

**Brookings City Council**  
**June 30, 2020 (unapproved)**

The Brookings City Council held a meeting on Tuesday, June 30, 2020 at 5:30 PM, at City Hall with the following City Council members present: Mayor Keith Corbett and Council Members Holly Tilton Byrne, Nick Wendell, Leah Brink, Patty Bacon, Dan Hansen, and Ope Niemeyer. City Attorney Steve Britzman, City Manager Paul Briseno were also present. City Clerk Bonnie Foster was absent.

**5:30 PM ELECTION CANVASS**

The Election Canvass for the June 23, 2020 (postponed April 14, 2020) Combined Municipal / School Board Election was held.

**6:00 PM REGULAR MEETING**

**Consent Agenda:** A motion was made by Council Member Hansen, seconded by Council Member Wendell, to approve the Consent Agenda. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

**3.A. Action to approve the agenda.**

**3.B. Action to approve the June 9, 2020 City Council Minutes.**

**3.C. Action on appointment to the Brookings Committee to People who have Disabilities:** appoint Kaylee Bolton as the College Student Representative (term expires 5/1/2021).

**3.D. Action on Resolution 20-062, a Resolution Canvassing the June 23, 2020 (postponed April 14, 2020) Combined Brookings Municipal / School Board Election Ballots.**

Resolution 20-062  
Canvassing the June 23, 2020 Municipal Election  
(postponed April 14, 2020 Election)

Whereas, on the 23<sup>rd</sup> day of June, 2020, there was held in the City of Brookings, South Dakota, an election for the purpose of electing two City Council Members (3-Year Terms); and

Whereas, the judges and clerks of said election have returned to the City Council of the City of Brookings the official results for the purpose of the Official Canvass; and

Whereas, the City Council on June 30, 2020 has canvassed the results for the purpose of determining the official election outcome; and

Now, Therefore, Be It Resolved by the City Council of the City of Brookings, South Dakota that the official vote at the City Election held June 23, 2020 was as follows:

| City Council<br>3-Year Term (2) | Joey<br>Collins | Oepke<br>"Ope"<br>Niemeyer | Cassie<br>Juba | Total<br>Ballots<br>Cast | Total<br>Votes<br>Cast |
|---------------------------------|-----------------|----------------------------|----------------|--------------------------|------------------------|
| Vote Center 1                   | 70              | 93                         | 104            | 172                      | 267                    |

|                    |       |       |       |       |       |
|--------------------|-------|-------|-------|-------|-------|
| Vote Center 2      | 113   | 128   | 90    | 205   | 331   |
| Vote Center 3      | 20    | 39    | 29    | 63    | 88    |
| Vote Center 4      | 0     | 0     | 0     | 15    | 0     |
| Absentee           | 1,058 | 1,328 | 819   | 2,168 | 3,205 |
| Provisional Ballot | 0     | 0     | 0     | 0     | 0     |
| TOTAL              | 1,261 | 1,588 | 1,042 | 2,623 | 3,891 |

**Proclamation.** A Mayoral Proclamation was presented to Robert McGrath.

Mayoral Proclamation  
City of Brookings, South Dakota

WHEREAS, Robert McGrath worked for the City of Brookings for over 30 years and after retiring, served the Board of Health for another 10 years; and

WHEREAS, the Brookings County Pandemic Planning and Coordination Committee began in 2006 as a partnership between public, private, and faith-based organizations; and

WHEREAS, the purpose of the Brookings County Pandemic Planning and Coordination Committee is to develop a community plan for a pandemic including setting up a 96-bed alternate care site; and

WHEREAS, Robert McGrath chaired the Brookings County Pandemic Planning and Coordination Committee for 14 years, participated in table top exercises and Points of Dispensing events to help our community prepare for pandemics.

NOW, THEREFORE, I, KEITH W. CORBETT, Mayor of the City of Brookings, South Dakota, do hereby proclaim Tuesday, June 30, 2020 as ROBERT MCGRATH DAY.

IN WITNESS WHEREOF, I have hereunto set forth my hand and caused to be affixed the Great Seal of the City of Brookings, this 30<sup>th</sup> day of June, 2020.

