

Brookings City Council
September 12, 2017

The Brookings City Council held a meeting on Tuesday, September 12, 2017 at 5:00 p.m., at City Hall with the following City Council members present: Mayor Keith Corbett, Council Members Mary Kidwiler, Dan Hansen, Holly Tilton Byrne, Nick Wendell, Patty Bacon (via phone), and Ope Niemeyer. City Manager Jeff Weldon, City Attorney Steve Britzman, and City Clerk Shari Thornes were also present.

5:00 PM STUDY SESSION

Jamison Lamp, Chair, and Lynn Verschoor, Vice-Chair, Public Arts Commission, provided an update to the City Council and public. Discussion was held regarding interns for the City Council.

6:00 PM REGULAR MEETING

Consent Agenda. A motion was made by Council Member Hansen, seconded by Council Member Kidwiler, to move Items 8C, Public Hearing and Action on Ordinance 17-017, an Ordinance Rezoning Block 3 and 9 in the Wiese Addition from a Planned Development District with an underlying Business B-4 Highway District, also known as 3031 6th Street and 809 32nd Avenue, and Item 8D, Action on an Initial Development Plan for Block 3 and 9 in the Wiese Addition, also known as Brookings Marketplace (3031 6th St., and 809 32nd Ave.), after Item 5F, Progress Update on Brookings Marketplace. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne. A motion was made by Council Member Wendell, seconded by Council Member Hansen, to approve the Consent Agenda as amended. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

A. Action to approve the agenda.

B. Action to approve the August 8, 2017 and August 22, 2017 City Council Minutes.

C. Action on Resolution 17-086, a Resolution revising certain Fees of the City of Brookings.

Resolution 17-086 - A Resolution Revising Fees of the City of Brookings, South Dakota

Whereas the fines, fees, and procedures pertaining to services of the City of Brookings shall be reviewed and revised; and

Whereas the license fees have been established by various chapters of the Code of Ordinances, the City Clerk license fees shall be revised; and

Whereas weed removal, grass mowed, and line clearance removal is required under Section 62-90, of the Code of Ordinances, the Parks and Forestry Department service fees shall be revised; and

Whereas street and sidewalk snow removal is required under Section 74-212, Article 5 of Chapter 74, of the Code of Ordinances, the Parks Department service fees shall be revised; and

Whereas the Engineer Department building permit fees required under service fees shall be adopted, under Section 22-35, Article II of Chapter 22 of the Code of Ordinances, shall be revised; and

Whereas planning and zoning application fees required under Section 66-3 of Chapter 66, of the Code of Ordinances, the Community Development Department fees shall be revised; and

Whereas the application fees for sign permits required under Chapter 94, of the Code of Ordinances, the Community Development Departments fees shall be revised; and

Whereas the investigation fee for violation of code under Chapter 94, of the Code of Ordinances, the Community Development Department fees shall be revised; and

Whereas the Airport Board is recommending fees, the fees shall be revised; and

Whereas the Code of Ordinances under Section 34, requires inspections and plan reviews by the Fire Department, and reports of fires are provided, the Fire Department Fees shall be revised; and

Whereas the Police Department assign officers and cars to escort the moving of structures within the City and provide accident reports the Police Departments fee shall be revised; and

Whereas the Library Board is recommending fees, the fees shall be revised; and

Whereas the Solid Waste Collections and Landfill fees have been reviewed and included herein; and

Whereas the standardized fee for black and white copies is \$.50, and color copies is \$1.00 for all departments.

Therefore Be It Resolved that the fees be adopted and become effective January 1, 2018 as follows:

