
P.O. Box 497
Sioux City, IA 51102-
0497



SUBJECT PROPERTY INFORMATION

Owner: City of Sioux City Right-of-Way (FiberCorners LLC)

Street Address: Adjacent 2223 Indian Hills Dr., St. Michael's Church

Zoning District: L1K-Site

Existing Use: City Right of Way

Proposed Use: Wireless Telecommunications

REQUEST

Use the checklist on the additional sheet for the items required for site plan approval. In general, all items listed on the checklist shall be submitted, or a brief explanation as to why they are not included shall be provided. Site plans are generally approved administratively. However, the Planning and Zoning Commission shall review the site plan upon referral of the Administrator if (Subsection 25.06.080.10 Site Plan):

1. Discretion is required as to the appropriateness and level of conformity of the site plan with the standards of this Code and the policies and objectives of City plans;
2. In the determination of the Design Review Committee the site plan does not conform to the standards and requirements of this Code;
3. The applicant requests variances or modifications to the standards set out in Subchapter 25.03-C, Design Standards; or
4. The applicant appeals the recommendation of the Design Review Committee or the decision of the Administrator and requests the review and decision of the Planning and Zoning Commission.

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regis/siouxcity-ia/index.aspx>

For Office Use Only

File Number:

Staff Answer:

APPLICATION

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 19

FROM: Jeff Hanson, Community Development Operations Manager (CRM)

SUBJECT: **Hearing and Ordinance adopting a site plan for a portion of Pierce Street right-of-way adjacent to 1821 Pierce Street. (Area Zoned MU (Mixed Use)). (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0010).**

Reviewed By:	<input checked="" type="checkbox"/> Department Director	Finance Department	<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Manager
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RECOMMENDATION:

Staff respectfully requests City Council approve the requested site plan, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2017-0010: Requested site plan approval in Pierce Street right of way adjacent to 1821 Pierce Street. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 57 feet from the previous proposed location. He also stated that they received a comment from MidAmerican Energy stating that the light pole proposed to be replaced might need to remain. He mentioned he would follow up with MidAmerican Energy on that issue.

Suzan Stewart, Chair stated to incorporate the previous comments and discussion from Agenda Item 2017-0018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Geary (Calligan) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0).

Findings of Fact:

- 1) The proposed towers would be 40' in height and located in City right of way.
- 2) The petitioner has agreed to stealth design the tower and replace an existing street light.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) Obtain State Historic Preservation Office approval.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

1) Deny the request.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Rendering

Attachment E: Application

BACKGROUND REPORT:

FiberComm LC has partnered with a cellular service provider to locate up to sixty small cell towers throughout Sioux City. Each proposed tower would have a height of approximately 40' and would include a power pedestal and underground vault connecting to FiberComm LC's network. The small cell towers are each proposed to be located in City right-of-way. Each tower has the potential for two carriers. This leaves open the possibility that other carriers may wish to install similar towers throughout Sioux City.

On January 23, 2017 FiberComm LC applied for approval of the first 12 sites. Due to recent Zoning and Sign Code revisions, each of these small cell towers will require site plan approval through the Planning and Zoning Commission and City Council. According to Municipal Code Section 25.02.190(25.c.):

Site Plan Required. All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 Site Plan. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

Section 106 of the National Historic Preservation Act requires that all new cell towers receive approval through the State Historic Preservation Office, with comment from the local Historic Preservation Commission. These approvals have not been applied for, and would be required after City approval.

ANALYSIS:

As stated, the petitioner is requesting site plan approval for a small cell tower located in Pierce Street right of way adjacent to 1821 Pierce Street. City Staff have met with FiberComm on site at the various proposed sites after the February 14, 2017 Planning and Zoning Commission deferral to review each individual site, and to identify any potential existing street lights or poles in the vicinity.

FiberComm and City Staff identified a number of existing street lights and poles in the vicinity. FiberComm chose an existing street light approximately 57 feet from the original proposed location to replace with a new stealth designed small cell tower / street light. City Staff believe these towers will minimize the visual impact of the cell tower on surrounding properties.

EXISTING ZONING AND LAND USE:

MU ; City Right of Way

EXISTING ZONING REQUIREMENTS:

The MU district is meant for a planned mixture of residential and commercial uses, which may be for transitioning areas along corridors, infill and redevelopment sites, or a planned, mixed use development.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: MU ; Parking Lot

South: MU ; Single Family Residential

East: MU ; Single Family Residential

West: MU ; Vacant

DEPARTMENT COMMENTS

Engineering Department: There is a water main that is in conflict with this location. Consider relocating to behind the sidewalk.

MidAmerican Energy:

- An application for service will be required for electric service for these locations.
- The customer is responsible for installation and owns all cable for commercial UG electric.
- Please meet with MEC to discuss the closest available electric source for these locations.
- There may be costs from MidAmerican to remove the existing street light facility and splice the UG circuit together for locations where the lighting circuit serves more than one light.
- MEC will provide an overhead source of electric to this location. The existing wood pole at the SW corner of 19th & Pierce Streets will need to remain as the overhead lighting circuit continues South.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Urban Residential". "Urban Residential" is defined as older areas of higher density where infill and redevelopment are in forms and densities similar to existing urban development types and densities within these areas.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is located in in the Pierce Street Urban Renewal District.

SUBAREA / CORRIDOR PLAN:

The subject property is located in the Pierce Corridor Plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Fifteen notices were sent within the required timeframe. No responses were received.

ATTACHMENT A

ORDINANCE NO. 2017 - _____

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF PIERCE STREET RIGHT-OF-WAY ADJACENT TO 1821 PIERCE STREET. (AREA ZONED MU (MIXED USE))

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: That the City Council has conducted a public hearing on this proposed site plan.

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1307 of said Ordinance No. 2015-0215 as amended:

25.02.030.1307: The Site Plan dated March 1, 2017 for property presently zoned MU (Mixed Use) and legally described as follows:

Within a 5' radius of 96.4052027W, 42.5101083N, in the City of Sioux City,
County of Woodbury and State of Iowa,

is hereby adopted and approved.

Section 3: That a detailed site plan dated March 1, 2017 including, but not limited to, a site development map and text to be used for the development of the above described property is on file in the office of the City Clerk of the City of Sioux City, Iowa, and is hereby approved and adopted and is by this reference made a part hereof.

Section 4: That the boundaries of zones as shown on the official zoning map on file in the office of the City Clerk of the City of Sioux City, Iowa, is hereby modified and corrected in accordance herewith, and said map and all information shown thereon shall be as much a part of this Ordinance as though all the matters and information set forth in said map were fully set forth herein.

Section 5: That all Ordinances, or parts of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-_____ adopted by the City Council of Sioux City on _____, 2017. Signed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 15, 2017

Lisa L. McCardle, City Clerk

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF PIERCE
STREET RIGHT-OF-WAY ADJACENT TO 1821 PIERCE STREET. (AREA
ZONED MU (MIXED USE))

This is a summary of Ordinance Number 2017-_____ passed by the Sioux City City Council on _____, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance adopts a Site Plan dated March 1, 2017 for property within the City of Sioux City, Woodbury County, Iowa, presently zoned MU (Mixed Use) and legally described as follows:

Within a 5' radius of 96.4052027W, 42.5101083N, in the City of Sioux City,
County of Woodbury and State of Iowa.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2017.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered, on April 10, 2017, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1307: Adoption of a site plan for the following described real property zoned as MU (Mixed Use):

Within a 5' radius of 96.4052027W, 42.5101083N, in the County of Woodbury and State of Iowa.

(A portion of Pierce Street right-of-way adjacent to 1821 Pierce Street) (2017-0010)

At said hearing parties in interest and citizens will have an opportunity to be heard in relation to said proposed amendment and change.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal April 3, 2017.

ATTACHMENT B



GENERAL AREA MAP

ATTACHMENT C



ATTACHMENT D



SITE RENDERING

ATTACHMENT E

CITY OF SIOUX CITY Design Review Committee Request Form

Planning Division
Room 308
405 6th Street
R.O. Box 447
Sioux City, IA 51102-
5443



The Design Review Committee meets every Thursday at 10:00 am, as necessary, to review and approve applications. Requests for DRC review must be received by **12:00 p.m. the Monday before** the desired meeting. Applicants may be required to be heard over two meetings: the first meeting as a time to provide comments to the applicant and the second meeting for final approval or referral to another governing body.

Before completing, read the entire Request Form and related application. A pre-application conference is **required** for all applications for cluster, multi housing, and planned neighborhoods; traditional neighborhood development, as well as applications for development in the Airport Institutional (AI), Casino Entertainment (CE), Historic Area (HA), and Public Institutional (PI) zoning districts. However, pre-application conferences may be requested for any development type.

PETITIONER/APPLICANT INFORMATION

Name FiberComm LLC

Street Address 1605 26th St.

City Sioux City

State IA

ZIP 51101

Phone 712-228-2020

E-mail Address jayc@fibercomm.net

Petitioner's interest in the property: ☒ Owner ☐ Contract Buyer ☐ Architect ☐ Engineer ☐ Other: Telecommunications Utility

PROPERTY OWNER (IF DIFFERENT)

Name City of Sioux City Right of Way

Street Address Adjacent 308 29th St.

City Sioux City

State IA

ZIP 51102

Phone N/A

E-mail Address n/a

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

Southwest corner of 13th & Pierce St. (GPS coordinates: 42 30 36.24" N & 96 24 17.99" W)

DESIGN REVIEW COMMITTEE REQUEST

The Design Review Committee serves as an administrative body that provides review and recommendations for applications relating to certain development types. Generally, many applications can be approved by the DRC administratively. However, the DRC can refer applications to the Planning and Zoning Commission as appropriate. A full list of permits and approval procedures are listed in Subchapter 25.06-B Permits and Procedures of the Code.

☐ Site Plan
(include Site Plan application)

☐ Neighborhood Conservation Building
Improvement
(provide plans, site drawings, and dimensions)

☐ Accessory Dwelling Unit
(provide plans, site drawings, and
dimensions)

☐ Certificate of Appropriateness
(include CA application)

☐ Major changes to a Site/Concept Plan
(include Planned Development application)

☐ Minor Changes to a Site/Concept Plan
(include Planned Development application)

SIGNATURE

Owner/Petitioner's Signature:

Jeff B. Bode

Application Date: 1/26/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/reg/siouxcity-ia/index.aspx>.

For Office Use Only

File Number:

Staff Review:

CITY OF SIOUX CITY

Application for a Site Plan

(Complete along with the Design Review Committee Request Form)

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-
0447



SUBJECT PROPERTY INFORMATION

Owner: City of Sioux City Right-of-Way (FiberComm LC)

Street Address: Adjacent 108 19th St

Zoning District: Lot Size:

Existing Use: City Right of Way

Proposed Use: Wireless Telecommunications

REQUEST

Use the checklist on the additional sheet for the items required for site plan approval. In general, all items listed on the checklist shall be submitted, or a brief explanation as to why they are not included shall be provided. Site plans are generally approved administratively. However, the Planning and Zoning Commission shall review the site plan upon referral of the Administrator if (Subsection 25.06.08(1) Site Plan).

1. Determination is required as to the appropriateness and level of conformity of the site plan with the standards of this Code and the policies and objectives of City plans;
2. In the determination of the Design Review Committee the site plan does not conform to the standards and requirements of this Code;
3. The applicant requests variations or modifications to the standards set out in Subchapter 25.03-C, Design Standards; or
4. The applicant appeals the recommendation of the Design Review Committee or the decision of the Administrator and requests the review and decision of the Planning and Zoning Commission.

SIGNATURE

Owner/Permitter's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 23 online at: <http://online.ancodoplus.com/regs/siouxcity-ia/index.aspx>

For Office Use Only

File Number:

Staff Reviewer:

APPLICATION

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 20

FROM: Jeff Hanson, Community Development Operations Manager (CRM)

SUBJECT: Hearing and Ordinance adopting a site plan for a portion of Nebraska Street right-of-way adjacent to 1320 Nebraska Street. (Area Zoned MU (Mixed Use)). (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0009).

Reviewed By:	<input checked="" type="checkbox"/> Department Director	<input type="checkbox"/> Finance Department	<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Manager
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RECOMMENDATION:

Staff respectfully requests City Council approve the requested site plan, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2017-0009: Requested site plan approval in Nebraska Street right of way adjacent to 1320 Nebraska Street. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 120 feet from the previous proposed location.

Suzan Stewart, Chair stated to incorporate the previous comments and discussion from Agenda Item 2017-0018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Frank Caukey spoke on behalf of Castle on the Hill Organization (610 13th Street) stating he is in favor of the new proposed towers, just not in this location. He would like to see it moved to an alleyway where existing poles are. He also stated he thought when maintenance of the pole occurs it will block traffic in the street. He would like to see it moved to the 14th and Nebraska Streets intersection.

Dennis Ard (1304 28th Street) also spoke on behalf of Castle on the Hill Organization (610 13th Street) asking why residents within 280 feet were notified. He also stated he knows the Commission cannot consider health factors however within 80 feet from the pole are apartments and 200 feet from the pole there are the Castle on the Hill Apartments and he is concerned about health hazards. He is also concerned about property the Castle on the Hill Organization owns nearby, and he believes this tower will decrease the value of that lot.

