

Brookings City Council
November 24, 2020 (unapproved)

The Brookings City Council held a meeting on Tuesday, November 24, 2020 at 6:00 PM, at the City & County Government Building Chambers with the following City Council members present: Mayor Keith Corbett and Council Members Holly Tilton Byrne, Leah Brink, Patty Bacon, and Joey Collins. Absent: Council Members Nick Wendell and Oepke Niemeyer. City Attorney Steve Britzman, City Manager Paul Briseno, and City Clerk Bonnie Foster were also present.

6:00 PM REGULAR MEETING

Consent Agenda. A motion was made by Council Member Brink, seconded by Council Member Collins, to approve the agenda. The motion carried by the following vote: Yes: 5 - Corbett, Brink, Bacon, Tilton Byrne, and Collins; Absent: 2 - Niemeyer, and Wendell.

3.A. Action to approve the agenda.

3.B. Action to approve the November 10 and November 17, 2020 City Council Minutes.

3.C. Action on annual Liquor and Wine Alcohol License Renewals for 2021. Liquor (Off-Sale): Brookings Municipal Liquor Store, 780 22nd Ave. So. Liquor (On-Sale) Convention Center: Wilbert's/Comfort Suites University (Den Wil Hospitality Group, Inc.), 921 25th Ave.; Park Place, Inc., 2500 6th Street. Liquor (On-Sale): Applebee's / Porter Apple Co. B Inc., 3001 LeFevre Dr.; Buffalo Wild Wings Bar & Grill / W&P of Brookings, LLC, 1801 6th St.; Craft Fusion / Jesse Davis, LLC, 610 Medary Ave.; Cubby's Sports Bar & Grill / GDT Inc., 307 Main Ave.; Danny's / David Olson Inc., 703 Main Ave. So.; Elks Club Lodge #1490, 516 4th St.; Jim's Tap / Urquhart Ent., Inc., 309 Main Ave.; Main Street Pub, 408 Main Ave; 9 Bar Nightclub / Nine Inc., 303 Main Ave.; Pheasant Restaurant & Lounge / RGO, Inc., 726 Main Ave. So.; Pints & Quarts / KR Hospitality, Inc., 313 Main Ave.; The Lanes (MG Oil Company), 722 Western Ave.; The Ram (Jack's ntertainment LLC, 327 Main Ave.; Ray's Corner / Fergen Enterprises Inc., 401 Main Ave.; Skinner's Pub, Inc., 300 Main Ave.; Sully's Irish Pub / B&L Sullivan Inc., 421 Main Ave.; VFW GEO Dokken Post 2118, 520 Main Ave.; The Wild Hare / Wonder, Inc., 303 3rd St. Restaurant (On-Sale): Whiskey Creek Wood Fire Grill / Brookings Steak Co., LLC, 621 32nd Ave.; The Lodge/Den Wil Hospitality Group Inc., 2515 6th St. Wine (On-Off Sale): Agua Fresh Foods / BAST, LLC, 420 Main Ave.; Brookings Municipal Liquor Store, 780 22nd Ave. So.; BVG Backyard Grill, 1805 6th Street; Cenex Zip Trip #63 / CHS, Inc., 1005 6th St.; Cenex Zip Trip #64 / CHS, Inc., 3045 LeFevre Dr.; Children's Museum of South Dakota, 521 4th St.; The Depot / ERL, LLC, 919 20th St. So.; Deuces Casino, Commonwealth Gaming & Holdings Co., 223 6th St., Suite 105A; Deuces Casino, Commonwealth Gaming & Holdings Co., 223 6th St., Suite 105B; Deuces Casino, Commonwealth Gaming & Holdings Co., 223 6th St., Suite 105C; Eponymous Brewing Co., 126 Main Ave So.; Guadalajara Mexican Restaurant, 1715 6th St., Suite F; Hy-Vee Food Store / Hy-Vee, Inc., 700 22nd Ave. So.; McCrory Gardens Educational & Visitors Center, 6th St. & 22nd Ave.; New Sake / Sake, Inc., 724 22nd Ave. So.; Old Sanctuary / Old Sanctuary Assoc., LLC, 928 4th St.; Pheasant Restaurant & Lounge / RGO, Inc., 726 Main Ave. So.; Schoon's Pump N' Pak So. / Schoon Properties, Inc., 1205 Main Ave. So.; Swiftel Center, 824 32nd Ave.; Wal-Mart

Supercenter #1538 / Wal-Mart Stores, Inc., 2233 6th St.; Wilbert's/Comfort Suites University / Den Wil Hospitality Group, 931 25th Ave.

3.D. Action on appointments to City Boards, Committees and Commissions.