Keith W. Corbett, Mayor

**Brookings Marketplace, LLC Update.** City Manager Briseno provided an update on the Brookings Marketplace, LLC. City Manager Briseno recommended to continue with the existing agreement.

**Outgoing Council Member Recognition.** Mayor Corbett recognized Council Member Hansen for his service with a Certificate of Appreciation.

**Resolution 20-061.** A motion was made by Council Member Hansen, seconded by Council Member Brink, that Resolution 20-061, a Resolution awarding the Brookings City & County Government Center Custodial Services Contract. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Resolution 20-061 - Resolution Awarding Bids on Custodial Services  
for the City & County Government Center

Whereas, the City of Brookings opened bids for Custodial Services for the City & County Government Center on Tuesday, June 9, 2020 at 1:30 pm at the Brookings City & County Government Center; and

Whereas, the City of Brookings has received the following bids for the Custodial Services: ISS Facility Services - \$3,875/month and Marsden Building Maintenance LLC - \$4,366.90/month; and

Now, Therefore, Be It Resolved that the contract be awarded to ISS Facility Services for the bid price of \$3,875 per month.

**FIRST READING – Ordinance 20-011.** An introduction and first reading was held on Ordinance 20-011, an Ordinance Rezoning the N 1/2 of the N 1/2 of the Southwest 1/4 in Section 34, Township 110 from Agricultural, A District to Residence R-1C Single-Family District, Residence R-1D Single-Family District, and Residence R-3 Apartment District (South of Summit Pass and east of West 16<sup>th</sup> Avenue South). Public Hearing: July 14, 2020.

**FIRST READING – Ordinance 20-015.** An introduction and first reading was held on Ordinance 20-015, an Ordinance Authorizing Supplemental Appropriation No. 4 to the 2020 Budget. Second Reading: July 14, 2020.

**Temporary Alcohol Application.** A public hearing was held on a Temporary Alcohol Application for the Brookings Volunteer Fire Association Street Dance to be held in the 300 Block of Main Ave. on July 25, 2020. A motion was made by Council Member Bacon, seconded by Council Member Wendell, that the Temporary Alcohol License be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

**Temporary Alcohol Application.** A public hearing was held on a Temporary Alcohol Application for the Swiftel Center for the Jr. National Charolais Show on July 7-10, 2020 and the Jr. National Simmental Show on July 13-16, 2020. A motion was made by Council Member Hansen, seconded by Council Member Niemeyer, that the Temporary Alcohol Licenses be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

**Ordinance 20-010.** A motion was made by Council Member Wendell, seconded by Council Member Bacon, to amend Ordinance 20-010 to match previous the original language in Ordinance 20-007. Public Comment: Bradley Walker, Rick Hieb, Josh Westwick, Dennis Hedge, Al Heuton, Bill Alsaker, Ronda May, and Shelly Anderson. A friendly amendment was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that all owners and employees at businesses, including bar tenders

and restaurant servers, to wear masks. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Bacon, Wendell, and Tilton Byrne; No: 1 - Brink. Third Reading: July 7, 2020.

**Resolution 20-060.** A motion was made by Council Member Hansen, seconded by Council Member Tilton Byrne, that Resolution 20-060, a Resolution Accepting a Gift of a Centennial Clock from the Rotary Club of Brookings to the City of Brookings, South Dakota, be approved. Public Comment: Don Norton. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Resolution 20-060 - A Resolution Accepting a Gift of a Centennial Clock  
from the Rotary Club of Brookings to the City of Brookings, South Dakota

Whereas, the Rotary Club of Brookings desires to gift and convey a Centennial Clock to the City of Brookings, South Dakota, to recognize the Brookings Rotary Club's 100th Anniversary as a Club in Brookings; and

Whereas, the City Council recognizes the many positive community services provided by the Brookings Rotary Club to the community of Brookings; and

Whereas, the City of Brookings congratulates the Rotary Club on their 100th Anniversary as a club in Brookings; and

Whereas, the City and the Rotary Club have developed an Acceptance / Maintenance Agreement concerning the Centennial Clock, the terms of which are mutually acceptable.