Chris Madsen stated that it is in the Municipal Code that they have to notify property owners 200 feet from the proposed location plus right of way, which in this case comes to 280 feet. He stated they also sent notification to all property owners that received notification from the previous proposed location from the February 14, 2017 Planning and Zoning Commission meeting so they were aware of the changes as well.

Geary (Bostinelos) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No:0/ Abstain: 0).

Findings of Fact:

- 1) The proposed towers would be 40' in height and located in City right of way.
- 2) The petitioner has agreed to stealth design the tower and replace an existing street light.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) Obtain State Historic Preservation Office approval.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

- 1) Deny the request.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Rendering

Attachment E: Application

BACKGROUND REPORT:

FiberComm LC has partnered with a cellular service provider to locate up to sixty small cell towers throughout Sioux City. Each proposed tower would have a height of approximately 40' and would include a power pedestal and underground vault connecting to FiberComm LC's network. The small cell towers are each proposed to be located in City right-of-way. Each tower has the potential for two carriers. This leaves open the possibility that other carriers may wish to install similar towers throughout Sioux City.

On January 23, 2017 FiberComm LC applied for approval of the first 12 sites. Due to recent Zoning and Sign Code revisions, each of these small cell towers will require site plan approval through the Planning and Zoning Commission and City Council. According to Municipal Code Section 25.02.190(25.c.):

Site Plan Required. All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 Site Plan. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

Section 106 of the National Historic Preservation Act requires that all new cell towers receive approval through the State Historic Preservation Office, with comment from the local Historic Preservation Commission. These approvals have not been applied for, and would be required after City approval.

ANALYSIS:

As stated, the petitioner is requesting site plan approval for a small cell tower located in Nebraska Street right of way adjacent to 1320 Nebraska Street. City Staff have met with FiberComm on site at the various proposed sites after the February 14, 2017 Planning and Zoning Commission deferral to review each individual site, and to identify any potential existing street lights or poles in the vicinity.

FiberComm and City Staff identified a number of existing street lights and poles in the vicinity. FiberComm chose an existing street light approximately 102 feet from the original proposed location to replace with a new stealth designed small cell tower / street light. City Staff believe these towers will minimize the visual impact of the cell tower on surrounding properties.

EXISTING ZONING AND LAND USE:

MU ; City Right of Way

EXISTING ZONING REQUIREMENTS:

The MU district is meant for a planned mixture of residential and commercial uses, which may be for transitioning areas along corridors, infill and redevelopment sites, or a planned, mixed use development.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: MU ; Office

South: NC.4 ; Conference Methodist Church

East: MU ; Single Family Residential

West: MU ; Commercial

DEPARTMENT COMMENTS

Engineering Department: No utility conflicts, but would prefer that the pole be as far away from the curb as possible.

MidAmerican Energy:

- An application for service will be required for electric service for these locations.
- The customer is responsible for installation and owns all cable for commercial UG electric.
- Please meet with MEC to discuss the closest available electric source for these locations.
- There may be costs from MidAmerican to remove the existing street light facility and splice the UG circuit together for locations where the lighting circuit serves more than one light.
- Will need a dedicated source back to MEC electric facilities.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Mixed Use Commercial". "Mixed-Use Commercial" is defined as areas that provide a general merchandising and convenience destination for residents of the City.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is located in in the Pierce Street Urban Renewal District.

SUBAREA / CORRIDOR PLAN:

The subject property is located in the Pierce Corridor Plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Nineteen notices were sent within the required timeframe. One phone call was received in opposition due to health concerns from radio waves. State legislation signed in 2015 prohibits a local government from "rejecting the application based on perceived or alleged environmental effects of radio frequency emissions."

ATTACHMENT A

ORDINANCE NO. 2017 - _____

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF NEBRASKA STREET RIGHT-OF-WAY ADJACENT TO 1320 NEBRASKA STREET. (AREA ZONED MU (MIXED USE))

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: That the City Council has conducted a public hearing on this proposed site plan.

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1306 of said Ordinance No. 2015-0215 as amended:

25.02.030.1306: The Site Plan dated March 1, 2017 for property presently zoned MU (Mixed Use) and legally described as follows:

Within a 5' radius of 96.403475W, 42.5045972N, in the City of Sioux City,
County of Woodbury and State of Iowa,

is hereby adopted and approved.

Section 3: That a detailed site plan dated March 1, 2017 including, but not limited to, a site development map and text to be used for the development of the above described property is on file in the office of the City Clerk of the City of Sioux City, Iowa, and is hereby approved and adopted and is by this reference made a part hereof.

Section 4: That the boundaries of zones as shown on the official zoning map on file in the office of the City Clerk of the City of Sioux City, Iowa, is hereby modified and corrected in accordance herewith, and said map and all information shown thereon shall be as much a part of this Ordinance as though all the matters and information set forth in said map were fully set forth herein.

Section 5: That all Ordinances, or parts of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-_____ adopted by the City Council of Sioux City on _____, 2017. Signed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 15, 2017

Lisa L. McCardle, City Clerk

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF NEBRASKA
STREET RIGHT-OF-WAY ADJACENT TO 1320 NEBRASKA STREET. (AR-
EA ZONED MU (MIXED USE))

This is a summary of Ordinance Number 2017-_____ passed by the Sioux City City Council on _____, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance adopts a Site Plan dated March 1, 2017 for property within the City of Sioux City, Woodbury County, Iowa, presently zoned MU (Mixed Use) and legally described as follows:

Within a 5' radius of 96.403475W, 42.5045972N, in the City of Sioux City,
County of Woodbury and State of Iowa.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2017.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered, on April 10, 2017, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1306: Adoption of a site plan for the following described real property zoned as MU (Mixed Use):

Within a 5' radius of 96.403475W, 42.5045972N, in the County of Woodbury and State of Iowa.

(A portion of Nebraska Street right-of-way adjacent to 1320 Nebraska Street) (2017-0009)

At said hearing parties in interest and citizens will have an opportunity to be heard in relation to said proposed amendment and change.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

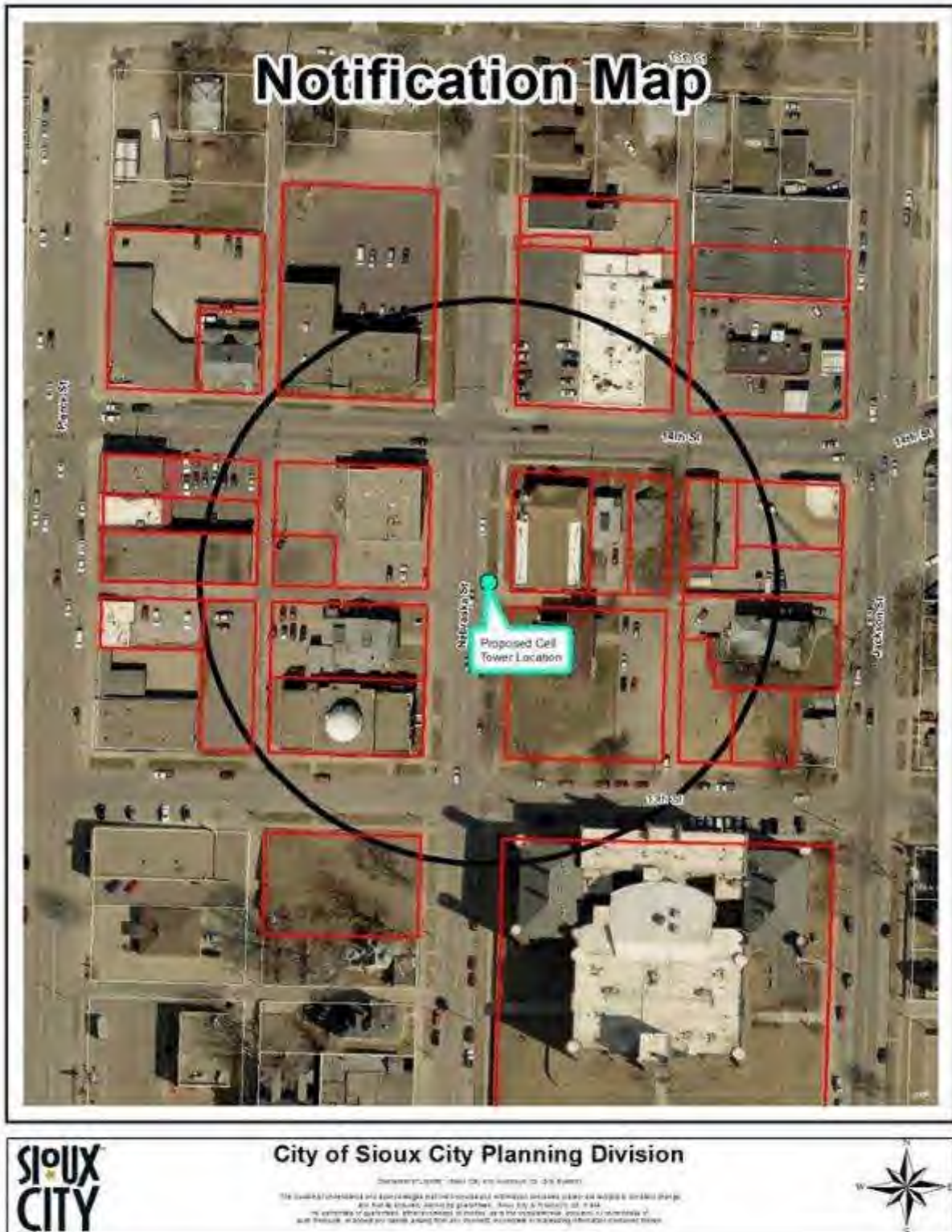
Publish in the Sioux City Journal April 3, 2017.

ATTACHMENT B



GENERAL AREA MAP

ATTACHMENT C



NOTIFICATION MAP

ATTACHMENT D



SITE RENDERING

ATTACHMENT E

CITY OF SIOUX CITY Design Review Committee Request Form

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447



The Design Review Committee meets every Thursday at 10:00 am, as necessary, to review and approve applications. Requests for DRC review must be received by **12:00 p.m. the Monday before** the desired meeting. Applications may be required to be heard over two meetings: the first meeting as a time to provide comments to the applicant and the second meeting for final approval or referral to another governing body.

Before completing, read the entire Request Form and related application. A pre-application conference is **required** for all applications for cluster, mixed housing, and planned neighborhood traditional neighborhood development, as well as applications for development in the Airport Protection (AP), Casino Entertainment (CE), Historic Area (HA), and Public Institutional (PI) zoning districts. However, pre-application conferences may be requested for any development type.

PETITIONER/APPLICANT INFORMATION

Name FiberComm LC

Street Address 1605 9th St.

City Sioux City

State IA

ZIP

51101

Phone 712-224-2020

E-mail Address

pyrid@fibercomm.net

Petitioner's interest in the property

Owner ☐

Contract Buyer ☐

Architect ☐

Engineer ☐

Other: Telecommunications (Kally)

PROPERTY OWNER (IF DIFFERENT)

Name City of Sioux City Right-of-Way

Street Address Adjacent 1320 Nebraska St.

City Sioux City

State IA

ZIP

51101

Phone n/a

E-mail Address n/a

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

Southeast corner of 14th & Nebraska St. GPS coordinates: 42° 30' 17.56" N & 96° 24' 12.49" W

DESIGN REVIEW COMMITTEE REQUEST

The Design Review Committee serves as an administrative body that provides review and recommendations for applications relating to certain development types. Generally, many applications can be approved by the DRC administratively. However, the DRC can refer applications to the Planning and Zoning Commission as appropriate. A full list of permits and approval procedures are listed in Subchapter 25.06-B Permits and Procedures of the Code.

☒ Site Plan
(include Site Plan application)

☐ Neighborhood Conservation Building
Improvement
(provide plans, site drawings, and dimensions)

☐ Accessory Dwelling Unit
(provide plans, site drawings, and dimensions)

☐ Certificate of Appropriateness
(include CA application)

☐ Major Changes to a Site/Concept Plan
(include Planned Development application)

☐ Minor Changes to a Site/Concept Plan
(include Planned Development application)

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regis/siouxcity-ia/index.aspx>.

For Office Use Only

File Number:

Staff Reviewer:

(Complete along with the Design Review Committee Request Form.)

**SIOUX
CITY**

Proposed Line Wireless Telecommunications

1. Discretion is required as to the appropriateness and level of conformity of the site plan with the standards of this Code and the policies and objectives of City plans;
2. In the determination of the Design Review Committee the site plan does not conform to the standards and requirements of this Code;
3. The applicant requests variations or modifications to the standards set out in Subchapter 28.03-C, Design Standards; or
4. The applicant appeals the recommendation of the Design Review Committee or the decision of the Administrator and requests the review and decision of the Planning and Zoning Commission.

Application Date: 1/30/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regs/siouxcity-ia/index.aspx>

Spitz, R. A. 1993.