City Clerk			
Circuses, carnivals		Each circus per day	\$ 75.00
		Each carnival or similar exhibition, per day	\$ 25.00
Commercial garbage haulers		License	\$ 50.00
		Each annual renewal	\$ 25.00
House movers		Per year	\$ 50.00
Pawnbrokers		Per year	\$ 50.00
Plumbing Contractor		License	\$ 50.00
		Each annual renewal	\$ 25.00
Vehicles for Hire		First taxicab, or other vehicle for hire	\$ 25.00
		Per year	
		Each additional vehicle operated by the	\$ 10.00
		Same person per year	
Vehicle for Hire Drivers		Per year	\$ 15.00
Transient Merchants		Per month or part thereof	\$ 100.00
DVD or CD		Per disk	\$ 5.00
Transportation Network Company		License	\$ 250.00
		License - new drivers	\$ 25.00
		Per year	\$ 15.00
Food Truck		Per year	\$ 75.00
Temporary Merchant - general		Per Month	\$ 50.00
Temporary Merchant - food cart		Per Year	\$ 75.00
Parks & Forestry Department			
Weed Control		plus contractor cost	\$65.00
Mowing		1st hour	\$150.00
		each additional hour or fraction	\$85.00
		each additional hour large area	\$125.00
Sidewalk Snow Removal-1st Offense		Per hour-per piece of equipment/1 hr. minimum	\$125.00
Sidewalk Snow Removal-2nd Offense		Per hour-per piece of equipment/1 hr. minimum	\$175.00
DED Removal/BMU Line Clearance			
Aerial Bucket plus employee wage			\$160.00
Loader plus employee wage			\$130.00
Trucks plus employee wage			\$90.00
Chipper plus employee wage			\$90.00
Chainsaw/Miscellaneous Equipment plus Employee Wage			\$70.00

Street Department		
Sign Repairs	Replacement Cost, Plus Labor, Sales Tax, and Excise Tax	
- Traffic Accidents		
- Vandalism		
Street Repairs	Replacement Cost for Materials	
City Engineer's Department		
Residential Building Permit Fees:		
The base valuation to determine permit fees for residential buildings and additions are based on a dollar per square foot schedule per the following. The bid price must be quoted for renovations or remodels.		
<i>Dwellings: Single-family dwellings, duplexes, townhouses:</i>		
Finished Habitable space per square foot		\$ 70.00
Finished basements per square foot		\$ 30.00
Unfinished space (basement and upper levels) per square foot		\$ 18.00
Attached garages per square foot		\$ 20.00
Detached garages per square foot		\$ 18.00
<i>Building Permit Fee Schedule Group R-3 and U Occupancies Only:</i>		
	Total Valuation	Fees
	\$1.00 - 1,200.00	\$20.00
	\$1,200.01 - 2,000.00	\$10.00 for the first \$500.00 plus \$1.50 for each additional \$100.00 or fraction thereof, to and including \$2,000, for valuation in excess of \$1,100.00
	\$2,000.01 - 25,000.00	\$32.50 for the first \$2,000.00 plus \$6.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00.
	\$25,000.01 - 50,000.00	\$170.50 for the first \$25,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00.
	\$50,000.01 - 100,000.00	\$283.00 for the first \$50,000.00 plus \$3.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00.
	\$100,000.01 - and up	\$433.00 for the first \$100,000.00 plus \$2.50 for each additional \$1,000.00 or fraction thereof
Commercial Building Permit Fees:		
The value to be used in computing the building permit fee for all commercial construction, remodeling, renovation, and repairs shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire extinguishing system, and other permanent equipment exclusive of site improvements and parking lot costs.		