Now, Therefore, Be It Resolved by the City Council that the Centennial Clock described above is hereby accepted by the City of Brookings, South Dakota, and the City Manager and City Clerk are authorized to execute the Rotary Centennial Clock Acceptance / Maintenance Agreement.

**Resolution 20-056.** A motion was made by Council Member Bacon, seconded by Council Member Niemeyer, that Resolution 20-056, a Resolution dissolving Tax Increment District #4 (Sieler Addition), be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Resolution 20-056 - Resolution Dissolving Tax Increment District #4  
of the City of Brookings, South Dakota

Whereas, the City of Brookings created Tax Increment District Number Four on August 26, 2008; and

Whereas, under SDCL §11-9-46 a tax incremental district shall terminate when either (1) the positive tax increments are no longer allocable to a district under § 11-9-25 or (2) the governing body, by resolution, dissolves the district, after payment or provision for

payment of all project costs and all tax incremental bonds and notes of the district; and

Whereas, all project costs incurred or obligations issued pledging tax increment revenues have been satisfied.

Now, Therefore, Be It Resolved by the City of Brookings, South Dakota as follows:

Section 1. Termination. Tax Increment District Number Four shall be terminated as of the date of this resolution.

Section 2. Allocation of Tax Increment Fund. Any moneys remaining in the Tax Increment Number Four fund, shall be paid to the treasurer of the county, school district, or other tax-levying municipality or to the general fund of the municipality in such amounts as belong to each respectively, having due regard for what portion of such moneys, if any, represents tax increments not allocated to the municipality and what portion thereof, if any, represents voluntary deposits of the municipality into the fund.

Section 3. Authorization of Officers. The officers of the city shall take such action as is necessary to carry out the intent of this resolution.

**Resolution 20-057.** A motion was made by Council Member Bacon, seconded by Council Member Hansen, that Resolution 20-057, a Resolution Dissolving Tax Increment District #3 (Valley View Addition), be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Resolution 20-057 - Resolution Dissolving Tax Increment District Number #3  
of the City of Brookings, South Dakota

Whereas, the City of Brookings created Tax Increment District Number Three on June 10, 2008; and

Whereas, under SDCL §11-9-46 a tax incremental district shall terminate when either (1) the positive tax increments are no longer allocable to a district under § 11-9-25 or (2) the governing body, by resolution, dissolves the district, after payment or provision for payment of all project costs and all tax incremental bonds and notes of the district; and

Whereas, all project costs incurred or obligations issued pledging tax increment revenues have been satisfied.

Now, Therefore, Be It Resolved by the City of Brookings, South Dakota as follows:

Section 1. Termination. Tax Increment District Number Three shall be terminated as of the date of this resolution.

Section 2. Allocation of Tax Increment Fund. Any moneys remaining in the Tax

Increment Number Three fund, shall be paid to the treasurer of the county, school district, or other tax-levying municipality or to the general fund of the municipality in such amounts as belong to each respectively, having due regard for what portion of such moneys, if any, represents tax increments not allocated to the municipality and what portion thereof, if any, represents voluntary deposits of the municipality into the fund.

Section 3. Authorization of Officers. The officers of the city shall take such action as is necessary to carry out the intent of this resolution.

**Encroachment Easement.** A motion was made by Council Member Hansen, seconded by Council Member Wendell, that the Encroachment Easement for 420 Main Avenue into the Public Right-of-Way be approved. Public Comment: Dusten Hendrickson. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Bacon, Wendell, and Tilton Byrne; No: 1 – Brink.

**Executive Session.** A motion was made by Council Member Wendell, seconded by Council Member Hansen, to enter into Executive Session at 7:28 pm pursuant to SDCL 1-25-2, for preparing for contract negotiations or negotiating with employees or employee representatives, with the City Manager, Assistant City Manager, City Attorney, and City Council present. The motion carried by a unanimous vote. A motion was made by Council Member Bacon, seconded by Council Member Wendell, to exit Executive Session at 7:51 pm. The motion carried by a unanimous vote.

**Adjourn.** A motion was made by Council Member Bacon, seconded by Council Member Niemeyer, that this meeting be adjourned at 7:53 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

ATTEST:

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Keith W. Corbett, Mayor

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Bonnie Foster, City Clerk