APPLICATION

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 21

FROM: Jeff Hanson, Community Development Operations Manager (CRM)

SUBJECT: Hearing and Ordinance adopting a site plan for a portion of Indian Hills Drive right-of-way adjacent to 4001 Indian Hills Drive. (Area Zoned PI (Public and Institutional)). (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0018).

Reviewed By:	<input checked="" type="checkbox"/> Department Director	Finance Department	<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Manager
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RECOMMENDATION:

Staff respectfully requests City Council approve the requested site plan, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2017-0018: Requested site plan approval in Indian Hills Drive right of way adjacent to 4001 Indian Hills Drive. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 59 feet from the previous proposed location.

Suzan Stewart, Chair, stated to incorporate the previous comments and discussion from Agenda Item 2017-0018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Beukelman (Calligan) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Calligan, Beukelman/ No: 0 / Abstain: 0).

Findings of Fact:

- 1) The proposed towers would be 40' in height and located in City right of way.
- 2) The petitioner has agreed to stealth design the tower and replace an existing street light.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) Obtain State Historic Preservation Office approval.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

1) Deny the request.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Rendering

Attachment E: Application

BACKGROUND REPORT:

FiberComm LC has partnered with a cellular service provider to locate up to sixty small cell towers throughout Sioux City. The purpose of these towers is not to expand coverage in the Sioux City market, but to provide data capacity to Verizon Wireless users. Each proposed tower would have a height of approximately 40' and would include a power pedestal and underground vault connecting to FiberComm LC's network. The small cell towers are each proposed to be located in City right-of-way. Each tower has the potential for two carriers, and after meeting with FiberComm LC representatives, it appears FiberComm LC and Verizon would occupy the proposed cell towers. This leaves open the possibility that other carriers may wish to install similar towers throughout Sioux City.

On January 23, 2017 FiberComm LC applied for approval of the first 12 sites. Due to recent Zoning and Sign Code revisions, each of these small cell towers will require site plan approval through the Planning and Zoning Commission and City Council. According to Municipal Code Section 25.02.190(25.c.):

Site Plan Required. All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 Site Plan. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

Section 106 of the National Historic Preservation Act requires that all new cell towers receive approval through the State Historic Preservation Office, with comment from the local Historic Preservation Commission. These approvals have not been applied for, and would be required after City approval.

ANALYSIS:

As stated, the petitioner is requesting site plan approval for a small cell tower located in Indian Hills Drive right of way adjacent to 4001 Indian Hills Drive. City Staff have met with FiberComm on site at the various proposed sites after the February 14, 2017 Planning and Zoning Commission deferral to review each individual site, and to identify any potential existing street lights or poles in the vicinity.

FiberComm and City Staff identified a number of existing street lights and poles in the vicinity. FiberComm chose an existing street light approximately 59 feet from the original proposed location to replace with a new stealth designed small cell tower / street light. City Staff believe these towers will minimize the visual impact of the cell tower on surrounding properties.

EXISTING ZONING AND LAND USE:

PI ; City Right of Way

EXISTING ZONING REQUIREMENTS:

The PI district is meant for public, semi-public, and institutional land uses that are unique in nature and scale and thus, most appropriate in their own district and subject to their own standards.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: NC.5 ; Bickford Senior Living

South: GC ; CNOS

East: GC ; Fareway

West: PI ; Central Baptist

DEPARTMENT COMMENTS**MidAmerican Energy:**

- An application for service will be required for electric service for these locations.
- The customer is responsible for installation and owns all cable for commercial UG electric.
- Please meet with MEC to discuss the closest available electric source for these locations.
- There may be costs from MidAmerican to remove the existing street light facility and splice the UG circuit together for locations where the lighting circuit serves more than one light.
- Will need a dedicated source back to MEC electric facilities.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Mixed-Use Commercial". "Mixed-Use Commercial" is defined as areas that provide a general merchandising and convenience destination for residents of the City.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is located in the Indian Hills SubArea of the Teton Urban Renewal TIF District.

SUBAREA / CORRIDOR PLAN:

The subject property is not located in a subarea or corridor plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Four notices were sent within the required timeframe. No responses were received.

ATTACHMENT A

ORDINANCE NO. 2017 - _____

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF INDIAN HILLS DRIVE RIGHT-OF-WAY ADJACENT TO 4001 INDIAN HILLS DRIVE. (AREA ZONED PI (PUBLIC AND INSTITUTIONAL))

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: That the City Council has conducted a public hearing on this proposed site plan.

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1315 of said Ordinance No. 2015-0215 as amended:

25.02.030.1315: The Site Plan dated March 1, 2017 for property presently zoned PI (Public and Institutional) and legally described as follows:

Within a 5' radius of 96.373375 W, 42.538495 N, in the City of Sioux City, County of Woodbury and State of Iowa,

is hereby adopted and approved.

Section 3: That a detailed site plan dated March 1, 2017 including, but not limited to, a site development map and text to be used for the development of the above described property is on file in the office of the City Clerk of the City of Sioux City, Iowa, and is hereby approved and adopted and is by this reference made a part hereof.

Section 4: That the boundaries of zones as shown on the official zoning map on file in the office of the City Clerk of the City of Sioux City, Iowa, is hereby modified and corrected in accordance herewith, and said map and all information shown thereon shall be as much a part of this Ordinance as though all the matters and information set forth in said map were fully set forth herein.

Section 5: That all Ordinances, or parts of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-_____ adopted by the City Council of Sioux City on _____, 2017. Signed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 15, 2017

Lisa L. McCardle, City Clerk

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF INDIAN HILLS
DRIVE RIGHT-OF-WAY ADJACENT TO 4001 INDIAN HILLS DRIVE. (AREA
ZONED PI (PUBLIC AND INSTITUTIONAL))

This is a summary of Ordinance Number 2017-_____ passed by the Sioux City City Council on _____, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance adopts a Site Plan dated March 1, 2017 for property within the City of Sioux City, Woodbury County, Iowa, presently zoned PI (Public and Institutional) and legally described as follows:

Within a 5' radius of 96.373375 W, 42.538495 N, in the City of Sioux City, County of Woodbury and State of Iowa.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2017.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered, on April 10, 2017, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1315: Adoption of a site plan for the following described real property zoned as PI (Public and Institutional):

Within a 5' radius of 96.373375 W, 42.538495 N, in the County of Woodbury and State of Iowa.

(A portion of Indian Hills Drive right-of-way adjacent to 4001 Indian Hills Drive) (2017-0018)

At said hearing parties in interest and citizens will have an opportunity to be heard in relation to said proposed amendment and change.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal April 3, 2017.

ATTACHMENT B



GENERAL AREA MAP

ATTACHMENT C



NOTIFICATION MAP

ATTACHMENT D



712-224-2020
1805 8th St
Bloux City, IA 51101

PROJECT: Indian Hills Dr & Fareway Small Cell (Indian Hills Mall SCY1 4) Proposed Location

DATE: MAR 2017 CONTACT: Jeff Zyzda jyzda@fibercomm.net

SCALE: Not to Scale

PAGE: 11 of 15



Small Cell Location

SITE RENDERING

ATTACHMENT E

CITY OF SIOUX CITY Design Review Committee Request Form

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102
0447



The Design Review Committee meets every Thursday at 10:00 am, as necessary, to review and approve applications. Requests for DRC review must be received by **12:00 p.m. the Monday before** the desired meeting. Applications may be required to be heard over two meetings: the first meeting as a time to provide comments to the applicant and the second meeting for final approval or referral to another governing body.

Before completing, read the entire Request Form and related application. A pre-application conference is **required** for all applications for cluster, mixed housing, and planned neighborhoods; traditional neighborhood development, as well as applications for development in the Airport Protection (AP), Casino Entertainment (CE), Historic Area (HA), and Public Institutional (PI) zoning districts. However, pre-application conferences may be requested for any development type.

PETITIONER/APPLICANT INFORMATION

Name FiberCom Inc.

Street Address 1805 9th St.

City Sioux City

State

IA

ZIP 51101

Phone 712-224-2020

E-mail Address

jpyda@fibercom.net

Petitioner's interest in the property

☐ Owner

☐ Contract Buyer

☐ Architect

☐ Engineer

☐ Other: Telecommunications Utility

PROPERTY OWNER (IF DIFFERENT)

Name City of Sioux City Right-of-Way

Street Address Adjacent 4016 Indian Hills Dr. Foreway Store

City Sioux City

State

IA

ZIP 51104

Phone n/a

E-mail Address n/a

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

North Right-of-Way of Indian Hills Dr. GPS coordinates: 42 32' 18.32" N & 96 22' 23.30" W.

DESIGN REVIEW COMMITTEE REQUEST

The Design Review Committee serves as an administrative body that provides review and recommendations for applications relating to certain development types. Generally, many applications can be approved by the DRC administratively. However, the DRC can refer applications to the Planning and Zoning Commission as appropriate. A full list of permits and approval procedures are listed in *Subchapter 25.05-B Permits and Procedures of the Code*.

☐ Site Plan
(include Site Plan application)

☐ Neighborhood Conservation Building
Improvement
(provide plans, site drawings, and dimensions)

☐ Accessory Dwelling Unit
(provide plans, site drawings, and dimensions)

☐ Certificate of Appropriateness
(include CA application)

☐ Major changes to a Site/Concept Plan
(include Planned Development application)

☐ Minor Changes to a Site/Concept Plan
(include Planned Development application)

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.enccodeplus.com/regis/siouxcity-ia/index.aspx>.

For Office Use Only

File Number:

Staff Reviewer:

CITY OF SIOUX CITY

Application for a Site Plan

(Complete along with the Design Review Committee Request Form)

Planning Division
Room 306
405 6th Street
P.O. Box 947
Sioux City, IA 51102-
0447



SUBJECT PROPERTY INFORMATION

Owner: City of Sioux City Right-of-Way (FiberComet LLC)

Street Address: Adjacent 4015 Indian Hills Dr, Parkway Store

Zoning District: Lot Size:

Existing Use: City Right of Way

Proposed Use: Wireless Telecommunications

REQUEST

Use the checklist on the additional sheet for the items required for site plan approval. In general, all items listed on the checklist shall be submitted, in a brief explanation as to why they are not included, shall be provided. Site plans are generally approved administratively. However, the Planning and Zoning Commission shall review the site plan upon referral of the Administrator if (Subsection 25.08.060.10 Site Plan).

1. Discretion is required as to the appropriateness and level of conformity of the site plan with the standards of this Code and the policies and objectives of City plans.
2. In the determination of the Design Review Committee the site plan does not conform to the standards and requirements of this Code.
3. The applicant requests variances or modifications to the standards set out in Subchapter 25.03-C, Design Standards; or
4. The applicant appeals the recommendation of the Design Review Committee or the decision of the Administrator and requests the review and decision of the Planning and Zoning Commission.

SIGNATURE

Owner/Proprietor's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regs/siouxcity-ia/index.aspx>

For Office Use Only

File Number:

Staff Reviewer:

APPLICATION

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 22

FROM: Jeff Hanson, Community Development Operations Manager (CRM)

SUBJECT: **Hearing and Ordinance adopting a site plan for a portion of Stadium Drive right-of-way adjacent to 4061 Stadium Drive. (Area Zoned GC (General Commercial)). (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0015).**

Reviewed By:	x	Department Director	x	City Attorney	x	City Manager
---------------------	----------	---------------------	----------	---------------	----------	--------------

RECOMMENDATION:

Staff respectfully requests City Council approve the requested site plan, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2017-0015: Requested site plan approval in Stadium Drive right of way adjacent to 4061 Stadium Drive. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 56 feet from the previous proposed location.

Suzan Stewart, Chair, stated to incorporate the previous comments and discussion from Agenda Item 2017-0018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Bostinelos (Beukelman) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0).

Findings of Fact:

- 1) The proposed towers would be 40' in height and located in City right of way.
- 2) The petitioner has agreed to stealth design the tower and replace an existing street light.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) Obtain State Historic Preservation Office approval.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

1) Deny the request.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Rendering

Attachment E: Application

BACKGROUND REPORT:

FiberComm LC has partnered with a cellular service provider to locate up to sixty small cell towers throughout Sioux City. The purpose of these towers is not to expand coverage in the Sioux City market, but to provide data capacity to Verizon Wireless users. Each proposed tower would have a height of approximately 40' and would include a power pedestal and underground vault connecting to FiberComm LC's network. The small cell towers are each proposed to be located in City right-of-way. Each tower has the potential for two carriers, and after meeting with FiberComm LC representatives, it appears FiberComm LC and Verizon would occupy the proposed cell towers. This leaves open the possibility that other carriers may wish to install similar towers throughout Sioux City.

On January 23, 2017 FiberComm LC applied for approval of the first 12 sites. Due to recent Zoning and Sign Code revisions, each of these small cell towers will require site plan approval through the Planning and Zoning Commission and City Council. According to Municipal Code Section 25.02.190(25.c.):

Site Plan Required. All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 Site Plan. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

Section 106 of the National Historic Preservation Act requires that all new cell towers receive approval through the State Historic Preservation Office, with comment from the local Historic Preservation Commission. These approvals have not been applied for, and would be required after City approval.

