

BROOKINGS CITY COUNCIL
August 13, 2024

The Brookings City Council held a joint meeting with the County Commission on Tuesday, August 13, 2024 at 5:30 PM, at the Brookings City & County Government Center, Chambers, with the following City Council members present: Mayor Oepke Niemeyer, Council Members Wayne Avery, Brianna Doran, Andrew Rasmussen, Bonny Specker, Holly Tilton Byrne, and Nick Wendell. County Commission Members present: Mike Bartley, Shawn Hostler, Larry Jensen, Ryan Krogman, and Kelly VanderWal. City Manager Paul Briseno, City Attorney Steve Britzman and City Clerk Bonnie Foster were also present.

Agenda. A motion was made by Council Member Specker, seconded by Council Member Tilton Byrne, that the agenda be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell. A motion was made by County Commissioner Hostler, seconded by County Commissioner Krogman, that the agenda be approved. The motion carried by the following vote: Yes: 5 - Bartley, Hostler, Jensen, Krogman, and VanderWal.

Ordinance 24-022. A public hearing was held on City of Brookings Ordinance 24-022 and Brookings County Commission Ordinance 2024-06, an Ordinance to Rezone Outlot J in the North West Quarter of the South East Quarter of Section 11, Township 109, Range 50 West from a Joint Jurisdiction Residence R-3A District to a Joint Jurisdiction Business B-3 Heavy District (located at 3901 Main Avenue South, Brookings, SD). A motion was made by Council Member Tilton Byrne, seconded by Council Member Specker, that Ordinance 24-022 be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell. A motion was made by County Commissioner Kelly VanderWal, seconded by County Commissioner Hostler, that Ordinance 2024-06, be approved. The motion carried by the following vote: Yes: 5 - Bartley, Hostler, Jensen, Krogman, and VanderWal.

Adjourn the Joint Meeting. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that this portion of the Joint Meeting be adjourned at 5:36 p.m. The motion carried by a unanimous vote. A motion was made by County Commissioner Krogman, seconded by County Commissioner VanderWal, that this portion of the Joint Meeting be adjourned at 5:36 p.m. The motion carried by a unanimous vote.

(A brief recess began at 5:36 p.m. to end the joint portion of the meeting, dismissing the County Commission. The City Council reconvened at 6:00 p.m.)

Consent Agenda. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that the consent agenda be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell.

A. Action to approve the July 23, 2024 City Council Minutes.

B. Action on appointments to the Public Arts Commission: Lisbeth Solum (term expires 1/1/2025), member-at-large; and Meridith Weiland, (term expires 1/1/2025), member-at-large.

C. Action on an appointment to the Planning Commission: Doug Metcalf (term expires 12/31/2024).

D. Action on the 2025 City Council Meeting Calendar.

E. Action on Resolution 24-074, a Resolution Awarding the Bid for a 4,000 Gallon Water Truck.

RESOLUTION 24-074 - RESOLUTION AWARDING BID
FOR A 4,000 GALLON WATER TRUCK

WHEREAS, the City of Brookings opened bids for a 4,000 Gallon Water Truck on Tuesday, August 6, 2024 at 1:30 pm at the Brookings City and County Government Center; and

WHEREAS, the City of Brookings received the following bids for a 4,000 Gallon Water Truck: Custom Truck One Source - \$174,412; and Garsite Progress LLC - \$203,920.

NOW, THEREFORE, BE IT RESOLVED, that a contract be awarded to Custom Truck One Source for the bid price of \$174,412.

F. Action on Resolution 24-071, a Resolution Authorizing Change Order #2 for the Pickleball Courts Project.

RESOLUTION 24-071 - RESOLUTION AUTHORIZING CHANGE ORDER #2
FOR THE PICKLEBALL COURTS PROJECT

WHEREAS, the City of Brookings is requesting to upgrade the post-tensioned concrete for the Pickleball Courts at Hillcrest Park; and

WHEREAS, the City of Brookings is requesting to upgrade the type of cable tensioning system for the Pickleball Courts at Hillcrest Park; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Brookings hereby authorizes the approval of Change Order #2 which upgrades the post-tensioned concrete and cable tensioning system for the Pickleball Courts Project.

G. Action on Temporary Alcohol / Special Event Licenses for existing alcohol license holders with events held on publicly owned property: SDSU TL24-057, SDSU TL24-058, SDSU TL24-059, SDSU TL24-060, and SDSU TL25-001.