Brookings Bicycle Advisory Committee: reappoint Eric Rasmussen (term expires 1/1/2024); Board of Adjustment: reappoint Justin Borns (term expires 1/1/2024), appoint Matt Chandler to 1st Alternate Position (term expires 1/1/2024); Board of Appeals: reappoint Spencer Hawley and Paul Sahr (terms expire 1/1/2024); Board of Health: reappoint Albert Patin, Trish Matson Buus (terms expire 1/1/2024), appoint Nieema Thasing (term expires 1/1/2024); Brookings Committee for People who have Disabilities: reappoint Rachel Holm, Matthew Weiss, Brianna Doran, and Jenny Grendler (terms expire 1/1/2024), appoint Daniel Gissing, Jon Stauff, and Carol Jung (terms expire 1/1/2022); Brookings Health System Board of Trustees: appoint David Meyer (term expires 1/1/2024); Business Improvement District #1 Board: reappoint Randy Soma (term expires 1/1/2024); Historic Preservation Commission: reappoint Janet Merriman and Janet Gritzner (terms expire 1/1/2024); Human Rights Commission: reappoint Lawrence Novotny, Erinn Thomas (terms expire 1/1/2024), appoint Nieema Thasing and Zahra Naji (terms expire 1/1/2024); Library Board: reappoint Michael Linehan (term expires 1/1/2024), appoint Stephanie Carroll (term expires 1/1/2024); Planning Commission: reappoint Eric Rasmussen, Jacob Mills, and Tanner Aiken (terms expire 12/31/2025); Public Arts Commission: reappoint Trayce Meyer, Linda Purrington, and Darla Biel (terms expire 1/1/2024); Sustainability Council: appoint Darcy Green, Brianna Kratz, and Ben Vukovich (terms expire 1/1/2024); Swiftel Center Advisory Committee: reappoint Nick Schmeichel (term expires 1/1/2024); Traffic Safety Committee: reappoint Gary Gramm, Justin Bucher, and Chamber Representative Kristina Lankow (terms expire 12/31/2023).

3.E. Action on Resolution 20-100, a Resolution declaring surplus property for the City of Brookings.

Resolution 20-100 - Declaring Surplus Property

Whereas, the City of Brookings is the owner of the following described equipment formerly used at the City of Brookings:

Fire Dept.: Greenlee 1818 Conduit Bender, hydraulic winch (8,000 lbs.), 19" TV/VCR Combo, wood podium, 2 – metal magazine racks, and Jet Pump Shallow Well.

Police Dept.: (all items are to be destroyed) Point Blank Vest AP IIIA SN 140000127772/140000127793 MFG 3/2014 EXP 3/2019; Point Blank Vest FLXIIIA SN 130003164789/130003164784 MFG 7/2013 EXP 7/2018; Point Blank Vest HILITE SN 090000381546/090000381574 MFG 1/2009 EXP 1/2014; Point Blank Vest XPIIIA SN 140000127775/1400000127796 MFG 3/2014 EXP 3/2019; Point Blank Vest H15 SN 0601536895/0601536891 MFG 2006 EXP 2011; Point Blank Vest XPIIIA SN 140000127783/140000127804 MFG 3/2014 EXP 3/2019; Point Blank Vest MC BIIIA SN 110000128565/110000128563 MFG 5/2011 EXP 5/2016; Point Blank Vest IIIA SN 0501292903/0501292900 MFG 2005 EXP 2010; Point Blank Vest AXIIIA SN 080000116238/080000116237 MFG 3/2008 EXP 3/2013; Point Blank Vest XPIIIA SN 140000127781/140000127800 MFG 3/2014 EXP 3/2019; Point Blank Vest HILITE SN

090000381576/090000381549 MFG 11/2009 EXP 11/2014; Second Chance SN 10033433/10033433 MFG 10/2003 EXP 10/2008; Point Blank KXP111A SN 120000586104/120000586084 MFG 4/2012 EXP 4/2017; Point Blank HILITE SN 090000682802 MFG 8/2009 EXP 8/2014; Alco-Sensor III SN 1066475 old, IN OP, not in service; Alco-sensor III SN 1066476 old, IN OP, not in service; Alco-Sensor III SN 1066478 old, IN OP, not in service; Alco-Sensor FST SN 084489 IN OP, not in service; Alco-Sensor FST SN 020399 IN OP, not in service; Alco-Sensor FST SN 130662 IN OP, not in service; (5) OTTO Communications throat mic with body & ring PTT, not compatible, IN OP.