ANALYSIS:

As stated, the petitioner is requesting site plan approval for a small cell tower located in Stadium Drive right of way adjacent to 4061 Stadium Drive. City Staff have met with FiberComm on site at the various proposed sites after the February 14, 2017 Planning and Zoning Commission deferral to review each individual site, and to identify any potential existing street lights or poles in the vicinity.

FiberComm and City Staff identified a number of existing street lights and poles in the vicinity. FiberComm chose an existing street light approximately 56 feet from the original proposed location to replace with a new stealth designed small cell tower / street light. City Staff believe these towers will minimize the visual impact of the cell tower on surrounding properties.

EXISTING ZONING AND LAND USE:

GC ; City Right of Way

EXISTING ZONING REQUIREMENTS:

The GC district is meant for a broad range of smaller and larger scale commercial use types situated on parcels that have on-site parking.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: GC ; Clyde's

South: GC ; Homebuilders Association

East: GC ; Sioux City Ford

West: GC ; Jensen Imports

DEPARTMENT COMMENTS**MidAmerican Energy:**

- An application for service will be required for electric service for these locations.
- The customer is responsible for installation and owns all cable for commercial UG electric.
- Please meet with MEC to discuss the closest available electric source for these locations.
- There may be costs from MidAmerican to remove the existing street light facility and splice the UG circuit together for locations where the lighting circuit serves more than one light.
- May need to be reconfigured to UG as this area is due to change in the future due to future road construction rebuild plans and property development at the NE corner of the intersection.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Mixed-Use Regional". "Mixed-Use Regional" is defined as areas that are traditionally large in size, comprised of many city blocks or acres, and having concentrated development that supports a varied and large employment base while addressing the needs of a regional market.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is located in the Donner Park SubArea of the Donner Park Urban Renewal TIF District.

SUBAREA / CORRIDOR PLAN:

The subject property is located in the Explorer Park Plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Three notices were sent within the required timeframe. No responses were received.

ATTACHMENT A

ORDINANCE NO. 2017 - _____

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF STADIUM DRIVE RIGHT-OF-WAY ADJACENT TO 4061 STADIUM DRIVE. (AREA ZONED GC (GENERAL COMMERCIAL))

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: That the City Council has conducted a public hearing on this proposed site plan.

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1312 of said Ordinance No. 2015-0215 as amended:

25.02.030.1312: The Site Plan dated March 1, 2017 for property presently zoned GC (General Commercial) and legally described as follows:

Within a 5' radius of 96.364593W, 42.440135N, in the City of Sioux City,
County of Woodbury and State of Iowa,

is hereby adopted and approved.

Section 3: That a detailed site plan dated March 1, 2017 including, but not limited to, a site development map and text to be used for the development of the above described property is on file in the office of the City Clerk of the City of Sioux City, Iowa, and is hereby approved and adopted and is by this reference made a part hereof.

Section 4: That the boundaries of zones as shown on the official zoning map on file in the office of the City Clerk of the City of Sioux City, Iowa, is hereby modified and corrected in accordance herewith, and said map and all information shown thereon shall be as much a part of this Ordinance as though all the matters and information set forth in said map were fully set forth herein.

Section 5: That all Ordinances, or parts of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-_____ adopted by the City Council of Sioux City on _____, 2017. Signed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 15, 2017

Lisa L. McCardle, City Clerk

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF STADIUM
DRIVE RIGHT-OF-WAY ADJACENT TO 4061 STADIUM DRIVE. (AREA
ZONED GC (GENERAL COMMERCIAL))

This is a summary of Ordinance Number 2017-_____ passed by the Sioux City City Council on _____, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance adopts a Site Plan dated March 1, 2017 for property within the City of Sioux City, Woodbury County, Iowa, presently zoned GC (General Commercial) and legally described as follows:

Within a 5' radius of 96.364593W, 42.440135N, in the City of Sioux City,
County of Woodbury and State of Iowa.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2017.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered, on April 10, 2017, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1312: Adoption of a site plan for the following described real property zoned as GC (General Commercial):

Within a 5' radius of 96.364593W, 42.440135N, in the County of Woodbury and State of Iowa.

(A portion of Stadium Drive right-of-way adjacent to 4061 Stadium Drive) (2017-0015)

At said hearing parties in interest and citizens will have an opportunity to be heard in relation to said proposed amendment and change.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal April 3, 2017.

ATTACHMENT B



GENERAL AREA MAP

ATTACHMENT C



NOTIFICATION MAP

ATTACHMENT D



SITE RENDERING

ATTACHMENT E

CITY OF SIOUX CITY Design Review Committee Request Form

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447



The Design Review Committee meets every Thursday at 10:00 am, as necessary, to review and approve applications. Requests for DRC review must be received by **12:00 p.m. the Monday before** the desired meeting. Applications may be required to be heard over two meetings: the first meeting as a time to provide comments to the applicant and the second meeting for final approval or referral to another governing body.

Before completing, read the entire Request Form and related application. A pre-application conference is **required** for all applications for cluster, mixed housing, and planned neighborhoods; traditional neighborhood development, as well as applications for development in the Airport Protection (AP), Casino Entertainment (CE), Historic Area (HA), and Public Institutional (PI) zoning districts. However, pre-application conferences may be requested for any development type.

PETITIONER/APPLICANT INFORMATION

Name: FiberComm LLC

Street Address: 1605 9th St.

City: Sioux City

State: IA

ZIP: 51101

Phone: 712-224-2020

E-mail Address: jvyoda@fibercomm.net

Petitioner's interest in the property: ☒ Owner ☐ Contract Buyer ☐ Architect ☐ Engineer ☐ Other: Telecommunications Utility

PROPERTY OWNER (IF DIFFERENT)

Name: City of Sioux City Right-of-Way

Street Address: Adjacent 4050 Stadium Dr.

City: Sioux City

State: IA

ZIP: 51106

Phone: n/a

E-mail Address: n/a

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

East Right-of-Way north of Home Builders Association. GPS coordinates: 42 26' 24.22"N & 96 21' 51.87" W

DESIGN REVIEW COMMITTEE REQUEST

The Design Review Committee serves as an administrative body that provides review and recommendations for applications relating to certain development types. Generally, many applications can be approved by the DRC administratively. However, the DRC can refer applications to the Planning and Zoning Commission as appropriate. A full list of permits and approval procedures are listed in Subchapter 25.06-B Permits and Procedures of the Code.

☒ Site Plan
(include Site Plan application)

☐ Neighborhood Conservation Building
Improvement
(provide plans, site drawings, and dimensions)

☐ Accessory Dwelling Unit
(provide plans, site drawings, and dimensions)

☐ Certificate of Appropriateness
(include CA application)

☐ Major changes to a Site/Concept Plan
(include Planned Development application)

☐ Minor Changes to a Site/Concept Plan
(include Planned Development application)

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/26/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regis/siouxcity-ia/index.aspx>.

For Office Use Only

File Number:

Staff Reviewer:

CITY OF SIOUX CITY**Application for a Site Plan***(Complete along with the Design Review Committee Request Form)*

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-
0447

**SUBJECT PROPERTY INFORMATION**

Owner: City of Sioux City Right-of-Way (FiberComs LLC)

Street Address: Adjacent 1050 Stadium Dr.

Zoning District: Lot Size:

Existing Use: City Right of Way

Proposed Use: Wireless Telecommunications

REQUEST

Use the checklist on the additional sheet for the items required for site plan approval. In general, all items listed on the checklist shall be submitted, or a brief explanation as to why they are not included shall be provided. Site plans are generally approved administratively. However, the Planning and Zoning Commission shall review the site plan upon referral of the Administrator if (Subsection 25.06.080.10 Site Plan).

1. Discretion is required as to the appropriateness and level of conformity of the site plan with the standards of this Code and the policies and objectives of City plans;
2. In the determination of the Design Review Committee the site plan does not conform to the standards and requirements of this Code;
3. The applicant requests variations or modifications to the standards set out in Subchapter 25.03-C, Design Standards; or
4. The applicant appeals the recommendation of the Design Review Committee or the decision of the Administrator and requests the review and decision of the Planning and Zoning Commission.

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/25/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.enrdecodeplus.com/regis/siouxcity-ia/index.aspx>

For Office Use Only

File Number:

Staff Reviewer:

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 23

FROM: Jeff Hanson, Community Development Operations Manager (CRM)

SUBJECT: **Hearing and Ordinance adopting a site plan for a portion of Stadium Drive right-of-way adjacent to 3400 Line Drive. (Area Zoned PI (Public and Institutional)). (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0016).**

Reviewed By:	x	Department Director	x	City Attorney	x	City Manager
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RECOMMENDATION:

Staff respectfully requests City Council approve the requested site plan, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2017-0016: Requested site plan approval in Stadium Drive right of way adjacent to 3400 Line Drive. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 50 feet from the previous proposed location.

Suzan Stewart, Chair, stated to incorporate the previous comments and discussion from Agenda Item 2017-0018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Calligan (Beukelman) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0).

Findings of Fact:

- 1) The proposed towers would be 40' in height and located in City right of way.
- 2) The petitioner has agreed to stealth design the tower and replace an existing street light.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) Obtain State Historic Preservation Office approval.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

1) Deny the request.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Rendering

Attachment E: Application

BACKGROUND REPORT:

FiberComm LC has partnered with a cellular service provider to locate up to sixty small cell towers throughout Sioux City. Each proposed tower would have a height of approximately 40' and would include a power pedestal and underground vault connecting to FiberComm LC's network. The small cell towers are each proposed to be located in City right-of-way. Each tower has the potential for two carriers, and after meeting with FiberComm LC representatives, it appears FiberComm LC and Verizon would occupy the proposed cell towers. This leaves open the possibility that other carriers may wish to install similar towers throughout Sioux City.

On January 23, 2017 FiberComm LC applied for approval of the first 12 sites. Due to recent Zoning and Sign Code revisions, each of these small cell towers will require site plan approval through the Planning and Zoning Commission and City Council. According to Municipal Code Section 25.02.190(25.c.):

Site Plan Required. All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 Site Plan. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

Section 106 of the National Historic Preservation Act requires that all new cell towers receive approval through the State Historic Preservation Office, with comment from the local Historic Preservation Commission. These approvals have not been applied for, and would be required after City approval.

ANALYSIS:

As stated, the petitioner is requesting site plan approval for a small cell tower located in Stadium Drive right of way adjacent to 3400 Line Drive. City Staff have met with FiberComm on site at the various proposed sites after the February 14, 2017 Planning and Zoning Commission deferral to review each individual site, and to identify any potential existing street lights or poles in the vicinity.

FiberComm and City Staff identified a number of existing street lights and poles in the vicinity. FiberComm chose an existing street light approximately 50 feet from the original proposed location to replace with a new stealth designed small cell tower / street light. City Staff believe these towers will minimize the visual impact of the cell tower on surrounding properties.

EXISTING ZONING AND LAND USE:

PI ; City Right of Way

EXISTING ZONING REQUIREMENTS:

The PI district is meant for public, semi-public, and institutional land uses that are unique in nature and scale and thus, most appropriate in their own district and subject to their own standards.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: BP ; Sudo Manufacturing

South: BP ; LifeServe

East: PI ; Explorer's Stadium

West: GC ; Time Management Systems

DEPARTMENT COMMENTS**MidAmerican Energy:**

- An application for service will be required for electric service for these locations.
- The customer is responsible for installation and owns all cable for commercial UG electric.
- Please meet with MEC to discuss the closest available electric source for these locations.
- There may be costs from MidAmerican to remove the existing street light facility and splice the UG circuit together for locations where the lighting circuit serves more than one light.
- Will need a dedicated source back to MEC electric facilities.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Mixed-Use Regional". "Mixed-Use Regional" is defined as areas that are traditionally large in size, comprised of many city blocks or acres, and having concentrated development that supports a varied and large employment base while addressing the needs of a regional market.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is located in the Donner Park SubArea of the Donner Park Urban Renewal TIF District.

SUBAREA / CORRIDOR PLAN:

The subject property is located in the Explorer Park Plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Three notices were sent within the required timeframe. No responses were received.

ATTACHMENT A

ORDINANCE NO. 2017 - _____

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF STADIUM DRIVE RIGHT-OF-WAY ADJACENT TO 3400 LINE DRIVE. (AREA ZONED PI (PUBLIC AND INSTITUTIONAL))

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: That the City Council has conducted a public hearing on this proposed site plan.

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1313 of said Ordinance No. 2015-0215 as amended:

25.02.030.1313: The Site Plan dated March 1, 2017 for property presently zoned PI (Public and Institutional) and legally described as follows:

Within a 5' radius of 96.365770 W, 42.443515 N, in the City of Sioux City, County of Woodbury and State of Iowa,

is hereby adopted and approved.

Section 3: That a detailed site plan dated March 1, 2017 including, but not limited to, a site development map and text to be used for the development of the above described property is on file in the office of the City Clerk of the City of Sioux City, Iowa, and is hereby approved and adopted and is by this reference made a part hereof.

Section 4: That the boundaries of zones as shown on the official zoning map on file in the office of the City Clerk of the City of Sioux City, Iowa, is hereby modified and corrected in accordance herewith, and said map and all information shown thereon shall be as much a part of this Ordinance as though all the matters and information set forth in said map were fully set forth herein.

