

BRING YOUR DREAMS.



City of Brookings
Meeting Agenda - Final
City Council

Brookings City Council
Brookings City & County
Government Center
520 3rd St., Suite 230
Brookings, SD 57006
Phone: (605) 692-6281

"We are an inclusive, diverse, connected community that fuels the creative class, embraces sustainability and pursues a complete lifestyle. We are committed to building a bright future through dedication, generosity and authenticity. Bring your dreams!"

Tuesday, February 14, 2023

6:00 PM

Council Chambers

The City of Brookings is committed to providing a high quality of life for its citizens and fostering a diverse economic base through innovative thinking, strategic planning, and proactive, fiscally responsible municipal management.

6:00 PM REGULAR MEETING

- 1. Call to Order / Pledge of Allegiance.**
- 2. Record of Council Attendance.**
- 3. Action to approve the agenda.**
- 4. Open Forum.**

At this time, any member of the public may make a brief announcement or invitation, or request time on the agenda for an item not listed. Items to be added to the agenda will be scheduled at the end of the meeting. Individuals will state their name and city of residence for the record. Public Comment is limited to a maximum of three minutes per person. The comments and views expressed by the public are those of the speakers and do not necessarily reflect the views or positions of the City of Brookings or City Council.

5. Consent Agenda:

Action: Motion to Approve, Request Public Comment, Roll Call

Matters appearing on the Consent Agenda are expected to be non-controversial and will be acted upon by the Council at one time, without discussion. At the request of any one Council Member or the City Manager, an item may be removed from the Consent Agenda and placed on the regular agenda whenever additional discussion on an item is necessary. Items removed from the Consent Agenda will be discussed at the beginning of the formal items.

- 5.A.** [ID 23-0064](#) Action to approve City Council meeting minutes.

Attachments: [1/24/2023 Minutes](#)

5.B. [ID 23-0062](#) Action on volunteer board, committee, commission appointments.

5.C. [RES 23-014](#) Action on Resolution 23-014, a Resolution declaring surplus property for the City of Brookings.

Attachments: [Resolution](#)

5.D. [RES 23-013](#) Action on Resolution 23-013, a Resolution Authorizing the Senior Finance Manager of the City of Brookings to sign checks and warrants.

Attachments: [Resolution](#)

5.E. [ID 23-0061](#) Action to abate the 2022 Drainage Fee in the amount of \$102.54, for Parcel Number 40338-01300-01100, known as Cottonwood Condos VI Common Area, located along 9th Avenue South, in the City of Brookings.

Attachments: [Abatement Application](#)
[Location Map](#)

5.F. [ID 23-0075](#) Action to abate property taxes in the amount of \$1,040.24 for Parcel #40991-40005-000-20, Madison Air Craft LLC, owner. Legal description: NW ¼ of SW ¼ in Section 26-T110N-R50W, Hangar #209, Brookings Regional Airport.

Attachments: [Abatement Application](#)
[Location Map](#)

5.G. [ID 23-0076](#) Action to cancel the February 21, 2023 City Council Study Session.

6. Presentations/Reports:

6.A. [ID 23-0065](#) Report: SDSU Student Association.

6.B. [ID 23-0066](#) Reports: City Council Ex-Officio Reports

7. Contracts/Change Orders:

7.A. [RES 23-015](#) Action on Resolution 23-015, a Resolution Awarding Bids on the 2023-04STI 22nd Avenue Phase 2 Reconstruction Project.

Attachments: [Memo](#)
[Resolution](#)
[Map](#)

Action: Motion to Approve, Request Public Comment, Roll Call

7.B. [RES 23-011](#) Action on Resolution 23-011, a Resolution Approving the Purchase of Two (2) Hustler Mowers.

Attachments: [Memo](#)
[Resolution](#)
[Quote](#)
[Appendix - About Sourcewell](#)

Action: Motion to Approve, Request Public Comment, Roll Call

8. Ordinance First Readings:

No vote is required on the first reading of an Ordinance. The title of the Ordinance is read. Public Comment and Council discussion is permitted. The date for the second reading or public hearing is announced.

- 8.A. [ORD 23-003](#) Introduction and First Reading on Ordinance 23-003, an Ordinance amending Chapter 94, Article VI, Division 4, Sec. 94-432 for the purposes of amending the minimum required parking spaces. Second Reading and Action: February 28, 2023.

