

1. The Regular Meeting of the City Council was held at 4:20 p.m. The following Council Members were present on call of the roll: Capron, Fitch, Padgett, Radig and Scott. Absent: None.

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

Mayor Scott read a proclamation promoting December 10, 2012 as Universal Human Rights Day; Karen Mackey, Human Rights Director; accepting.

2. The Council interviewed the following applicants for positions on their respective City Council appointed Boards, Commissions and Committees: Marvin (Barney) Pottebaum, Building and Housing Code Board; Susan Peete and Carrie Radloff, Environmental Advisory Board; Steven Crary, Museum Board of Trustees; Steve Boden, Parking and Skywalk System Board of Trustees; and Brent Ruch, Parks and Recreation Advisory Board.

CONSENT AGENDA

Motion by Scott, seconded by Fitch, to adopt the Consent Agenda; all voting aye. Items 3 through 12D are approved unanimously unless specifically noted after the item.

3. Reading of the minutes of December 3, 2012.

Reading of the minutes of December 3, 2012, was waived and as part of the consent agenda the minutes were approved as presented.

4. CAFR - Resolution accepting the Comprehensive Annual Financial Report (CAFR) for the year ended June 30, 2012. **2012-0827**
5. BOA - Motion acknowledging Board of Adjustment actions of November 27, 2012. **2012-0828**
6. ANNUAL REPORT - Motion accepting and approving the Sioux City Parking and Skywalk System Board of Trustees FY 2012 Annual Report. **2012-0829**
7. HOMELAND SECURITY - Resolution approving Grant Agreement No. 2011-SS-00071-S01-12 by and between the City of Sioux City and the State of Iowa in the amount of \$200,000 for the FY11 Homeland Security Grant Program. **2012-0830**

Chief Tom Everett, Fire Department, provided information on the item.

8. ASPHALT RESURFACING - Resolution adopting plans and specifications for the proposed construction of the 2013 Asphalt Resurfacing - West 4th Street (Hamilton Boulevard to Market Street) Project. **2012-0831**

9. MADISON - Resolution approving settlement of a worker's compensation claim and authorizing payment thereof. (Robert Madison) **2012-0832**

10. TOTAL CHECKS - Approve total checks issued for the reporting period of November 2012, in the total amount of \$8,840,339.01.

11. APPLICATIONS FOR BEER/LIQUOR LICENSES

A. CLASS "C" BEER PERMIT

1. International Market and Spanish Services, 607 Pearl Street (Renewal)
2. La Piñata, 3124 Gordon Drive (Renewal)

B. CLASS "C" LIQUOR LICENSE

1. Elie's South of the Border, 1951 Leech Avenue (Renewal)
2. Daltons' Office, 200 4th Street (Renewal)
3. Perera's Place, 2611 Correctionville Road (Renewal)
4. The House of Q, 2520 Transit Avenue (New)
5. Riverside Tap, 1742 Riverside Boulevard (Renewal)
6. Dos De Oro, 1424 Villa Avenue (New)

C. SPECIAL CLASS "C" LIQUOR LICENSE

1. Winestyles, 5002 Sergeant Road (Renewal)

D. CLASS "B" WINE PERMIT

1. Winestyles, 5002 Sergeant Road (Renewal)
2. International Market and Spanish Services, 607 Pearl Street (Renewal)

12. RECEIPT OF MINUTES

- A. Civil Service Commission - September 11, 2012
- B. Events Facilities Advisory Board - September 28 and October 26, 2012
- C. Mayor's Youth Commission - October 1 and 15, November 5 and 19, 2012
- D. Parking and Skywalk System Board of Trustees - November 28, 2012

(End of Consent Agenda)

HEARINGS

13. Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed. (That part of the vacated north/south and east/west alleys abutting 1013 Floyd Boulevard) (Petitioner: Lavonee Elmore, Joseph P. Elmore and Randall A. Asher) (Purchase Price: \$1,107 plus costs) **2012-0833**

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

14. Hearing and Resolution accepting the proposal of Harmony Real Estate Co., L.C. for the purchase of certain land in the Parkway Urban Renewal Area and authorizing sale of said property. (Vacated alleys between 810-814 Cook Street and 801-813 Main Street) **2012-0834**

Jeff Hanson, Community Development Operations Manager, provided information on the item.