Section 5: That all Ordinances, or parts of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-_____ adopted by the City Council of Sioux City on _____, 2017. Signed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF STADIUM
DRIVE RIGHT-OF-WAY ADJACENT TO 3400 LINE DRIVE. (AREA ZONED
PI (PUBLIC AND INSTITUTIONAL))

This is a summary of Ordinance Number 2017-_____ passed by the Sioux City City Council on _____, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance adopts a Site Plan dated March 1, 2017 for property within the City of Sioux City, Woodbury County, Iowa, presently zoned PI (Public and Institutional) and legally described as follows:

Within a 5' radius of 96.365770 W, 42.443515 N, in the City of Sioux City,
County of Woodbury and State of Iowa.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2017.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered, on April 10, 2017, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1313: Adoption of a site plan for the following described real property zoned as PI (Public and Institutional):

Within a 5' radius of 96.365770 W, 42.443515 N, in the County of Woodbury and State of Iowa.

(A portion of Stadium Drive right-of-way adjacent to 3400 Line Drive) (2017-0016)

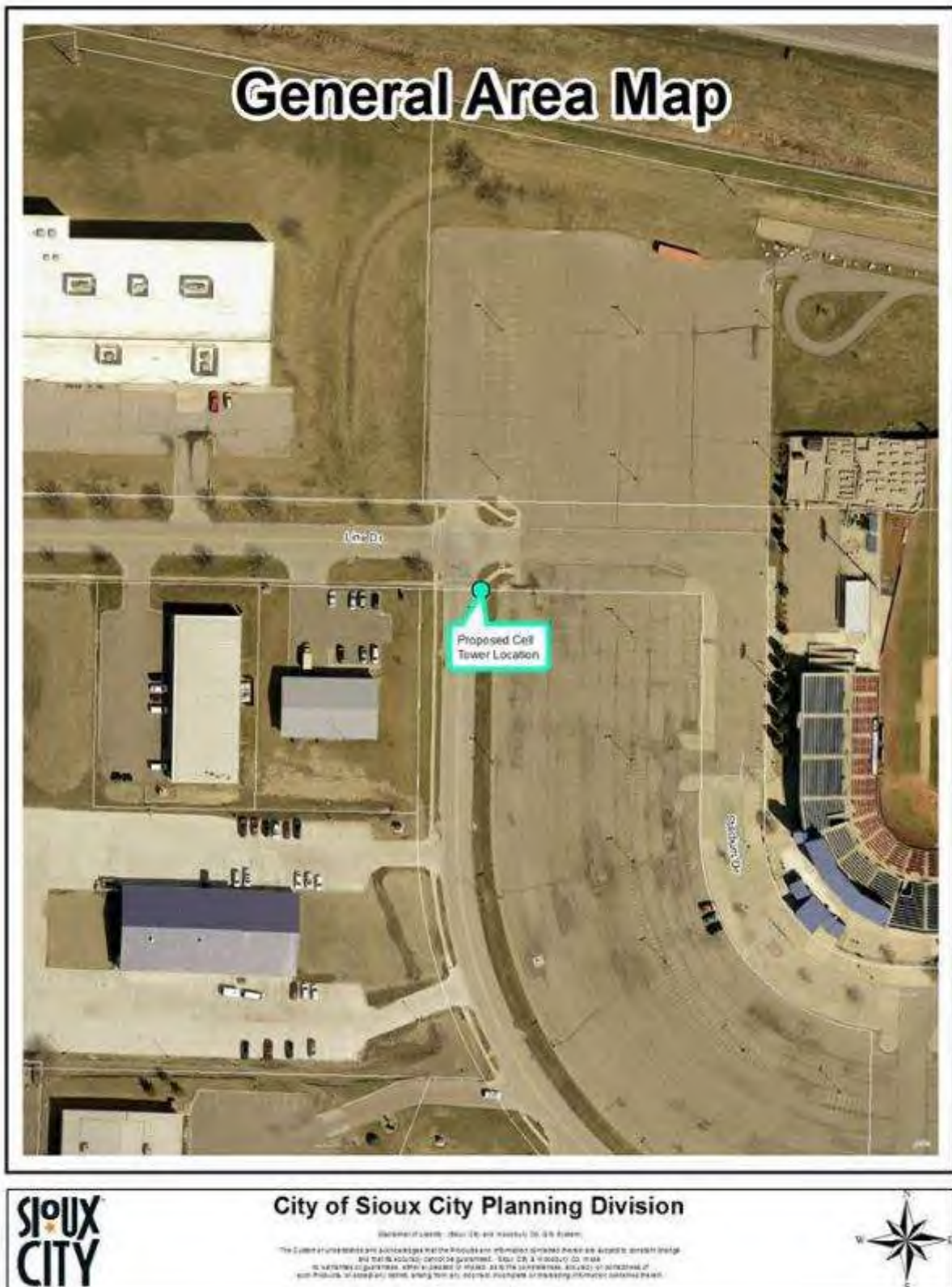
At said hearing parties in interest and citizens will have an opportunity to be heard in relation to said proposed amendment and change.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal April 3, 2017.

ATTACHMENT B



GENERAL AREA MAP

ATTACHMENT C



NOTIFICATION MAP

ATTACHMENT D



SITE RENDERING

ATTACHMENT E

CITY OF SIOUX CITY Design Review Committee Request Form

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447



The Design Review Committee meets every Thursday at 10:00 am, as necessary, to review and approve applications. Requests for DRC review must be received by **12:00 p.m. the Monday before** the desired meeting. Applications may be required to be heard over two meetings: the first meeting as a time to provide comments to the applicant and the second meeting for final approval or referral to another governing body.

Before completing, read the entire Request Form and related application. A pre-application conference is **required** for all applications for cluster, mixed housing, and planned neighborhoods; traditional neighborhood development, as well as applications for development in the Airport Protection (AP), Casino Entertainment (CE), Historic Area (HA), and Public Institutional (PI) zoning districts. However, pre-application conference may be requested for any development type.

PETITIONER/APPLICANT INFORMATION

Name FiberComm LLC

Street Address 1405 9th St.

City Sioux City State IA ZIP 51101

Phone 712-224-2020 E-mail Address jayda@fibercomm.net

Petitioner's Interest in the property Owner ☒ Contract Buyer ☐ Architect ☐ Engineer ☐ Other: Telecommunications Utility

PROPERTY OWNER (IF DIFFERENT)

Name City of Sioux City Right-of-Way

Street Address Adjacent 3230 Line Dr.

City Sioux City State IA ZIP 51106

Phone n/a E-mail Address n/a

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

Southwest corner of Line & Stadium Dr. GPS coordinates: 42 26' 38.50"N & 96 21' 57.43"W

DESIGN REVIEW COMMITTEE REQUEST

The Design Review Committee serves as an administrative body that provides review and recommendations for applications relating to certain development types. Generally, many applications can be approved by the DRC administratively. However, the DRC can refer applications to the Planning and Zoning Commission as appropriate. A full list of permits and approval procedures are listed in *Subchapter 25.06-B Permits and Procedures of the Code*.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Site Plan
(include Site Plan application) | <input type="checkbox"/> Neighborhood Conservation Building
Improvement
(provide plans, site drawings, and dimensions) | <input type="checkbox"/> Accessory Dwelling Unit
(provide plans, site drawings, and dimensions) |
| <input type="checkbox"/> Certificate of Appropriateness
(include CA application) | <input type="checkbox"/> Major changes to a Site/Concept Plan
(include Planned Development application) | <input type="checkbox"/> Minor Changes to a Site/Concept Plan
(include Planned Development application) |

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regis/siouxcity-ia/index.aspx>.

For Office Use Only:

File Number:

Staff Reviewer:

CITY OF SIOUX CITY

Application for a Site Plan

(Complete along with the Design Review Committee Request Form)

Planning Division
Room 308
405 8th Street
P.O. Box 447
Sioux City, IA 51102-
0447



SUBJECT PROPERTY INFORMATION

Owner: City of Sioux City Right-of-Way (FiberComm, LLC)

Street Address: Adjacent 3220 Line Dr.

Zoning District: Lot 500

Existing Use: City Right of Way

Proposed Use: Wireless Telecommunications

REQUEST

Use the checklist on the additional sheet for the items required for site plan approval. In general, all items listed on the checklist shall be submitted, or a brief explanation as to why they are not included shall be provided. Site plans are generally approved administratively. However, the Planning and Zoning Commission shall review the site plan upon referral of the Administrator if (Subsection 25.06(80) to Site Plan).

1. Discretion is required as to the appropriateness and level of conformity of the site plan with the standards of this Code and the policies and objectives of City plans;
2. In the determination of the Design Review Committee the site plan does not conform to the standards and requirements of this Code;
3. The applicant requests variances or modifications to the standards set out in Subchapter 25.03-C, Design Standards; or
4. The applicant appeals the recommendation of the Design Review Committee or the decision of the Administrator and requests the review and decision of the Planning and Zoning Commission.

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regs/siouxcity-ia/index.aspx>

For Office Use Only

File Number

Staff Reviewer

APPLICATION

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 24

FROM: Jeff Hanson, Community Development Operations Manager (CRM)

SUBJECT: Hearing and Ordinance adopting a site plan for a portion of 27th Street right-of-way adjacent to 512 27th Street. (Area Zoned GC (General Commercial)). (Petitioner: FiberComm). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0011).

Reviewed By:	<input checked="" type="checkbox"/> Department Director	Finance Department	<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Manager
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RECOMMENDATION:

Staff respectfully requests City Council approve the requested site plan, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2017-0011: Requested site plan approval in 27th Street right of way adjacent to 512 27th Street. (Petitioner: FiberComm)

Chris Madsen, Senior Planner, presented information on the item and stated this would replace an existing light pole and this location is approximately 940 feet from the previous proposed location.

Suzan Stewart, Chair stated to incorporate the previous comments and discussion from Agenda Item 2017-0018 to this item as well, and asked if the petitioner had any additional comments. The petitioner stated no further comments at this time.

Jason Geary asked if this pole will interfere with the new clinic being built on this site. Chris Madsen mentioned that it will not interfere with their plans.

Suzan Stewart asked if the Pierce Street reconstruction will have any affect on this site. Glenn Ellis mentioned the reconstruction does not extend that far east.

Geary (Beukelman) moved to recommend to the City Council approval of the item. Motion Carried. 6-0-0 (Yes: Ross, Bostinelos, Stewart, Geary, Beukelman, Calligan/ No: 0/ Abstain: 0).

Findings of Fact:

- 1) The proposed towers would be 40' in height and located in City right of way.
- 2) The petitioner has agreed to stealth design the tower and replace an existing street light.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) Obtain State Historic Preservation Office approval.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

- 1) Deny the request.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Rendering

Attachment E: Application

BACKGROUND REPORT:

FiberComm LC has partnered with a cellular service provider to locate up to sixty small cell towers throughout Sioux City. Each proposed tower would have a height of approximately 40' and would include a power pedestal and underground vault connecting to FiberComm LC's network. The small cell towers are each proposed to be located in City right-of-way. Each tower has the potential for two carriers. This leaves open the possibility that other carriers may wish to install similar towers throughout Sioux City.

On January 23, 2017 FiberComm LC applied for approval of the first 12 sites. Due to recent Zoning and Sign Code revisions, each of these small cell towers will require site plan approval through the Planning and Zoning Commission and City Council. According to Municipal Code Section 25.02.190(25.c.):

Site Plan Required. All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 Site Plan. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

Section 106 of the National Historic Preservation Act requires that all new cell towers receive approval through the State Historic Preservation Office, with comment from the local Historic Preservation Commission. These approvals have not been applied for, and would be required after City approval.

ANALYSIS:

As stated, the petitioner is requesting site plan approval for a small cell tower located in 27th Street right of way adjacent to 512 27th Street. City Staff have met with FiberComm on site at the various proposed sites after the February 14, 2017 Planning and Zoning Commission deferral to review each individual site, and to identify any potential existing street lights or poles in the vicinity.

FiberComm and City Staff identified a number of existing street lights and poles in the vicinity. FiberComm chose an existing street light approximately 940 feet from the original proposed location to replace with a new stealth designed small cell tower / street light. This tower had to be completely relocated due to the planned reconstruction of Pierce Street. City Staff believe these towers will minimize the visual impact of the cell tower on surrounding properties.

EXISTING ZONING AND LAND USE:

PI ; City Right of Way

EXISTING ZONING REQUIREMENTS:

The PI district is meant for public, semi-public, and institutional land uses that are unique in nature and scale and thus, most appropriate in their own district and subject to their own standards.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: NC.4 ; Single Family Residential

South: PI ; Unity Point Health Center

East: PI ; Unity Point Health Center

West: PI ; Unity Point Health Center

DEPARTMENT COMMENTS

MidAmerican Energy:

- An application for service will be required for electric service for these locations.
- The customer is responsible for installation and owns all cable for commercial UG electric.
- Please meet with MEC to discuss the closest available electric source for these locations.
- There may be costs from MidAmerican to remove the existing street light facility and splice the UG circuit together for locations where the lighting circuit serves more than one light.
- May need to be reconfigured to UG as this area is due to change in the future due to future road construction rebuild plans and property development at the NE corner of the intersection.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as “Institutional”. “Institutional” is defined as areas that consist of public and semi-public land uses including government centers and facilities, educational facilities, and other public uses and places.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is located in Pierce Street Urban Renewal District.

