

**Brookings City Council**  
**September 26, 2017**

The Brookings City Council held a meeting on Tuesday, September 26, 2017 at 4:30 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, and Ope Niemeyer. City Manager Jeff Weldon, City Attorney Steve Britzman, and City Clerk Shari Thornes were also present.

**4:30 PM Executive Session**

A motion was made by Council Member Hansen, seconded by Council Member Kidwiler, to enter into Executive Session at 4:30 p.m. for purposes of consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters with City Engineer Jackie Lanning, City Manager Jeff Weldon, City Attorney Steve Britzman and City Clerk Shari Thornes present. The motion carried by a unanimous vote. A motion was made by Council Member Bacon, seconded by Council Member Kidwiler, to exit Executive Session at 4:50 p.m. The motion carried by a unanimous vote.

**5:00 PM Study Session**

City Engineer Jackie Lanning gave a presentation of the 2016 Small MS4 Storm Water Management Program Goals and a highlight of the 2017 Program Goals related to water quality. Al Heuton, Executive Director of the Brookings Economic Development Corporation (BEDC), provided an update to the City Council and public.

**6:00 PM Regular Meeting**

**Consent Agenda.** A motion was made by Council Member Hansen, seconded by Council Member Tilton Byrne, to approve the Consent Agenda. 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 September 12, 2017 City Council Minutes.**

**C. Action to Appoint Rodney Farke to the Traffic Safety Committee** (term expires 12/31/2018).

**D. Action on a Preliminary Plat for Lots 7, 8, & 9, Block 13, McClemans Addition.**

**E. Action on Resolution 17-090, a Resolution in support for a State Transportation Alternatives Program (TAP) Grant Request for a Bicycle Infrastructure Project.**

Resolution 17-090 - A Resolution in support for a State Transportation Alternatives Program (TAP) Grant Request for a Bicycle Infrastructure Project

Whereas, the City of Brookings supports projects and activities that encourage walking and bicycling; and

Whereas, the City of Brookings is desirous in providing safe alternative transportation options for walking and bicycling; and

Whereas, the State of South Dakota has grant funds available through the Transportation Alternatives grant program; and

Whereas, the City of Brookings will commit the necessary funds toward the local match, and will exceed match requirements by pledging 25%; and

Whereas, the City of Brookings is the sponsoring applicant for the LeFevre Drive Allyn Frerichs Trail Connection Project; and

Whereas, the City is capable of administering the LeFevre Drive Allyn Frerichs Trail Connection Project; and

Whereas, the City is prepared to maintain the new improvements upon completion.

Now, Therefore, Be It Resolved that the City Council of the City of Brookings supports the described application for the LeFevre Drive Allyn Frerichs Trail Connection Project.

**F. Action on Resolution 17-077, a Resolution awarding Snow Removal Equipment Contracts.**

Resolution 17-077 - Resolution Awarding Snow Removal Equipment Contracts

Whereas, the City of Brookings opened bids for Snow Removal Equipment on Tuesday, September 12, 2017 at 1:30 pm at Brookings City & County Government Center; and

Whereas, the City of Brookings has received the following bids for Snow Removal Equipment: Three (3) Motorgraders with Wings: three bids were received. VJ Ahlers Excavating Inc., JD772CH, \$185.00/hr.; Bowes Construction, two (2) 140H, \$195.00/hr. One (1) 3- to 6-Yard Loader: three bids were received. Bowes Construction, 966H CAT, 5.25 cubic yards, \$217.00/hr.; VJ Ahlers, JD624J, 3.5 cubic yards, \$145.00/hr.; Winter Inc., JD624K, 3.5 cubic yards, \$145.00/hr. Four (4) Loaders with Reversible Blades: one bid was received. Bowes Construction, 950 CAT, \$205.00/hr. Ten (10) End-Dump Trucks: nine bids were received. VJ Ahlers Excavating Inc, #2, 25 cubic yards, \$125.00/hr.; VJ Ahlers Excavating Inc., #5, 20 cubic yards, \$110.00/hr.; Bowes Construction, #23, 22.7 cubic yards, \$125.00/hr.; Bowes Construction, #24, 22.7 cubic yards, \$125.00/hr.; Prussman Contracting Inc., #19, 22.8 cubic yards, \$130.00/hr.; Prussman Contracting Inc., #20, 22.8 cubic yards, \$130.00/hr.; Prussman Contracting Inc., #22, 22.2 cubic yards, \$130.00/hr.; Prussman Contracting Inc., #21, 20.6 cubic yards, \$130.00/hr.; Prussman Contracting Inc. #23, 19.5 cubic yards, \$130.00/hr. Two (2) Side-Dump Trucks: three bids were received. V. J. Ahlers Excavating, #6, 36 cubic yards, \$145.00/hr.; V. J. Ahlers Excavating, #51, 36 cubic yards, \$145.00/hr.; Winter Inc., #28, 23.34 cubic yards, \$120.00/hr.