Commercial Building Permit Fee Schedule		
Groups a, B, E, F, H, I, M, S, Group R Division I's and Division 2's (including Group U's accessory to the R-1 and R-2 occupancies):		
	Total Valuation	Fees
	\$1.00 - 700.00	
	\$1 - 700.00	\$20.00
	\$700.01 to 2,000.00	For values in excess of \$700.00, \$15.00 for the first \$500.00, plus \$2.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
	\$2,000.01 to 25,000.00	\$45.00 for the first \$2,000 plus \$9.00 for each additional \$1,000 or fraction thereof, to and including \$25,000.
	\$25,000.01 to 50,000.00	\$252.00 for the first \$25,000 plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000.
	\$50,000.01 to 100,000.00	\$414.50 for the first \$50,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$100,000.
	\$100,000.01 to 500,000.00	\$639.50 for the first \$100,000 plus \$3.50 for each additional \$1,000 or fraction thereof, to and including \$500,000.00
	\$500,000.01 to 1,000,000.00	\$2,039.50 for the first \$500,000 plus \$3.00 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.00
	\$1,000,000.00 and up	\$3,539.50 for the first \$1,000,000 plus \$2.00 for each additional \$1,000 or fraction thereof.
	<u>Other Inspections and Fees:</u>	
	Inspections outside normal business hours per hour (minimum charge of one hour)	\$ 50.00
	Inspection for which no fee is specifically indicated per hour (minimum charge of 1/2 hour)	\$ 50.00
	Re-inspection fees assessed under provisions of Section R108 IRC and 108 IBC per hour	\$ 50.00
	Driveway, demolition, window replacement and other minor construction per permit	\$ 25.00
	Roofing and Siding: Group R-2 and R-3 Uses and Group U Uses accessory to R-2 and R-3 Uses	\$ 25.00
	Moving Fee: Dwelling originally constructed on-site and previously occupied	\$ 200.00
	Moving Fee: Dwelling originally constructed on-site to be moved out of City Limits	\$ 50.00
	Moving Fee: Accessory building, mobile home, modular home, manufactured home	\$ 50.00
	Work commencing before permit issuance: The minimum investigation fee shall be equal to the amount of the permit fee required by code.	
Planning and Zoning		
	Change of Zone	\$ 250.00
	Planned Development District	\$ 250.00
	Final Development Plan	\$ 100.00
	Major Amendment	\$ 250.00
	Minor Amendment	\$ 100.00
	Board of Adjustment	\$ 125.00
	Preliminary Plats plus \$1.00/lot over 20 lots or \$1.00/acre over 1 acre	\$ 200.00
	Final Plats	\$ 160.00
	Vacation	\$ 150.00
	I-1R Site Plan	\$ 150.00
	Conditional Use	\$ 250.00
	Zoning & Use Registration Permit	\$ 60.00
	Rental License -	
	--per structure plus \$2.00 for each dwelling unit	\$ 20.00
	Tax Increment Financing Application	\$1,000.00

	Permanent Signs		
		Square Feet	
		From 0 to less than 30	\$ 25.00
		From 30 to less than 60	\$ 30.00
		From 60 to less than 90	\$ 35.00
		From 90 to less than 120	\$ 40.00
		From 120 to less than 150	\$ 45.00
		From 150 to less than 180	\$ 50.00
		From 180 to less than 210	\$ 55.00
		From 210 to less than 240	\$ 60.00
		From 240 to less than 270	\$ 65.00
		From 270 to less than 300	\$ 70.00
		From 300 to less than 330	\$ 75.00
		From 330 to less than 360	\$ 80.00
		From 360 to less than 390	\$ 85.00
		From 390 to less than 420	\$ 90.00
		From 420 to less than 450	\$ 95.00
		From 450 to less than 480	\$ 100.00
		From 480 to less than 510	\$ 105.00
		From 510 to less than 540	\$ 110.00
		From 540 or more	\$ 115.00
	Non permanent Signs		\$ 15.00
	Portable Signs per week		\$ 15.00
	Portable Signs per month. Maximum permit period shall not carry over from one permit period to the next		\$ 45.00
	Banner Signs		Exempt
Code Enforcement			
	Code Enforcement Investigation per hour (1 hour minimum)		\$ 45.00
Industrial Lands			
	Crop Land Lease	Based on Bid	
Airport Fees			
	Land Lease per square foot		\$ 0.12
	Fuel Flowage :	per gallon FBO	\$ 0.06
		per gallon Others	\$ 0.06
	Crop Land Lease	Based on Bid	
	Tie Down Fee	Per week for tie down 11 days or longer from	
		April 14 to October 14	\$ 25.00
	Hanger Application Fee		\$ 25.00