Proclamation. Mayor Niemeyer presented a Proclamation to Jeannie Bauske, Brookings Multicultural Center Events Coordinator, recognizing Wednesday, August 21, 2024 as "A Day to Celebrate the Cultures of Our Community."

MAYORAL PROCLAMATION

WHEREAS, Brookings' thriving international community contributes to our community's high quality of life and provides a vital economic impact to the Brookings area; and

WHEREAS, Brookings has greatly benefited from having hundreds of international students from over 80 countries enrolled at South Dakota State University; and

WHEREAS, the Brookings Multicultural Center, the Brookings Economic Development Corporation, and the South Dakota State University Office of International Affairs will hold the 3rd Annual International Ice Cream Social and Community Fair to welcome International Faculty and Graduate Students and their families to our community.

NOW, THEREFORE, BE IT RESOLVED, that I, Oepke G. Niemeyer, Mayor of the City of Brookings, do hereby proclaim Wednesday, August 21, 2024 as “A Day to Celebrate the Cultures of Our Community.”

Report: Ex-Officio Reports. A Brookings Municipal Utility Board report was given by Council Member Avery. A Brookings Health Systems Board of Trustees report was not given.

Master Drainage Plan. A motion was made by Council Member Tilton Byrne, seconded by Council Member Specker, that the Master Drainage Plan be accepted. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell.

Resolution 24-077. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that Resolution 24-077, a Resolution Awarding Bids on Project 2024-05STI Structure No. 06-160-152 Replacement, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell.

RESOLUTION 24-077 - RESOLUTION ACCEPTING BIDS ON PROJECT 2024-05STI
STRUCTURE NO. 06-160-152 REPLACEMENT

WHEREAS, the City of Brookings opened bids for Project 2024-05STI Structure No. 06-160-152 Replacement on Tuesday, August 6, 2024 at 1:30 pm at the Brookings City & County Government Center; and

WHEREAS, the City of Brookings received the following low bid for the 2024-05STI Structure No. 06-160-152 Replacement Project from Austreim Excavating, LLC, in the amount of \$166,489.94; and

WHEREAS, the low bid was approximately 22% lower than the Engineer’s Estimate.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the low bid of \$166,489.94 for Austreim Excavating, LLC. be accepted.
2. The City Manager is authorized to sign the contract documents for this project.

FIRST READING – Ordinance 24-025. Introduction and First Reading was held on Ordinance 24-025, an Ordinance Authorizing Budget Amendment No. 8 to the 2024 Budget. Second Reading and Action to be held: August 27, 2024.

FIRST READING – Ordinance 24-026. Introduction and First Reading was held on Ordinance 24-026, an Ordinance Amending Chapter 82 of the Code of Ordinances of the City of Brookings and Pertaining to the Covering of Vehicle Loads in the City of Brookings. Public Hearing and Action to be held: August 27, 2024.

FIRST READING – Ordinance 24-027. Introduction and First Reading was held on Ordinance 24-027, an Ordinance Amending Articles I & II of Chapter 72 - Storm Drainage, of the Code of Ordinances of the City of Brookings, South Dakota. Public Comment: Jacob Mills. Public Hearing and Action to be held: August 27, 2024.

Ordinance 24-023. A public hearing was held on Ordinance 24-023, an Ordinance to Rezone the East 151 feet of Block 1 in Northern Plains Addition from a Business B-2A Office District to a Residence R-2 Two-Family District. A motion was made by Council Member Tilton Byrne, seconded by Council Member Specker, that Ordinance 24-023 be approved. Public Comment: Kyle Rausch, Allan Sandor, Linda Watson, Ron Stee, Jeff Arneson, Justin Bucher, Heather Neff, Jordan Arneson, Rachel Flaskey, Ava Flaskey, Jason Flaskey, Jeff Streuwe, Joe Thorne, and Vince Eberhart. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell.

Ordinance 24-024. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Ordinance 24-024, an Ordinance to permit by Conditional Use Permit townhouses on Blocks 3A and 4 in Northern Plains Addition, City of Brookings, Brookings County, South Dakota, be approved. Public Comment: Public Comment: Kyle Rausch, Heather Neff, Rachel Flaskey, Ron Stee, Jordan Arneson, Allan Sandor, Ava Flaskey, Linda Watson, Julia Eberhart, Vince Eberhart, and Jason Flaskey. A motion was made by Council Member Avery, seconded by Council Member Wendell, that Ordinance 24-024 be tabled. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell.

Revised Preliminary Plat. A motion was made by Council Member Specker, seconded by Council Member Tilton Byrne, that a Revised Preliminary Plat for Blocks 1A, 3A and 4; in Northern Plains Addition, be approved. Public Comment: Kyle Rausch. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell.