SUBAREA / CORRIDOR PLAN:

The subject property is located in the Pierce Corridor Plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Twenty four notices were sent within the required timeframe. No responses were received.

ATTACHMENT A

ORDINANCE NO. 2017 - _____

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF 27TH STREET
RIGHT-OF-WAY ADJACENT TO 512 27TH STREET. (AREA ZONED GC
(GENERAL COMMERCIAL))

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: That the City Council has conducted a public hearing on this proposed site plan.

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1308 of said Ordinance No. 2015-0215 as amended:

25.02.030.1308: The Site Plan dated March 1, 2017 for property presently zoned GC (General Commercial) and legally described as follows:

Within a 5' radius of 96.404400W, 42.518125N, in the City of Sioux City,
County of Woodbury and State of Iowa,

is hereby adopted and approved.

Section 3: That a detailed site plan dated March 1, 2017 including, but not limited to, a site development map and text to be used for the development of the above described property is on file in the office of the City Clerk of the City of Sioux City, Iowa, and is hereby approved and adopted and is by this reference made a part hereof.

Section 4: That the boundaries of zones as shown on the official zoning map on file in the office of the City Clerk of the City of Sioux City, Iowa, is hereby modified and corrected in accordance herewith, and said map and all information shown thereon shall be as much a part of this Ordinance as though all the matters and information set forth in said map were fully set forth herein.

Section 5: That all Ordinances, or parts of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-_____ adopted by the City Council of Sioux City on _____, 2017. Signed this _____ day of _____, 2017.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 15, 2017

Lisa L. McCardle, City Clerk

ORDINANCE ADOPTING A SITE PLAN FOR A PORTION OF 27TH STREET
RIGHT-OF-WAY ADJACENT TO 512 27TH STREET. (AREA ZONED GC
(GENERAL COMMERCIAL))

This is a summary of Ordinance Number 2017-_____ passed by the Sioux City City Council on _____, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance adopts a Site Plan dated March 1, 2017 for property within the City of Sioux City, Woodbury County, Iowa, presently zoned GC (General Commercial) and legally described as follows:

Within a 5' radius of 96.404400W, 42.518125N, in the City of Sioux City,
County of Woodbury and State of Iowa.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2017.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered, on April 10, 2017, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1308: Adoption of a site plan for the following described real property zoned as GC (General Commercial):

Within a 5' radius of 96.404400W, 42.518125N, in the County of Woodbury and State of Iowa.

(A portion of 27th Street right-of-way adjacent to 512 27th Street) (2017-0011)

At said hearing parties in interest and citizens will have an opportunity to be heard in relation to said proposed amendment and change.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

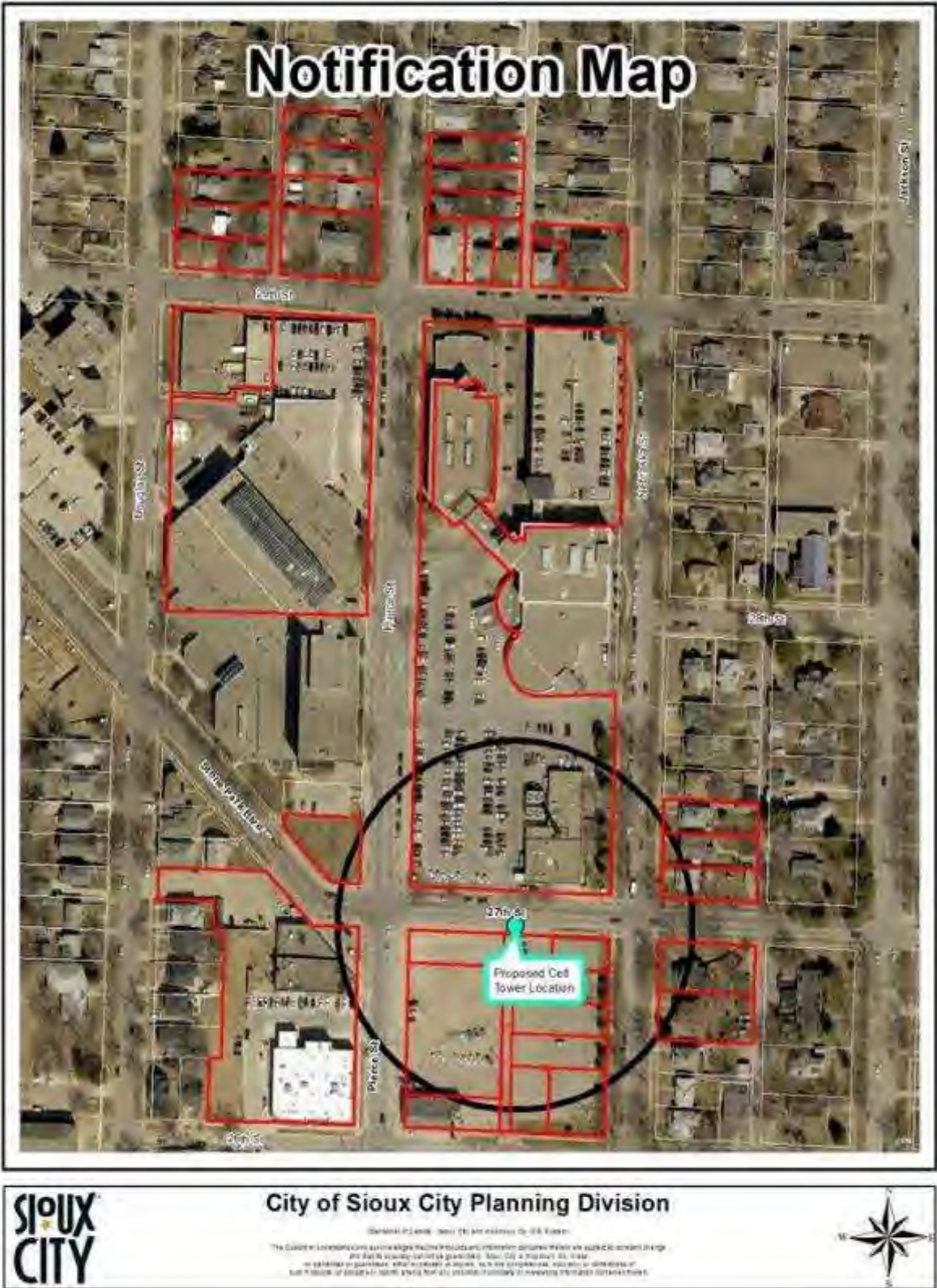
Publish in the Sioux City Journal April 3, 2017.

ATTACHMENT B



GENERAL AREA MAP

ATTACHMENT C



NOTIFICATION MAP

ATTACHMENT D



SITE RENDERING

ATTACHMENT E

CITY OF SIOUX CITY Design Review Committee Request Form

Planning Division
Room 308
403 6th Street
P.O. Box 447
Sioux City, IA 51102-0447



The Design Review Committee meets every Thursday at 10:00 am, as necessary, to review and approve applications. Requests for DRC review must be received by **12:00 p.m. the Monday before** the desired meeting. Applications may be required to be heard over two meetings: the first meeting as a title to provide comments to the applicant and the second meeting for final approval or referral to another governing body.

Before completing, read the entire Request Form and related application. A pre-application conference is **required** for all applications for cluster, mixed housing, and planned neighborhoods, traditional neighborhood development, as well as applications for development in the Airport Precinct (AP), Casino Entertainment (CE), Historic Area (HA), and Public Institutional (PI) zoning districts. However, pre-application conferences may be requested for any development type.

PETITIONER/APPLICANT INFORMATION

Name: FiberComm LC
Street Address: 1401 8th St
City: Sioux City State: IA ZIP: 51101
Phone: 712-274-2020 E-mail Address: jpryor@fibercomm.net
Petitioner's interest in the property: ☐ Owner ☐ Contract Buyer ☐ Architect ☐ Engineer ☐ Other: Telecommunications Utility

PROPERTY OWNER (IF DIFFERENT)

Name: City of Sioux City Right-of-Way
Street Address: Adjacent 2720 Grand Park Blvd., St Lukes Mid-Care
City: Sioux City State: IA ZIP: 51102
Phone: N/A E-mail Address: N/A

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

Southwest corner of 29th & Pierce St. GPS coordinates: 42° 31' 14.72" N & 96° 34' 39.11" W.

DESIGN REVIEW COMMITTEE REQUEST

The Design Review Committee serves as an administrative body that provides review and recommendations for applications relating to certain development types. Generally, many applications can be approved by the DRC administratively. However, the DRC can refer applications to the Planning and Zoning Commission as appropriate. A full list of permits and approval procedures are listed in Subchapter 25.06-d Permits and Procedures of the Code.

☒ Site Plan (include Site Plan application) ☐ Neighborhood Conservation Building Improvement (provide plans, site drawings, and dimensions) ☐ Accessory Dwelling Unit (provide plans, site drawings, and dimensions)
☐ Certificate of Appropriateness (include CA application) ☐ Major changes to a Site/Concept Plan (include Planned Development application) ☐ Minor Changes to a Site/Concept Plan (include Planned Development application)

SIGNATURE

Owner/Petitioner's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.enr.com/sioux-city-ia/index.aspx>.

For Office Use Only

File Number:

Staff Review:

CITY OF SIOUX CITY**Application for a Site Plan***(Complete along with the Design Review Committee Request Form)*

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-
0447

**SUBJECT PROPERTY INFORMATION**

Owner: City of Sioux City Right of Way (RoeComm LLC)
Street Address: Adjacent 2720 Sioux Park Blvd., St. Luke's Med Center
Zoning District: Lot Size:
Existing Use: City Right of Way
Proposed Use: Wireless Telecommunications

REQUEST

Use the checklist on the additional sheet for the items required for site plan approval. In general, all items listed on the checklist shall be submitted, or a brief explanation as to why they are not included shall be provided. Site plans are generally approved administratively. However, the Planning and Zoning Commission shall review the site plan upon referral of the Administrator if (Subsection 25.06.080.10 Site Plan).

1. Decision is required as to the appropriateness and level of conformity of the site plan with the standards of this Code and the policies and objectives of City plans;
2. In the determination of the Design Review Committee the site plan does not conform to the standards and requirements of this Code;
3. The applicant requests variances or modifications to the standards set out in Subchapter 25.03-C, Design Standards; or
4. The applicant appeals the recommendation of the Design Review Committee or the decision of the Administrator and requests the review and decision of the Planning and Zoning Commission.

SIGNATURE

Owner/Proponent's Signature:

Application Date: 1/20/2017

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regis/siouxcity-ia/index.aspx>

PZ-Office Use Only

File Number:

Staff Reviewer:

APPLICATION

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 25

FROM: Jeff Hanson, Community Development Operations Manager (SW)

Subject: **Hearing and resolution approving proposal to sell certain real property and authorizing a city deed (The north one-half of the vacated east/west alley abutting 510 W. 20th Street) (Petitioner: Electronic Engineering) (Purchase price: \$584.00 plus costs).**

Reviewed By:	<input checked="" type="checkbox"/>	Department Director	<input checked="" type="checkbox"/>	Finance Department	<input checked="" type="checkbox"/>	City Attorney	<input checked="" type="checkbox"/>	City Manager
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RECOMMENDATION:

Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:

On the agenda for Monday the City Council will be asked to conduct a public hearing and approve the proposal to sell the north one-half of the vacated east/west alley abutting 510 W. 20th Street to Electronic Engineering Company. This portion of right of way was vacated by Ordinance 2017-0174 dated February 27, 2017. Electronic Engineering Company would like to add this portion of vacated right of way to abutting property that they own.

The resolution on Monday's agenda authorizes the issuance of a city deed to Electronic Engineering Company.

FINANCIAL IMPACT:

The amount of \$584.00 plus costs will be received at time of closing.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility - Infrastructure

Focus Area – Expand Development Opportunities and Grow Sioux City

ALTERNATIVES:

Do not approve the resolution

ATTACHMENTS:

Proposed Resolution

Aerial

RESOLUTION NO. 2017 - _____
with attachments

RESOLUTION APPROVING PROPOSAL TO SELL CERTAIN REAL PROPERTY AND AUTHORIZING A CITY DEED (THE NORTH ONE-HALF OF THE VACATED EAST/WEST ALLEY ABUTTING 510 W. 20TH STREET) (PETITIONER: ELECTRONIC ENGINEERING) (PURCHASE PRICE: \$584.00 PLUS COSTS).

WHEREAS, the City Council of the City of Sioux City, Iowa, set forth its proposal to sell the following described real property in Resolution No. 2017-0278, passed and approved March 27, 2017:

The north one-half of the vacated east/west alley abutting the west 100 feet of Lot 6, Block 4, North Sioux City Addition, Sioux City, Woodbury County, Iowa; and

WHEREAS, a public hearing was held on said proposal on April 10, 2017, pursuant to published notice given as provided by law; and

WHEREAS, the City Council has heard all the objections to said proposal, but believes selling of the real property is in the public interest; and

WHEREAS, a city deed prepared in accordance with the previously received "Offer To Purchase" is attached hereto and by this reference made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that all objections to the proposed sale of the real estate described in the preamble hereof, be and the same are hereby overruled.

