

**BROOKINGS CITY COUNCIL
FEBRUARY 27, 2024**

The Brookings City Council held a meeting on Tuesday, February 27, 2024 at 6:00 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. City Manager Paul Briseno, City Attorney Steve Britzman, and City Clerk Bonnie Foster were also present.

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

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

A. Action to approve the February 13 and February 20, 2024 City Council Minutes.
B. Action on Resolution 24-023, a Resolution declaring surplus property for the City of Brookings.

RESOLUTION 24-023 - DECLARING SURPLUS PROPERTY

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

Police Department: 2015 Dodge Ram 1500, VIN: 1C6RR7XT7FS766284

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.

Report: SDSU Student Association. Michael Garofalo, SDSU Students Association Government Affairs Chair, provided an update on SDSU current affairs.

Resolution 24-024. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Resolution 24-024, a Resolution accepting the low Base A Bid and rejecting all Base B Bids for the Pickleball Courts Project, be approved. The motion carried by the following vote: Yes: 7 - Niemeyer, Wendell, Avery, Tilton Byrne, Specker, Doran, and Rasmussen.

RESOLUTION 24-024 - RESOLUTION ACCEPTING THE LOW BASE BID A

FOR THE PICKLEBALL COURTS PROJECT

WHEREAS, the City of Brookings is requesting acceptance of the 'Base Bid A' low bid of \$396,981.34 for the Pickleball Courts Project; and

WHEREAS, the City of Brookings is requesting to not accept the 'Base Bid B' low bid of \$34,500 for the Pickle Courts Project; and

WHEREAS, the Parks, Recreation and Forestry Department desires to accept the 'Base Bid A' low bid of \$396,981.34 from Timmons Construction in Brookings, South Dakota, for the Pickleball Courts Project; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Brookings hereby authorizes the approval of entering into a contract with Timmons Construction for \$396,981.34.

Ordinance 24-003. A motion was made by Council Member Wendell, seconded by Council Member Doran, that Ordinance 24-003, an Ordinance Authorizing Amendment No. 11 to the 2023 Budget, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell.

Alcohol License Transfer. A public hearing was held on a request to transfer an On-Off Sale Malt License and On-Off Sale Wine License, for 724 22nd Avenue South, from New Sake, Inc., to Sake One, Inc., Xue Yin Lin, owner. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that the transfer be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell.

Resolution 24-025. A motion was made by Council Member Wendell, seconded by Council Member Rasmussen, that Resolution 24-025, a Resolution to Annex 30.46 acres in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ excluding Outlot A in Section 3, Township 109, Range 50 in Brookings County, South Dakota, be approved. Public Comment: Russell Atkins. The motion carried by the following vote: Yes: 7 - Avery, Doran, Niemeyer, Rasmussen, Specker, Tilton Byrne, and Wendell.

RESOLUTION 24-025 - RESOLUTION TO ANNEX 30.46 ACRES IN NORTHEAST QUARTER OF THE NORTHWEST QUARTER IN SECTION THREE, TOWNSHIP 109 NORTH, RANGE 50 WEST, COUNTY OF BROOKINGS, STATE OF SOUTH DAKOTA

WHEREAS, the City of Brookings is authorized pursuant to South Dakota Codified Law 9-4-1 to annex contiguous territory upon receipt of a written petition, describing said territory sought to be annexed, signed by not less than three-fourths ($\frac{3}{4}$) of the legal voters and by the owner or owners of not less than three-fourths ($\frac{3}{4}$) of the value of said territory; and

WHEREAS, the City of Brookings desires to annex the following described property, to wit:

the Northeast Quarter of the Northwest Quarter (NE ¼ NW ¼), Except Outlot “A” thereof, of Section Three (3), Township One Hundred Nine (109) North, Range Fifty (50) West of the 5th P.M., County of Brookings, State of South Dakota; and

WHEREAS, the aforementioned land is contiguous to the present boundaries of the City of Brookings; and

WHEREAS, the City of Brookings has received a Petition for Annexation of Territory signed by the owners of greater than three-fourths (3/4) of the value of the aforementioned property and greater than three-fourths (3/4) of the legal voters residing in said territory; and

WHEREAS, the Brookings Planning Commission reviewed the petition during the regular meeting on February 6, 2024 and has recommended that this property, as described, be annexed into the City of Brookings; and

WHEREAS, the Brookings County Board of County Commissioners reviewed the petition during their regular meeting on April 4, 2023 pursuant to South Dakota Codified Law 9-4-5 and has approved, by Resolution 23-17, that this property, as described, be annexed into the City of Brookings.

NOW, THEREFORE, BE IT RESOLVED by the City of Brookings, South Dakota, that the property described above is hereby annexed to the City of Brookings.

Progress Report. Samantha Beckman, Assistant to the City Manager, provided a progress report highlighting the City’s activities and projects.

Adjourn. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that this meeting be adjourned at 6:26 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS, SD

Oepke G. Niemeyer, Mayor

ATTEST:

Bonnie Foster, City Clerk