Resolution 24-072. A motion was made by Council Member Tilton Byrne, seconded by Council Member Avery, that Resolution 24-072, a Resolution Approving Revised Policies of the City of Brookings, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell.

RESOLUTION 24-072 - A RESOLUTION APPROVING
REVISED POLICIES OF THE CITY OF BROOKINGS

WHEREAS, City Council policies are compiled in the Governance and Ends Policy, which includes a number of policies adopted by the City Council over the past 20 years; and

WHEREAS, it is important Council Policies are reviewed regularly so Council policies are consistent with the current Council's priorities and the City of Brookings of today; and

WHEREAS, over the past year, Council Members Holly Tilton Byrne and Wayne Avery participated in the process of reviewing and preparing proposed revisions of current City of Brookings policies. These Council members were assisted by the City Manager, City Clerk, and City Attorney; and

WHEREAS, the attached City Policies have been reviewed and proposed revisions have been prepared. Policies include the following:

Type	Number	Name
City Council	100	Council Vision, Mission, Values
City Council	298	Design Building Procurement
City Council	299	ADA Policies
City Council	301	Building Permit Fee Waiver
City Council	304	Procurement of Professional Services
City Council	305	Arterial & Collector Streets
City Council	306	Tax Increment Financing
City Council	308	Liquor License Agreement & Criteria
City Council	309	Sales Tax Incentive Grant
City Council	310	Sale of Real Property
City Council	311	Volunteer Board Appointment
City Council	312	Reporting by Economic Entities
City Council	313	Council Reconsideration Action
City Council	314	Council Professional Development
City Council	315	Larson Ice Center Use
City Council	316	Construction Manager at Risk
City Council	317	Access Channel
City Council	318	Change Orders
City Council	319	Bills & Claims
City Council	320	Investment Policy
City Council	321	Triple Bottom Line

NOW, THEREFORE, BE IT RESOLVED that the City Policies attached hereto and referenced in this Resolution are hereby approved.

City Council Member Introduction of Topics for Future Discussion. A motion was made Council Member Wendell, seconded by Mayor Niemeyer, to recommend opponents and proponents of Initiated Measure 28 be present at the September 17th Study Session. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell.

Executive Session. A motion was made by Council Member Tilton Byrne, seconded by Council Member Specker, to enter into Executive Session at 8:07 p.m., pursuant to SDCL 1-25-2.3, for the purpose of consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. The motion carried by a unanimous vote. A motion was made by Council Member Specker, seconded by Council Member Wendell, to exit Executive Session at 8:49 p.m. The motion carried by a unanimous vote.

Adjourn. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that this meeting be adjourned at 8:49 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS, SD

Oepke G. Niemeyer, Mayor

ATTEST:

Bonnie Foster, City Clerk

City of Brookings Volunteer List – as per Resolution 16-025

(Addendum to the August 13, 2024 City Council Minutes.)

Brookings City Library Volunteers – Updated May 2024: Cheryl Riley, Sarah Schultz, Diane Smart – New – effective 05/20/24; **Brookings City Fire Department Volunteers:** Major Anderson, Preston Anderson, John Austin, Kevin Banken, Alex Berkness, Pete Bolzer, Derek Brown, Dan Bruna, Nick Casstevens, Tom Coughlin, Mandi Cramer, Roger DeBates, Scott Hallan, Bill Hardin, Troy Herrig, Justin Heyer, Kevin Hilmoie, Dalton Holm, Dave Koch, Jim Kriese, Brett Lawrence, Brandon Long, Jaque Mann, Joshua Mann, Logan Melberg, Aiden Metcalfe, Gatlin Miller, Nick Oines, Steven Rensink, Connor Ringling, Jared Runge, Tim Rynearson, Rob Schuneman, Jeremy Scott, Jesse Seas, Joseph Sheeley, Lucas Speakman, Shannon Stuefen, Curt Teal, Anthony Teesdale, Joshua Van Diepen, Nathan Vandersnick, Adam Vaux, Nicholas Voichahoske – new – effective 8/19/2024. **Brookings City Park & Recreation Volunteers:** Matthew Albritton, Samuel Clement, Travis Erickson, Matthew Filed, Nathan Hilbrands, Dillon Howe, Matthew Hupf, Brandon Karels, Bo McCloud, Chad Nicola, Seth Saylor, Joseph Schumacher, Christina Silva, Andrew Wright, Nicole Yseth.