BE IT FURTHER RESOLVED, that the above described real property be sold to Electronic Engineering in accordance with the terms and conditions set forth in Resolution No. 2017-0278, passed and approved March 27, 2017.

BE IT FURTHER RESOLVED that the city deed attached hereto conveying said property to Electronic Engineering, be and the same is hereby approved as to form and content and the Mayor and City Clerk authorized and directed to execute same for and on behalf of the City of Sioux City, Iowa.

BE IT FURTHER RESOLVED that upon receipt of the consideration fixed in said city deed and the costs incurred in this sale that the city deed be delivered to the purchasers.

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: Lisa L. McCardle, City Clerk

Prepared by: Nicole M. DuBois, 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

ADDRESS TAX STATEMENT: Electronic Engineering
1100 Keo Way, Des Moines, Iowa 50309

CITY DEED

KNOW ALL MEN BY THESE PRESENTS:

That the City of Sioux City, Iowa, a municipal corporation, of the County of Woodbury, and State of Iowa, by its Mayor thereunto duly authorized, as hereinafter set forth, in consideration of the sum of FIVE HUNDRED EIGHTY-FOUR DOLLARS AND NO CENTS (\$584.00) in hand paid by Electronic Engineering of the County of Woodbury and State of Iowa, does hereby release, remise, convey and quit claim unto the said Electronic Engineering, all its right, title and interest in and to the following described premises situated in the County of Woodbury and State of Iowa, to-wit:

The north one-half of the vacated east/west alley abutting the west 100 feet of
Lot 6, Block 4, North Sioux City Addition, Sioux City, Woodbury County, Iowa

This deed is subject to the right of the City of Sioux City, Iowa, to use said real estate in connection with the operation and maintenance of any presently existing and installed public utility, above or below the ground, and subject to the same right on the part of public utility companies operating under franchise or special permit in the City of Sioux City, Iowa.

This deed is executed under and by virtue of the authority vested in the Mayor of Sioux City, Iowa, under the provisions of which and in accordance herewith, this deed is executed and delivered.

IN WITNESS WHEREOF, the City of Sioux City, Iowa, has caused these Presents to be signed by its Mayor and the seal of said City duly attested by the City Clerk hereunto affixed this 10th day of April, 2017.

CITY OF SIOUX CITY, IOWA

BY: _____
Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

STATE OF IOWA)
 : ss

WOODBURY COUNTY)

On this 10th day of April, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Robert E. Scott and Lisa L. McCardle, to me personally known, and, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Sioux City, Iowa; that the seal affixed to the foregoing instrument is the official seal of the City, and that the instrument was signed and sealed on behalf of the City, by authority of its City Council, as contained in Resolution No. 2017-_____ passed on the 10th day of April, 2017, and that Robert E. Scott and Lisa L. McCardle acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the City.

BY: _____
Notary Public in and for Iowa

Exempt from Transfer Tax pursuant to Chapter 428A.2(6).



<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 26

FROM: Jeff Hanson, Community Development Operations Manager (SW)

Subject: Hearing and resolution approving proposal to sell certain real property and authorizing a city deed (The south one-half of the vacated east/west alley abutting 507 W. 19th Street) (Petitioner: MaConn LLC) (Purchase price: \$584.00 plus costs).

Reviewed By:	<input checked="" type="checkbox"/>	Department Director	<input checked="" type="checkbox"/>	Finance Department	<input checked="" type="checkbox"/>	City Attorney	<input checked="" type="checkbox"/>	City Manager
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RECOMMENDATION:

Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:

On the agenda for Monday the City Council will be asked to conduct a public hearing and approve the proposal to sell the south one-half of the vacated east/west alley abutting 507 W. 19th Street to MaConn LLC. This portion of right of way was vacated by Ordinance 2017-0174 dated February 27, 2017. MaConn LLC would like to add this portion of vacated right of way to abutting property that they own.

The resolution on Monday's agenda authorizes the issuance of a city deed to MaConn LLC.

FINANCIAL IMPACT:

The amount of \$584.00 plus costs will be received at time of closing.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility - Infrastructure

Focus Area – Expand Development Opportunities and Grow Sioux City

ALTERNATIVES:

Do not approve the resolution

ATTACHMENTS:

Proposed Resolution

Aerial

RESOLUTION NO. 2017 - _____
with attachments

RESOLUTION APPROVING PROPOSAL TO SELL CERTAIN REAL PROPERTY AND AUTHORIZING A CITY DEED (THE SOUTH ONE-HALF OF THE VACATED EAST/WEST ALLEY ABUTTING 507 W. 19TH STREET) (PETITIONER: MACONN LLC) (PURCHASE PRICE: \$584.00 PLUS COSTS).

WHEREAS, the City Council of the City of Sioux City, Iowa, set forth its proposal to sell the following described real property in Resolution No. 2017-0279, passed and approved March 27, 2017:

The south one-half of the vacated east/west alley abutting the west 100 feet of Lot 7, Block 4, North Sioux City Addition, Sioux City, Woodbury County, Iowa;
and

WHEREAS, a public hearing was held on said proposal on April 10, 2017, pursuant to published notice given as provided by law; and

WHEREAS, the City Council has heard all the objections to said proposal, but believes selling of the real property is in the public interest; and

WHEREAS, a city deed prepared in accordance with the previously received "Offer To Purchase" is attached hereto and by this reference made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that all objections to the proposed sale of the real estate described in the preamble hereof, be and the same are hereby overruled.

BE IT FURTHER RESOLVED, that the above described real property be sold to MaConn LLC in accordance with the terms and conditions set forth in Resolution No. 2017-0279, passed and approved March 27, 2017.

BE IT FURTHER RESOLVED that the city deed attached hereto conveying said property to MaConn LLC, be and the same is hereby approved as to form and content and the Mayor and City Clerk authorized and directed to execute same for and on behalf of the City of Sioux City, Iowa.

BE IT FURTHER RESOLVED that upon receipt of the consideration fixed in said city deed and the costs incurred in this sale that the city deed be delivered to the purchasers.

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Prepared by: Nicole M. DuBois, 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

ADDRESS TAX STATEMENT: MaConn LLC, 4106 Saxony Circle, Sioux City, Iowa 51103

CITY DEED

KNOW ALL MEN BY THESE PRESENTS:

That the City of Sioux City, Iowa, a municipal corporation, of the County of Woodbury, and State of Iowa, by its Mayor thereunto duly authorized, as hereinafter set forth, in consideration of the sum of FIVE HUNDRED EIGHTY-FOUR DOLLARS AND NO CENTS (\$584.00) in hand paid by MaConn LLC of the County of Woodbury and State of Iowa, does hereby release, remise, convey and quit claim unto the said MaConn LLC, all its right, title and interest in and to the following described premises situated in the County of Woodbury and State of Iowa, to-wit:

The south one-half of the vacated east/west alley abutting the west 100 feet of
Lot 7, Block 4, North Sioux City Addition, Sioux City, Woodbury County, Iowa

This deed is subject to the right of the City of Sioux City, Iowa, to use said real estate in connection with the operation and maintenance of any presently existing and installed public utility, above or below the ground, and subject to the same right on the part of public utility companies operating under franchise or special permit in the City of Sioux City, Iowa.

This deed is executed under and by virtue of the authority vested in the Mayor of Sioux City, Iowa, under the provisions of which and in accordance herewith, this deed is executed and delivered.

IN WITNESS WHEREOF, the City of Sioux City, Iowa, has caused these Presents to be signed by its Mayor and the seal of said City duly attested by the City Clerk hereunto affixed this 10th day of April, 2017.

CITY OF SIOUX CITY, IOWA

BY: _____
Robert E. Scott, Mayor

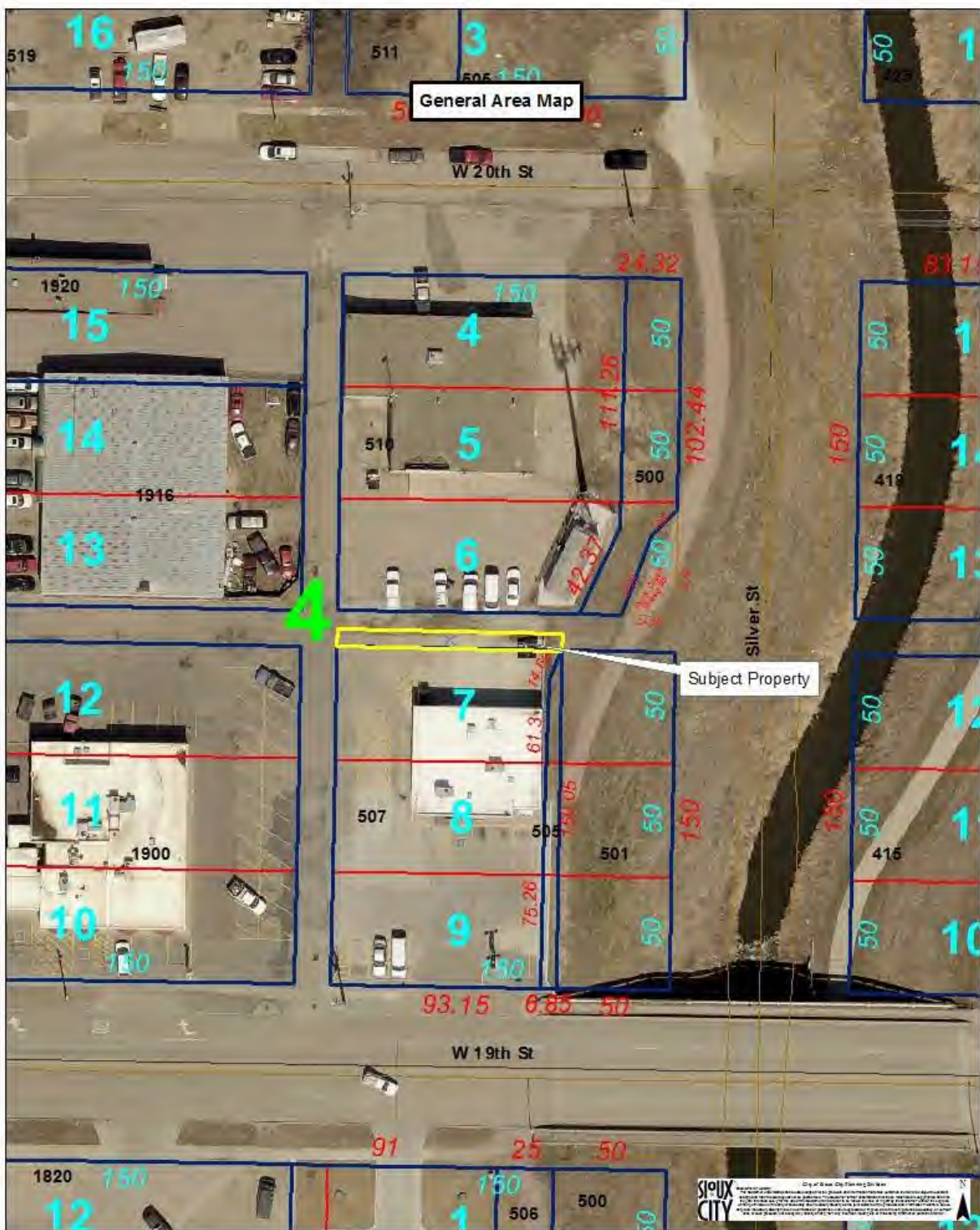
ATTEST: _____
Lisa L. McCardle, City Clerk

STATE OF IOWA)
 : ss
WOODBURY COUNTY)

On this 10th day of April, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Robert E. Scott and Lisa L. McCardle, to me personally known, and, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Sioux City, Iowa; that the seal affixed to the foregoing instrument is the official seal of the City, and that the instrument was signed and sealed on behalf of the City, by authority of its City Council, as contained in Resolution No. 2017-_____ passed on the 10th day of April, 2017, and that Robert E. Scott and Lisa L. McCardle acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the City.

BY: _____
Notary Public in and for Iowa

Exempt from Transfer Tax pursuant to Chapter 428A.2(6).



<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 27

FROM: Glenn Ellis, City Engineer
Brittany Anderson, Senior Civil Engineer

SUBJECT: **Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the Pierce Street Reconstruction (24th Street to 29th Street) Project (Project No. 6809-719-133).**

Reviewed By:	<input checked="" type="checkbox"/> Department Director	<input checked="" type="checkbox"/> Finance Department	<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Manager
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RECOMMENDATION:

Staff respectfully requests that the City Council conduct a public hearing and approve the construction documents for the Pierce Street Reconstruction (24th Street to 29th Street) Project (Project No. 6809-719-133).