Now Therefore, Be It Resolved the following bids be accepted: Three (3) Motorgraders with Wings: VJ Ahlers Excavating Inc., JD772CH, \$185.00/hr.; Bowes Construction, two (2) 140H, \$195.00/hr. One (1) 3- to 6-Yard Loader: Bowes Construction, 966H CAT, 5.25 cubic yards, \$217.00/hr.; Four (4) Loaders with Reversible Blades: one bid was

received. Bowes Construction, 950 CAT, \$205.00/hr. Ten (10) End-Dump Trucks: nine bids were received. VJ Ahlers Excavating Inc., #2, 25 cubic yards, \$125.00/hr.; VJ Ahlers Excavating Inc., #5, 20 cubic yards, \$110.00/hr.; Bowes Construction, #23, 22.7 cubic yards, \$125.00/hr.; Bowes Construction, #24, 22.7 cubic yards, \$125.00/hr.; Prussman Contracting Inc., #19, 22.8 cubic yards, \$130.00/hr.; Prussman Contracting Inc., #20, 22.8 cubic yards, \$130.00/hr.; Prussman Contracting Inc., #22, 22.2 cubic yards, \$130.00/hr.; Prussman Contracting Inc., #21, 20.6 cubic yards, \$130.00/hr.; Prussman Contracting Inc. #23, 19.5 cubic yards, \$130.00/hr. Two (2) Side-Dump Trucks: V. J. Ahlers Excavating, #6, 36 cubic yards, \$145.00/hr.; V. J. Ahlers Excavating, #51, 36 cubic yards, \$145.00/hr.

**Fall Diversity Potluck Invitation.** Steve Bayer, Chair, and Maggie Owens, Vice-Chair of the Brookings Human Rights Commission, invited the City Council and public to attend the Fall Diversity Potluck on Sunday, October 8, 2017 from 5:00-7:00 p.m. at the McCrory Gardens Education and Visitor Center.

**FIRST READING – Ordinance 17-022.** Introduction and first reading was held on Ordinance 17-022, an Ordinance rezoning Lot 3; W 50' of Lot 2, excluding the S 66' of the W 50' thereof; E 45' of Lot 2, excluding the S 66' of the E 45'; N 100' of Lot 1; S 50' of the N 150' of Lot 1; S 60' of Lot 1, S 66' of Lot 2, N 15' of the E 100' of Lot 8; S 150' of the E 100' of Lot 8; N 10' of the W 50' of Lot 8; and the N 10' of Lot 7, except the N 10' of the W 25' thereof; all in Block 3 of Hill Park Addition, also known as 1112, 1114, 1118 and 1124 6<sup>th</sup> Street; 517 and 521 12<sup>th</sup> Avenue; and 1125, 1119, 1115 5<sup>th</sup> Street, (Lofts at Park Hill). Public Hearing: October 10, 2017.

**FIRST READING – Ordinance 17-023.** Introduction and first reading was held on Ordinance 17-023, an Ordinance amending Section 94-407, pertaining to Intersection Safety Zones. Public Hearing: October 10, 2017.

**On-Off-Sale Malt License.** A Public Hearing was held on the transfer of an On-Off-Sale Malt License from Sixth Street Diner, Inc., Robert Fischer, Patrick Kearns, and Richard Weisser, owners, to Common Wealth Gaming & Holdings Co., dba Deuces Casino, Bryant Soberg and Kirby Muilenburg, owners, 223 6<sup>th</sup> Street, Brookings, South Dakota, legal description: South 114' of the West 69.3' of Lot 20, and the South 114' of Lot 21, Block 3, Henry's Addition. A motion was made by Council Member Niemeyer, seconded by Council Member Hansen, that the On-Off-Sale Malt License transfer be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

**Wine Operating Agreement.** A public hearing was held on Resolution 17-089, a Resolution authorizing the City Manager to sign an On-Off Sale Wine Operating Agreement for Common Wealth Gaming & Holdings, Co., dba Deuces Casino, Bryant Soberg and Kirby Muilenburg, owners, 223 6<sup>th</sup> Street, Brookings, South Dakota, legal description: South 114' of the West 69.3' of Lot 20, and the South 114' of Lot 21, Block 21, Block 3, Henry's Addition. A motion was made by Council Member Hansen, seconded by Council Member Kidwiler, that Resolution 17-089 be approved. The

motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

**Ordinance 17-021.** A second 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. A motion was made by Council Member Bacon, seconded by Council Member Tilton Byrne, that Ordinance 17-021 be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

**Ordinance 17-020.** A Second Reading was held on Ordinance 17-020, an Ordinance authorizing Supplemental Appropriation #2 to the 2017 Budget. A motion was made by Council Member Hansen, seconded by Council Member Kidwiler, that Ordinance 17-020 be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

**Ordinance 17-018.** A Third Reading was held on 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 Wendell, seconded by Council Member Tilton Byrne, that Ordinance 17-018 be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, Wendell, and Tilton Byrne.

**Adjourn.** A motion was made by Council Member Kidwiler, seconded by Council Member Niemeyer, to adjourn the meeting at 6:36 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

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Keith W. Corbett, Mayor

ATTEST:

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Shari Thornes, City Clerk