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

15. Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed. (The vacated east/west alley adjacent to 812 Rock Street) (Petitioner: Randy W. Roberts) (Purchase Price: \$450 plus costs) **2012-0835**

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

16. Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed. (That part of the vacated north/south alley lying between 1210 11th Street and 1017 and 1019 Floyd Boulevard) (Petitioner: Michael N. Semple and Denise A. Semple) (Purchase Price: \$612 plus costs) **2012-0836**

Jeff Hanson, Community Development Operations Manager, provided information on the item.

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

RECOMMENDATIONS OF PLANNING AND ZONING

17. Hearing and Ordinance vacating a portion of the north/south alley adjacent to 804, 806 and 808 Dubuque Street and 2511 8th Street. (Petitioner: William DuBois) The Planning and Zoning Commission recommends approval of this item. (File No. 2012-0096) **(First Consideration passed November 26, 2012) 2012-0837**

Mark Jensen, Planning and Zoning Commission, provided information on the item.

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

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

18. Resolution accepting and approving the final plat for Lloyd Addition. (Petitioner: Roger and Michele Lloyd) The Planning and Zoning Commission recommends approval of this item. (File No. 2012-0102) **2012-0838**

Mark Jensen, Planning and Zoning Commission, provided information on the item.

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

19. Hearing and Ordinance vacating platted Walnut Street, 2nd Street, and adjacent north/south and east/west alleys located north of 1st Street and east of South Glass Street. (Petitioner: H & S Properties) The Planning and Zoning Commission recommends approval of this item. (File No. 2012-0104)

Mark Jensen, Planning and Zoning Commission; Chris Madsen, City Planner; and Jeff Hanson, Community Development Operations Manager; provided information on the item. Donald Schincke, 114 S Glass St, spoke on the item.

Motion by Scott, seconded by Capron, to close the hearing and pass first consideration of the ordinance; all voting aye.

20. Hearing and Ordinance rezoning 3501 1st Street and 3400 3rd Street from Zone Classification RG-50 (General Residence Zone, 5,000 sq. ft. per unit minimum) and RG-50-GUR (General Residence Zone, 5,000 sq. ft. per unit minimum -Greenville Urban Renewal Overlay Zone) to Zone Classification RG-20-PD (General Residence Zone, 2,000 sq. ft. per unit minimum –Planned Development). (Petitioner: H & S Properties) The Planning and Zoning Commission recommends approval of this item. (File No. 2012-0105)

Mark Jensen, Planning and Zoning Commission, provided information on the item.

Motion by Scott, seconded by Capron, to close the hearing and pass first consideration of the ordinance; all voting aye.

21. Hearing and Ordinance rezoning 1400 Indian Hills Drive from Zone Classification RS-70 (Single-Family Residential Zone, 7,000 sq. ft. per unit minimum) to Zone Classification RG-20-PD (General Residence Zone, 2,000 sq. ft. per unit minimum - Planned Development) and adopting a site plan in connection therewith. (Petitioner: Real Estate Equities Development) The Planning and Zoning Commission recommends approval of this item. (File No. 2012-0101) **(First Consideration passed November 26, 2012)** **2012-0839**

Mark Jensen, Planning and Zoning Commission; and Brent Nelson, Sr. City Planner; provided information on the item.

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

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

22. Hearing and Ordinance adopting a Site Plan for 3300 Floyd Boulevard. (Area Zoned BG-C (General Business Zone –Planned Commercial Overlay)) (Petitioner: Pizza Ranch/Olsson & Assoc.) The Planning and Zoning Commission recommends approval of this item. (File No. 2012-0103) **2012-0840**

Mark Jensen, Planning and Zoning Commission; and Brent Nelson, Sr. City Planner; provided information on the item.