<u>Fire Protection Systems Fees</u>		
Fire Sprinkler Systems	\$75.00 plus \$.45 per sprinkler head	
Retrofitted Fire Sprinkler Systems	\$75.00 plus \$.45 per sprinkler head	
Kitchen Hood Extinguishing Systems	\$90.00	
Kitchen Hood Extinguishing System Modification	\$45.00	
Clean Agent or other Total Flooding System per square foot of covered area	\$0.20	
Fire Alarm Systems	\$75.00 + \$.45 each initiation & signaling device	
Fire Alarm System Modifications	\$37.50 + \$.45 each initiation & signaling device	
False Fire Alarm Calls when trucks roll	\$0.00 First Call	
	\$50.00 Second Call	
	\$100.00 Third Call	
<u>Flammable & Combustible Liquids Fees</u>		
Flammable & Combustible Liquids		\$ 90.00
Flammable & Combustible Liquids Modifications		\$ 45.00
<u>Site Plan Review</u>		
Site Plan Review per hour (one hour minimum)		\$ 45.00
Inspections outside of normal business hours per hour (two hour minimum)		\$ 45.00
Re-inspection per hour (one hour minimum)		\$ 45.00
Fire Incident Reports		\$ 10.00
<u>Library Fees</u>		
Out of County Library Card	Per individual	\$ 35.00
	Per family	\$ 45.00
Fax	Sent or Received per page	\$ 2.25
Fines	Per day books	\$ 0.10
Fines	Per day DVD's/VHS	\$ 1.00
Process Fee	Lost material per item	\$ 5.00
<u>Police Department Fees</u>		
Moving of Structure	Per unit (Officer and patrol car)	\$ 50.00
	2 hour minimum per unit	
Accident Reports	Per report	\$ 5.00
	Pictures, each	\$ 4.00

Collection / Landfill Fees			
Residential Rate		monthly plus sales tax	\$ 18.00
	Additional Carts	monthly plus sales tax	\$ 3.50
Yard Waste - Special Bag		per bag	\$ 0.95
Commerical Charges - 5 carts		monthly plus sales tax	\$ 35.00
	Additional Carts	monthly plus sales tax	\$ 3.50
Dumpster Charges - Twice Week Pick Up			
	1.5 cubic yard container	monthly plus sales tax	\$ 90.00
	2.0 cubic yard container	monthly plus sales tax	\$ 115.00
	3.0 cubic yard container	monthly plus sales tax	\$ 140.00
	4.0 cubic yard container	monthly plus sales tax	\$ 165.00
	5.0 cubic yard container	monthly plus sales tax	\$ 190.00
	6.0 cubic yard container	monthly plus sales tax	\$ 217.00
	7.0 cubic yard container	monthly plus sales tax	\$ 243.00
	8.0 cubic yard container	monthly plus sales tax	\$ 268.00
Dumpster Charges - Additional Pick Up			
	1.5 cubic yard container	plus sales tax	\$ 29.00
	2.0 cubic yard container	plus sales tax	\$ 35.00
	3.0 cubic yard container	plus sales tax	\$ 47.00
	4.0 cubic yard container	plus sales tax	\$ 58.00
240 Pound Material Minimum		plus sales tax and \$1.00 per ton state fee	\$ 5.00
	Commercial	plus sales tax and \$1.00 per ton state fee	\$ 43.00
	Compost/Leaves/Grass	plus sales tax and \$1.00 per ton state fee	\$ 43.00
	Demolition	plus sales tax and \$1.00 per ton state fee	\$ 43.00
	Domestic	plus sales tax and \$1.00 per ton state fee	\$ 43.00
	Industrial	plus sales tax and \$1.00 per ton state fee	\$ 43.00
	Metal	plus sales tax and \$1.00 per ton state fee	\$ 43.00
	Asbestos (region only)	plus sales tax and \$1.00 per ton state fee	\$ 43.00
500 Pound Material Minimum		plus sales tax	\$ 5.00
	Fill	per ton plus sales tax	\$ 21.00
	Lumber	per ton plus sales tax	\$ 21.00
	Roofing and Siding	per ton plus sales tax	\$ 21.00
	Concrete	per ton plus sales tax	\$ 21.00
	Trees	per ton plus sales tax	\$ 21.00
	Contaminated Soil	per ton plus sales tax	\$ 11.00
Asbestos (accepted in region only)		per bag plus sales tax	\$ 7.50
Refrigerators / Air Conditioners		plus sales tax	\$ 12.00
Mobile Homes		plus sales tax	\$ 135.00
Tires:	ATV	plus sales tax	\$ 2.00
	Car	plus sales tax	\$ 3.00
	Pickup	plus sales tax	\$ 5.00
	Tire on Rim	plus sales tax	\$ 6.00
	Truck	plus sales tax	\$ 11.00
	Tractor	plus sales tax	\$ 30.00