Building Maintenance: 2011 Fujitsu Split Type A/C Model ASU12CQ, Serial #BDA014711

City Administration: 2-drawer desk file unit, 3-drawer desk file unit, antique wooden desk, antique wooden file cabinet

Brookings Municipal Liquor Store: Enomatic Wine Serving System, Micro Matic Growler Filling Machine

Whereas, in the best financial interest, it is the desire of the City of Brookings to dispose of as surplus property; and

Whereas, the City Manager is hereby authorized to sell or dispose of said surplus property.

Now, Therefore, Be It Resolved by the governing body of the City of Brookings, SD, that this property be declared surplus property according to SDCL Chapter 6-13.

Open Forum. Dr. Klint Willert, Brookings School District Superintendent, thanked the emergency responders and police officers who responded to the near-drowning at the Brookings High School Pool on November 18th. He commended their response time, their compassion, and their overall support for all individuals involved.

Bradley Walker expressed concerns regarding the mask mandate and the ongoing restrictions set by the City Council on the City of Brookings business owners.

SDSU Student Association Report. Zebadiah Johnson, SDSU Students Association Government Affairs Chair, provided an update on SDSU happenings to the City Council and public.

Presentation: Mayor's Generational Leadership Award. Mayor Corbett presented the 2020 Mayor's Generational Leadership Award to Ashley Biggar.

Presentation: Proclamation. Mayor Corbett presented a Proclamation recognizing November 28, 2020 as Small Business Saturday to Kelsey Doom, President and CEO

of the Brookings Area Chamber of Commerce, and Andrew Sloss, Chief Economic Development Director/CEO of the Brookings Economic Development Corporation.

Resolution 20-099. A motion was made by Council Member Brink, seconded by Council Member Collins, that Resolution 20-099, a Resolution Authorizing Change Order No. 1 (Final) for 2020-05STI, Moriarty Park Drainage Improvement Project, Rounds Construction, Inc., be approved. The motion carried by the following vote: Yes: 5 - Corbett, Brink, Bacon, Tilton Byrne, and Collins; Absent: 2 - Niemeyer, and Wendell.

Resolution 20-099 - Resolution Authorizing Change Order No. 1 (Final) for 2020-05STI, Moriarty Park Drainage Improvement Project; Rounds Construction, Inc.

Be It Resolved by the City Council that the following change order be allowed for 2020-05STI, Moriarty Park Drainage Improvement Project:

Construction Change Order Number 1 (Final): Adjust plan quantities to as-constructed quantities and for additional work for storm sewer, drainage inlet and a concrete mow edge for a total increase of \$18,015.94 to close out the project.

On-Off Malt License Transfer, with Video Lottery. A public hearing was held on a request to transfer an On-Off Sale Malt License, with Video Lottery, from Brookings Developers, Inc., Lyle Prussman, owner, dba Gas N Mor, to MG Oil Company, dba Corner Pantry 24, Marlyn Erickson and Troy Erickson, owners, 600 6th Street, legal description: Lots 5-7, Block 11, Second Addition. A motion was made by Council Member Brink, seconded by Council Member Bacon, that the On-Off Malt License transfer, with Video Lottery, be approved. The motion carried by the following vote: Yes: 5 - Corbett, Brink, Bacon, Tilton Byrne, and Collins; Absent: 2 - Niemeyer, and Wendell.

Ordinance 20-024. A second reading was held on Ordinance 20-024, an Ordinance Authorizing Supplemental Appropriation #6 to the 2020 Budget - Parts 1-3. A motion was made by Council Member Collins, seconded by Council Member Brink, that Ordinance 20-024 be approved. The motion carried by the following vote: Yes: 5 - Corbett, Brink, Bacon, Tilton Byrne, and Collins; Absent: 2 - Niemeyer, and Wendell.

COVID-19 Update. City Manager Paul Briseno provided an update on COVID-19 to the City Council and public.

Progress Report. Jacob Meshke, Assistant City Manager, provided a progress report highlighting the City's activities and projects to the City Council and public.

Executive Session. A motion was made by Council Member Brink, seconded by Council Member Collins, to enter into Executive Session at 6:34 p.m., pursuant to SDCL 1-25-2, for Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters, and 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 with the City Council, City Manager, City Attorney, City Clerk, Steve Meyer, Brookings Municipal Utilities Executive Vice-President and General Manager, Tim Harvey, Utility Board Chair, and Eric Rasmussen, BMU Attorney, present. The motion carried by a unanimous vote. A motion was made by Council Member Brink, seconded by Council Member Collins, to exit Executive Session at 7:00 p.m. The motion carried by the following vote: The motion carried by a unanimous vote.

Adjourn. A motion was made by Council Member Brink, seconded by Council Member Collins, that this meeting be adjourned at 7:01 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

ATTEST:

Keith W. Corbett, Mayor

Bonnie Foster, City Clerk