Attachments: [Memo](#)
[Ordinance - clean](#)
[Ordinance - marked](#)
[Legal Notice - City Council](#)
[Legal Notice - Planning Commission](#)
[Planning Commission Minutes](#)
[Examples](#)
[Drone Images](#)
[Peer City Comparisons](#)

- 8.B. [ORD 23-004](#) Introduction and First Reading on Ordinance 23-004, an Ordinance Amending Section 62-86 of the Code of Ordinances of the City of Brookings, South Dakota, and to Provide for Designation of “No-Mow” Vegetation Areas and “No Mow May” in the City of Brookings, South Dakota. Second Reading and Action: February 28, 2023.

Attachments: [Memo](#)
[Ordinance - clean](#)
[Ordinance - marked](#)
[Yard Sign](#)
[Presentation](#)

- 8.C. [ORD 23-005](#) Introduction and First Reading on Ordinance 23-005, an Ordinance granting a nonexclusive Natural Gas Franchise to NorthWestern Corporation, doing business as NorthWestern Energy, a Delaware Corporation, to Furnish and Sell Natural Gas to the City and its Inhabitants. Second Reading and Action: February 28, 2023.

Attachments: [Memo](#)
[Ordinance](#)
[Exhibit A](#)
[Ordinance 32-12](#)

- 8.D. [ORD 23-006](#) Introduction and First Reading on Ordinance 23-006, an Ordinance Authorizing Budget Amendment No. 11 to the 2022 Budget. Second Reading and Action: February 28, 2023.

Attachments: [Memo](#)
[Ordinance](#)

9. Public Hearings and Second Readings:

- 9.A. [ORD 23-002](#) Second Reading and Action on Ordinance 23-002, an Ordinance Authorizing Budget Amendment No. 1 to the 2023 Budget.

Attachments: [Memo](#)
[Ordinance](#)

Action: Motion to Approve, Request Public Comment, Roll Call

Legislative History

1/24/23 City Council read into the record

- 9.B. [RES 23-010](#) Public Hearing and Action on Resolution 23-010, a Resolution of Intent to Lease Real Property to Rural Technologies, Inc.

Attachments: [Memo](#)
[Resolution](#)
[Notice](#)
[Lease](#)
[Exhibits](#)

Action: Open & Close Public Comment, Motion to Approve, Roll Call

10. Other Business:

- 10.A. [RES 23-016](#) Action on Resolution 23-016, a Resolution Transferring City Manager Contingency Funds to City Departments.

Attachments: [Memo](#)
[Resolution](#)

Action: Motion to Approve, Request Public Comment, Roll Call

- 10.B. [ID 23-0056](#) Discussion and Possible Action on the 2023 Outside Agency Funding Recommendations.

Attachments: [Memo](#)
[2023 Funding Recommendation](#)

Possible Action: Motion to Approve, Request Public Comment, Roll Call

11. City Council member introduction of topics for future discussion.

Any Council Member may request discussion of any topic at a future meeting. Items cannot be added for action at this meeting. A motion and second is required which states the topic, requested outcome, and time frame. A majority vote is required.

12. Executive Session

- 12.A. [ID 23-0072](#) Executive Session, pursuant to SDCL 1-25-2.1 for purpose of discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee. The term, employee, does not include any independent contractor; SDCL 1-25-2.3 for consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters; and SDCL 1-25-2.5 Discussing marketing or pricing strategies by a board or commission of a business owned by the state or any of its political subdivisions, when public discussion may be harmful to the competitive position of the business.

Action: Motion to Enter Into Executive Session, Voice Vote

Action: Motion to Exit Executive Session, Voice Vote

13. Adjourn.

*Brookings City Council: Oepke G.Niemeyer, Mayor; Nick Wendell, Deputy Mayor
Council Members Wayne Avery, Joey Collins, Brianna Doran, Holly Tilton Byrne, Bonny Specker*

Brookings City Council Staff:

Paul M. Briseno, City Manager Steven Britzman, City Attorney Bonnie Foster, City Clerk

Public Comment is limited to a maximum of three minutes per person. Individuals will give their name and city of residence for the record. Public Comment may be submitted prior to the meeting by the following means: 1) Email comments to the City Clerk (cityclerk@cityofbrookings-sd.gov), 2) participate remotely, or 3) via eComment (<https://cityofbrookings.legistar.com/Calendar.aspx>). Comments provided will become part of the official record and subject to review by all parties and the public. The comments and views expressed by the public are those of the speakers and do not necessarily reflect the views or positions of the City of Brookings or City Council.

Meetings are broadcast live and recorded. Go to www.cityofbrookings-sd.gov for more information. Government Channel 9 Rebroadcast Schedule: Wednesday 1:00 pm / Thursday 7:00 pm / Friday 9:00 pm / Saturday 1:00 pm

Upon request, accommodations for meetings will be provided for persons with disabilities. Please contact the City ADA Coordinator at (605) 692-6281 at least three (3) business days in advance of the meeting.