D. Action on Resolution 17-033, a Resolution authorizing the City Manager to sign a Liquor Operating Agreement 5-year renewal for Old Market LLC, 424 5th St., legal description: All of lots 15-16-17-18, all in Block 7, Original Plat Addition, to include parking lot.

Resolution 17-033 - Old Market Eatery LLC Liquor Operating Agreement Renewal
Be It Resolved by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Renewal Agreement for the Liquor Operating Management Agreement between the City of Brookings and Old Market Eatery, LLC, Jesse Lee, owner, for the purpose of a liquor manager to operate the On-Sale Establishment or business for and on behalf of the City of Brookings at 424 5th St.

Be It Further Resolved that the City Manager be authorized to execute the Agreement on behalf of the City, which shall be for the remaining 5-years of the 10-year agreement.

E. Action on Resolution 17-076, a Resolution authorizing the City Manager to sign a Liquor Operating Agreement 5-year renewal for GDT Inc., dba Cubby's Sports Bar & Grill, 307 Main Ave., legal description: Lots 3-4, Block 3, Original Plat Addition.

Resolution 17-076 - GDT, Inc., dba Cubby's Sports Bar & Grill Liquor Operating Agreement Renewal

Be It Resolved by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Renewal Agreement for the Liquor Operating Management Agreement between the City of Brookings and GDT, Inc., dba Cubby's Sports Bar & Grill, Gus Theodosopoulos, owner, for the purpose of a liquor manager to operate the On-Sale Establishment or business for and on behalf of the City of Brookings at 307 Main Ave.

Be It Further Resolved that the City Manager be authorized to execute the Agreement on behalf of the City, which shall be for the remaining 5-years of the 10-year agreement.

F. Action on Resolution 17-080, a Resolution authorizing the City Manager to sign a Liquor Operating Agreement 5-year renewal for Prairie Lanes, 722 Western Ave., legal description: Lots 1-2, Block 1, Snyders Addition.

Resolution 17-080 - Prairie Lanes Liquor Operating Agreement Renewal
Be It Resolved by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Renewal Agreement for the Liquor Operating Management Agreement between the City of Brookings and Prairie Lanes, Leslie & Roxie Nelson, owners, for the purpose of a liquor manager to operate the On-Sale Establishment or business for and on behalf of the City of Brookings at 722 Western Ave.

Be It Further Resolved that the City Manager be authorized to execute the Agreement on behalf of the City, which shall be for the remaining 5-years of the 10-year agreement.

G. Action on Resolution 17-081, a Resolution authorizing the City Manager to sign a Liquor Operating Agreement 5-year renewal for Skinners Pub, Inc., 300 Main Ave., legal description: Lots 1-2, Block 2, Original Plat Addition.

Resolution 17-081 - Skinner's Pub Liquor Operating Agreement Renewal

Be It Resolved by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Renewal Agreement for the Liquor Operating Management Agreement between the City of Brookings and Skinner's Pub, Inc., Greg & Shari Thornes, owners, for the purpose of a liquor manager to operate the On-Sale Establishment or business for and on behalf of the City of Brookings at 300 Main Ave.

Be It Further Resolved that the City Manager be authorized to execute the Agreement on behalf of the City, which shall be for the remaining 5-years of the 10-year agreement.

H. Action on Resolution 17-078, a Resolution authorizing the City Manager to sign a Wine Operating Agreement 5-year renewal for New Sake, Inc., 724 22nd Ave.

So., legal description: Restaurant: N 14.5' of S 542.8' and E 54.5' of W 309' incl. N 20' of S 528.3' and E 59' of W 313.5' Patio: N 14.5' of S 542.8' and E 24' of W 333' incl. N 20' of S 528.3' and E 19.5' of W 333', Lot 2, Brookings Mall Addition.