DISCUSSION:

HR Green, Inc. has completed plans and specifications for the Pierce Street Reconstruction (24th Street to 29th Street) Project. This project includes the full reconstruction of Pierce Street from 24th Street to 29th Street; including street paving, sidewalks, landscaping, lighting, storm sewer, sanitary sewer, and water line improvements. Staff coordinated with UnityPoint Health – St. Luke’s Hospital to include campus improvements from 27th Street to 29th Street, including a realignment of Pierce Street to the east to facilitate parking adjacent to the hospital entrance, and additional parking lot paving, landscaping, and lighting within the UnityPoint Health – St. Luke’s Hospital site.

A bid letting will take place April 18, 2017. Work shall be completed within 135 working days, which is anticipated to be in December 2017.

FINANCIAL IMPACT:

This project is funded using a transfer in water and sewer funds, in-sales tax infrastructure, and general obligation bonds under CIP 719-133 Annual Infrastructure Reconstruction. The Engineer’s opinion of probable construction cost for the work is \$3,435,135.00. The project currently has an available balance of \$7,081,543.94. In addition, the Developer’s Service Agreement with UnityPoint Health – St. Luke’s Hospital outlines the cost sharing components of the project including design and construction costs associated with their campus improvements.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

City Council may choose to not approve construction documents for this project. This would stop the project from moving forward.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2017 - _____

RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COST FOR CONSTRUCTION OF THE PIERCE STREET RECONSTRUCTION (24TH STREET TO 29TH STREET) PROJECT (PROJECT NO. 6809-719-133).

WHEREAS, on the 27th day of March, 2017, plans, specifications, form of contract, and estimated cost were filed with the Clerk of Sioux City, Iowa, for construction of the Pierce Street Reconstruction (24th Street to 29th Street) Project, within the corporate limits; and

WHEREAS, notice of hearing on plans, specifications, form of contract, and estimated cost was published as required by law; and

WHEREAS, the City Council is advised and does believe that said plans, specifications, form of contract and estimated cost should be approved.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the plans, specifications, form of contract and estimated cost for the construction of the Pierce Street Reconstruction (24th Street to 29th Street) Project be and the same are hereby approved as the plans, specifications, form of contract and estimated cost for said improvements for said project.

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 28

FROM: Glenn Ellis, City Engineer
Brittany Anderson, Senior Civil Engineer

SUBJECT: Hearing and Resolution approving construction documents for the Outer Drive North and Floyd Boulevard Trail Connection Project, Iowa Department of Transportation Project No. EDP-7057(688)-7Y-97 (City Project No. 6748-173-019).

Reviewed By:	<input checked="" type="checkbox"/>	Department Director	<input checked="" type="checkbox"/>	Finance Department	<input checked="" type="checkbox"/>	City Attorney	<input checked="" type="checkbox"/>	City Manager
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RECOMMENDATION:

Staff respectfully requests that the City Council conduct a public hearing and approve the construction documents for the Outer Drive North and Floyd Boulevard Trail Connection Project, Iowa Department of Transportation Project No. EDP-7057(688)-7Y-97 (City Project No. 6748-173-019).

DISCUSSION:

HR Green, Inc. has completed construction documents for the Outer Drive North and Floyd Boulevard Trail Connection Project. This project will help to enhance the Sioux City's recreational trail system by improving connectivity throughout the community. To accomplish this goal, the project will close the loop between two trail systems, the existing trail that ends at the intersection of Floyd Boulevard and Outer Drive to the existing Floyd River Trail that ends on the north side of Outer Drive North, just east of the Union Pacific Railroad tracks.

Bids will be received on April 18, 2017 through the Iowa Department of Transportation. The project contract will have 80 working days and a late start date of July 10, 2017.

FINANCIAL IMPACT:

This project is funded using federal funds and general obligation bonds under CIP 173-019 Outer Drive North Drainage Mitigation / Floyd River Channel Improvements, which has a current available balance of \$1,466,944.72 and an additional \$657,500 programmed in FY 2018. Under the Iowa DOT funding agreement a total of \$869,480.39 is being awarded as three individual federal earmark funds. Two of the earmarks, totaling \$775,060.47, require a 20% match and the third earmark, \$94,419.92, is provided at 100% with no local matching dollar requirement.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

City Council may choose to not approve construction documents for this project. This would stop the project from moving forward.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2017 - _____

RESOLUTION APPROVING CONSTRUCTION DOCUMENTS FOR THE OUTER DRIVE NORTH AND FLOYD BOULEVARD TRAIL CONNECTION PROJECT, IOWA DEPARTMENT OF TRANSPORTATION PROJECT NO. EDP-7057(688)-7Y-97 (CITY PROJECT NO. 6748-173-019).

WHEREAS, on the 27th day of March, 2017 construction documents were filed with the Clerk of Sioux City, Iowa, for construction of the Outer Drive North and Floyd Boulevard Trail Connection Project, within the corporate limits; and

WHEREAS, notice of hearing on construction documents was published as required by law; and

WHEREAS, the City Council is advised and does believe that said construction documents should be approved.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the construction documents for the construction of the Outer Drive North and Floyd Boulevard Trail Connection Project be and the same are hereby approved as the construction documents for said improvements for said project.

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

<input checked="" type="checkbox"/>	Regular Session
<input type="checkbox"/>	Study Session
<input type="checkbox"/>	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 10, 2017 **ACTION ITEM #** 29

FROM: Nicole DuBois, City Attorney

SUBJECT: Hearing and Resolution assessing a civil penalty of \$300.00 against Alohma Vapor Super Store d.b.a. Alohma Vapor Super Store, 4501 Southern Hills Drive, Sioux City, Iowa for violation of the Iowa cigarette laws.

Reviewed By:	<input checked="" type="checkbox"/>	Department Director	<input checked="" type="checkbox"/>	Finance Department	<input checked="" type="checkbox"/>	City Attorney	<input checked="" type="checkbox"/>	City Manager
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RECOMMENDATION:

Staff respectfully requests the City Council conduct a public hearing and approve a resolution assessing a civil penalty of \$300.00 against Alohma Vapor Super Store d.b.a. Alohma Vapor Super Store, 4501 Southern Hills Drive, Sioux City, Iowa for a first violation of State Cigarette Statute 453A.2(1).

DISCUSSION:

On March 20, 2017, the City Council passed and approved a resolution setting a date, time and place for a public hearing against Alohma Vapor Super Store d.b.a. Alohma Vapor Super Store, 4501 Southern Hills Drive, Sioux City, Iowa for a first violation of State Cigarette Statute 453A.2(1). The aforementioned business had an employee who was found guilty in Woodbury County District Court of violating Iowa Code §453A.2, selling cigarettes to minors.

In an attempt to settle this case in lieu of a public hearing, an Acknowledgement/Settlement Agreement was sent to the business giving them the opportunity to pay the civil penalty prior to the hearing date. No response from Alohma Vapor Super Store d.b.a. Alohma Vapor Super Store has been received.

Therefore, pursuant to Iowa Code §453A.22(2), the City Council is requested to hold a public hearing and assess a civil penalty of \$300.00 against Alohma Vapor Super Store d.b.a. Alohma Vapor Super Store, 4501 Southern Hills Drive, Sioux City, Iowa for a first violation of State Cigarette Statute 453A.2(1) within a two (2) year period.

FINANCIAL IMPACT:

Collection of civil penalties to be placed in the City's General Fund.

RELATIONSHIP TO STRATEGIC PLAN:

INVESTIGATIVE SERVICES:

Municipal Responsibility - Health and Safety Vision

Strategic Focus Area - Enhance Public/Private Partnerships

ALTERNATIVES:

There are no alternatives to the imposition of the fines. These are regulated by state law and we have no option but to follow the state law.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2017 - _____
with attachments

RESOLUTION ASSESSING A CIVIL PENALTY OF \$300.00 AGAINST ALOHMA VAPOR SUPER STORE D.B.A. ALOHMA VAPOR SUPER STORE, 4501 SOUTHERN HILLS DRIVE, SIOUX CITY, IOWA FOR VIOLATION OF THE IOWA CIGARETTE LAWS.

WHEREAS, on January 10, 2017, Carl M. Mueller was convicted in Woodbury County District Court, Case No. STA0144894 of violating Iowa Code §453A.2 on January 9, 2017, (a copy of said conviction is attached hereto and incorporated herein by reference); and

WHEREAS, at the time of the above violation Carl M. Mueller was an employee of Alohma Vapor Super Store d.b.a. Alohma Vapor Super Store, 4501 Southern Hills Drive, Sioux City, Iowa, a cigarette permit holder; and

WHEREAS, the acts of an agent or employee of a licensee are imputed to the licensee; and

WHEREAS, said violation is a first violation of this section within a period of two (2) years; and

WHEREAS, Iowa Code §453A.22(2), as amended, provides that a permittee who violates said section shall be assessed a civil penalty in the amount of \$300.00 after a hearing and notice; and

WHEREAS, a public hearing was held on this date and the City Council has heard the arguments of the permittee and the facts of the violation; and

WHEREAS, local authorities shall retain such civil penalties if the proceeding to impose the penalty is conducted by the local authority.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the City Council, after notice and hearing, and pursuant to the authority of the above cited sections, hereby assesses a civil penalty in the amount of \$300.00 against Alohma Vapor Super Store d.b.a. Alohma Vapor Super Store, 4501 Southern Hills Drive, Sioux City, Iowa, Cigarette Permit No. 17-49105.

BE IT FURTHER RESOLVED that said license holder has thirty (30) days from the date of this resolution to pay such penalty in full to the City of Sioux City, Iowa, c/o City Treasurer, P.O. Box 447, Sioux City, Iowa 51102. Failure to pay this penalty shall result in a fourteen (14) day suspension of the cigarette permit held by the license holder effective on the 32nd day from the date of this resolution.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to notify the license holder of this action by providing to said license holder a certified copy of this Resolution. Such notice shall be by certified mail, return receipt requested, sent to the address listed on the application for a cigarette permit.

BE IT FURTHER RESOLVED, that the City Clerk shall mail a certified copy of this Resolution to: Department of Revenue, Cigarette Permit Division, P.O. Box 10456, Des Moines, Iowa 50306-0456; Iowa Department of Public Health, Division of Tobacco Use Prevention and Control, 321 E. 12th Street, Des Moines, Iowa 50319-0075; and the Iowa Attorney General, ATTN: Matthew L. Gannon, Assistant Attorney General, Hoover State Office Building, 1305 E. Walnut Street, 2nd Floor, Des Moines, Iowa 50319.

PASSED AND APPROVED: April 10, 2017

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Charges, Dispositions, Sentences

Title: STATE vs. MUELLER, CARL M

Case: 03971 STA0144894 (WOODBURY)

Citation Number: DO578305

Defendant:

MUELLER, CARL M

Count 01Charge**Charge:** 453A.2(1)**Description:**

EMPLOYEE PROVIDING TOBACCO/VAPOR PRODUCT TO MINOR - 1ST OFF

Offense Date: 01/09/2017**Arrest Date:****Against Type:****DPS Number:**Adjudication**Charge:** 453A.2(1)**Description:**

EMPLOYEE PROVIDING TOBACCO/VAPOR PRODUCT TO MINOR - 1ST OFF

Adj.: GUILTY -
NEGOTIATED/VOLUN PLEA**Adj.Date:**

01/10/2017

Adj.Judge: ,**Comments:**Sentence**Charge:** 453A.2(1)**Description:**

EMPLOYEE PROVIDING TOBACCO/VAPOR PRODUCT TO MINOR - 1ST OFF

Sentence Date:	01/10/2017	Sentence:	FINE
Appeal:		Sen.Judge:	,
Facility Type:		Attorney:	
Restitution:		Drug:	Extradition:
Lic.Revoke d:		DDS:	Batterer:
Fine Amount:		Duration:	
Comment:			

Financials

Title: STATE vs. MUELLER, CARL M
Case: 03971 STA0144894 (WOODBURY)
Citation Number: DO578305

Summary	Orig	Paid	Due
COSTS	60.00	60.00	0.00
FINE	100.00	100.00	0.00
SURCHARGE	35.00	35.00	0.00
RESTITUTION	0.00	0.00	0.00
OTHER	0.00	0.00	0.00
	<hr/>	<hr/>	<hr/>
	\$195.00	\$195.00	\$0.00
SUPPORT/ALIMONY	N/A	0.00	N/A

Filings

Title: STATE vs. MUELLER, CARL M

Case: 03971 STA0144894 (WOODBURY)
Citation Number: DO578305

<u>Event</u>	<u>Filed By</u>	<u>Filed</u>	<u>Create Date</u>	<u>Last Updated</u>	<u>Action Date</u>
VIOLATIONS HANDLED BY CLERK		01/10/2017	01/10/2017	01/10/2017	
TRAFFIC TICKET FILING		01/10/2017	01/10/2017	01/11/2017	

Summary

Title: STATE vs. MUELLER, CARL M EDMS

<u>Trial Court Case ID</u>	<u>Originating County</u>	<u>Created</u>	<u>Speedy Trial</u>	<u>Microfilm Ref</u>
03971 STA0144894	WOODBURY	01/10/2017		
<u>Citation Number</u>	<u>Disposition Status</u>	<u>Disposition Date</u>	<u>Reopened Date</u>	
DO578305	VIOLATIONS HANDLED BY CLERK	01/10/2017		