Motion by Scott, seconded by Padgett, to close the hearing and pass first consideration of the ordinance; all voting aye.

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

DISCUSSION

23. Resolution awarding a purchase order to Jensen Motors, Inc. of Le Mars, Iowa, in the amount of \$18,995 for one (1) 1/2 ton two wheel drive pickup. (Bid No. 196197) **(Deferred from November 26, 2012)** **2012-0841**

Mike Collett, Transit/Fleet/Purchasing Manager; provided information on the item.

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

24. Hearing and Resolution determining an area of the city to be a blighted area and economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for an urban renewal project; and adopting Amendment No. 10 to the Donner Park Urban Renewal Plan for the Donner Park Urban Renewal Area. (Wadzinski Eye Clinic/SW Properties, LLC located at 5800 block of Sunnybrook Drive and Bridgeport West located at 2201 Boulevard of Champions) **2012-0842**

Marty Dougherty, Economic Development Director, provided information on the item. Jerry Moore, 1207 S Cecelia St, spoke on the item.

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

25. Resolution approving advances of funds for repayment from the City's urban renewal tax increment revenue funds and directing the filing of certification under Iowa Code Section 403.19. **2012-0843**

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

26. Resolution authorizing and approving a Development Agreement with SW Properties, LLC. (Wadzinski Eye Clinic) (5800 block Sunnybrook Drive) **2012-0844**

Marty Dougherty, Economic Development Director, provided information on the item.

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

27. Resolution approving and accepting an offer to buy a 109 acre parcel of land and acceptance from the Siouxland Chamber Foundation in consideration of \$1,092,800 and authorizing payment and, as a stipulation of this offer to buy and acceptance thereof, authorize and approve a ten year option to purchase an adjacent 150 acre parcel. (Property in the vicinity of Bridgeport West/Boulevard of Champions) **2012-0845**

Marty Dougherty, Economic Development Director, provided information on the item. Jerry Moore, 1207 S Cecelia St, spoke on the item.

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

28. CITIZEN CONCERNS

Jim Gengler, 1727 S Hennepin St, asked Council for a one month extension on the demolition of 1615 Douglas St. Council asked Mr. Gengler to submit progress pictures along with a detailed plan of completion to the City Manager's Office this week and information will be given to Council.

Jerry Moore, 1207 S Cecelia St, spoke about recent increase in the Gill Hauling contract in relation to the declining gas prices. Mayor Scott would like a report on gas prices when the contract was signed and what Gill Hauling has been paying all along.

Jerry Moore, 1207 S Cecelia St, stated he would prefer the City offer healthcare to part-time employees rather than using the money to help businesses; and also mentioned that he has paid for his 2013 pet licenses.

29. COUNCIL CONCERNS

Fitch congratulated Rhonda in her role in the Little Yellow Dog Auction's winning bid.

Capron stated the Little Yellow Dog Auction was a great success and reminded citizens about the Coffee with Council will be held Thursday, December 13, 2012 at 8:30 a.m.

Padgett stated the Iowa League of Cities is sending invitations for committee participation.

Radig would like an update on the Blue Zone process, stating people have talked about the possibilities of different warrior challenges being a good way to promote Sioux City. Derek Carmona, Environmental Services Analyst, stated the City turned in the Addendum in August; needs to continue with policy changes; and hopes to promote some events after the holidays.

Eckert reminded everyone about the City Hall Legislative Day held tomorrow, December 11, 2012 at 9:00 a.m.

30. ADJOURNMENT

There being no further business, the meeting was adjourned at 5:36 p.m., on motion by Scott, seconded by Padgett; 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.

u:\CityAgenda\Minutes and Agendas\Council minutes\2012\121012m