Resolution 17-078 - New Sake, Inc. Wine Operating Agreement Renewal

Be It Resolved by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Renewal Agreement for the Wine Operating Management Agreement between the City of Brookings and New Sake, Inc., En Qin Lin, owner, for the purpose of a liquor manager to operate the On-Sale Establishment or business for and on behalf of the City of Brookings at 724 22nd Ave. So.

Be It Further Resolved that the City Manager be authorized to execute the Agreement on behalf of the City, which shall be for the remaining 5-years of the 10-year agreement.

I. Action on Resolution 17-079, a Resolution authorizing the City Manager to sign a Wine Operating Agreement 5-year renewal for Pheasant Café & Lounge, 726 Main Ave. So., legal description: Lot 2, Block 2, Grossman Heights Addition.

Resolution 17-079 - Pheasant Café & Lounge Wine Operating Agreement Renewal

Be It Resolved by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Renewal Agreement for the Wine Operating Management Agreement between the City of Brookings and the Pheasant Café & Lounge, Ron & Georgiana Olson, owners, for the purpose of a liquor manager to operate the On-Sale Establishment or business for and on behalf of the City of Brookings at 726 Main Ave. So.

Be It Further Resolved that the City Manager be authorized to execute the Agreement on behalf of the City, which shall be for the remaining 5-years of the 10-year agreement.

J. Action on Resolution 17-085, a Resolution approving the City of Brookings Public Safety Collective Bargaining Agreement 2018 Wage Reopener with the Teamsters Local Union No. 120.

Resolution 17-085 - Resolution Approving the City of Brookings Public Safety Collective Bargaining Agreement 2018 Wage Reopener with the Teamsters Local Union No. 120

Whereas, bargaining negotiations for a one-year wage reopener between representatives of the Teamsters Local Union No. 120 and the City of Brookings commenced July 17, 2017; and

Whereas, a tentative agreement was reached July 17, 2017; and

Whereas, the wage reopener agreement has been ratified by the employees within the Public Safety Teamsters Local Union No. 120 bargaining unit; and

Now, Therefore, Be It Resolved, that the City of Brookings Mayor and City Council members hereby approves the Public Safety Collective Bargaining Wage Reopener Agreement that has been negotiated between the Teamsters Local Union No. 120 and City of Brookings to include the modifications of a 2.25% wage increase to the pay plan commencing January 1, 2018.

K. Action on Resolution 17-087, a Resolution approving the City of Brookings City General Collective Bargaining Agreement

Resolution 17-087 - Resolution Approving the City of Brookings City General Collective Bargaining Agreement 2018 Wage Reopener with the Teamsters Local Union No. 120

Whereas, bargaining negotiations for a one-year wage reopener between representatives of the Teamsters Local Union No. 120 and the City of Brookings commenced July 17, 2017; and

Whereas, a tentative agreement was reached July 17, 2017; and

Whereas, the wage reopener agreement has been ratified by the employees within the City General Teamsters Local Union No. 120 bargaining unit; and

Now, Therefore, Be It Resolved, that the City of Brookings Mayor and City Council members hereby approves the City General Collective Bargaining Wage Reopener Agreement that has been negotiated between the Teamsters Local Union No. 120 and City of Brookings to include the modifications of a 2.25% wage increase to the pay plan commencing January 1, 2018.

Presentation. Brad Wilson, SDML Work Comp Fund Administrator, presented a plaque to the City of Brookings for 15 years of membership. The SDML Work Comp Fund is celebrating their 30th year Anniversary by presenting plaques to their members.

Airport Manager. City Engineer Jackie Lanning introduced Matthew Sommerfeld as the new Brookings Regional Airport Manager.

Sexauer Park Restroom Project. A motion was made by Council Member Niemeyer, seconded by Council Member Wendell, to approve proceeding with the request of four unisex bathrooms with showers at Sexauer Park. A motion was made by Council Member Hansen, seconded by Council Member Niemeyer, to amend the proposal with four unisex bathrooms, two with showers, and two without. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne. On the main motion, as amended, the motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

Progress Update on Brookings Marketplace. Michael Bender, Bender Midwest Development, Inc., Michael Crane, Bender Midwest Development, Inc., Steve

Schwanke, Inland Development Partners, James Drew, Clark Drew Construction, and Jim Bruget, Prospective, Inc., members of the Brookings Marketplace, LLC, development team, provided an overview of the project to date to the City Council and public.

Ordinance 17-017. A public hearing was held on Ordinance 17-017, an Ordinance Rezoning Blocks 3 and 9 in the Wiese Addition from a Planned Development District to a Planned Development District with an underlying Business B-4 Highway District, also known as 3031 6th Street and 809 32nd Avenue. A motion was made by Council Member Kidwiler, seconded by Council Member Hansen, that Ordinance 17-017 be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

Initial Development Plan. A motion was made by Council Member Hansen, seconded by Council Member Wendell, that an Initial Development Plan for Blocks 3 and 9 in the Wiese Addition, also known as Brookings Marketplace (3031 6th Street and 809 32nd Avenue), be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

Resolution 17-088. A motion was made by Council Member Niemeyer, seconded by Council Member Kidwiler, that Resolution 17-088, a Resolution authorizing Change Order No. 1(Final) for 2017-06STI, Chip Seal Project; Topkote, Inc., be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

Resolution 17-088 - Resolution Authorizing Change Order No. 1 (Final)
for 2017-06STI, Chip Seal Project; Topkote, Inc.

Be It Resolved by the City Council that the following change order be allowed for 2017-06STI, Chip Seal Project: Construction Change Order Number 1 (Final); Adjust plan quantities to as-constructed quantities for a total increase of \$22,021.17 to close out the project.

6th Street Lighting Upgrades. A motion was made by Council Member Kidwiler, seconded by Council Member Tilton Byrne, that the 6th Street Lighting Upgrades from Main Avenue to Medary Avenue, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

FIRST READING – Ordinance 17-020. Introduction and First Reading was held on Ordinance 17-020, an Ordinance authorizing Supplemental Appropriation #2 to the 2017 Budget. Second Reading: September 26, 2017.

FIRST READING – Ordinance 17-021. Introduction and First Reading was held on Ordinance 17-021, an Ordinance amending Division 2 of Article V of Chapter 2 of the Code of Ordinances of the City of Brookings, SD and pertaining to the Human Rights Commission of the City of Brookings. Second Reading: September 26, 2017.

Ordinance 17-018. A motion was made by Council Member Hansen, seconded by Council Member Niemeyer, to approve Ordinance 17-018, an Ordinance appropriating monies to fund the necessary expenditures and liabilities of the City of Brookings for the 2018 Fiscal Year and providing for the Annual Tax Levy and Annual Tax for all Funds.

A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, to amend the budget and allocate \$30,000 to the Chamber to be used for Downtown Brookings Initiatives. The motion carried by the following vote: Yes: 4 - Hansen, Bacon, Wendell, and Tilton Byrne; No: 3 - Corbett, Niemeyer, and Kidwiler.

A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, to amend the budget, transferring \$30,000 from the Liquor Store Enterprise Fund for the DBI/Chamber expenditure. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

Final action was not taken on the original motion to approve. A motion was made by Council Member Tilton Byrne, to schedule a third reading incorporating amendments at the September 26, 2017 City Council Meeting. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

Capital Improvement Plan and Community Reinvestment Plan. A motion was made by Council Member Hansen, seconded by Council Member Kidwiler, to adopt the Capital Improvement Plan and Community Reinvestment Plan. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

Ordinance 17-019. A motion to deny was made by Council Member Hansen, seconded by Council Member Wendell, on Ordinance 17-019, an Ordinance rezoning Lot 100, Block 1, Skinner's Third Addition from an Industrial I-1 Light District to a Residence R-1D Single-Family District (807 2nd Street So.). The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne. Ordinance failed.

Adjourn. A motion was made by Council Member Hansen, seconded by Council Member Wendell, to adjourn the meeting at 8:09 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

Keith W. Corbett, Mayor

ATTEST:

Shari Thornes, City Clerk

