

**Brookings City Council**  
**January 14, 2020**

The Brookings City Council held a meeting on Tuesday, January 14, 2020 at 6:00 PM, at City Hall with the following City Council members present: Mayor Keith Corbett, Council Members Patty Bacon, Leah Brink, Dan Hansen, Holly Tilton Byrne, and Ope Niemeyer. Absent: Council Member Nick Wendell. City Attorney Steve Britzman, City Manager Paul Briseno, and City Clerk Bonnie Foster were also present.

**Executive Session.** A motion was made by Council Member Hansen, seconded by Council Member Brink, to enter into Executive Session at 6:01 p.m., pursuant to SDCL 1-25-2, for purposes of consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters, with the City Manager, City Attorney and City Clerk present. The motion carried by a unanimous vote. A motion was made by Council Member Bacon, seconded by Council Member Brink, to exit Executive Session at 6:06 p.m. The motion carried by a unanimous vote.

**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: 6 - Corbett, Niemeyer, Hansen, Brink, Bacon, and Tilton Byrne; Absent: 1 – Wendell.

**4.A. Action to approve the agenda.**

**4.B. Action to approve the December 10, 2019 City Council Minutes.**

**4.C. Action on Resolution 20-001, a Resolution designating the depositories for municipal funds.**

Resolution 20-001 - Resolution designating Official Depositories

Pursuant to SDCL 9-22-6, the City Council of the City of Brookings, SD, hereby designates the following as depositories for Municipal Funds of the City of Brookings for the ensuing year: First Bank & Trust, Wells Fargo Bank, Bank Star Financial, Dakotah Bank, Meta Bank, Dakotaland Federal Credit Union, Great Western, and SD Public Fund Investment Trust.

**4.D. Action on Resolution 20-002, a Resolution designating the Official Newspaper.**

Resolution 20-002 - Resolution designating the Official Newspaper

Pursuant to SDCL 9-12-6, the City Council of the City of Brookings, SD, hereby designates the Brookings Register as the official newspaper for the City of Brookings for the ensuing year.

**4.E. Action on Resolution 20-005, a Resolution authorizing Change Order No. 1 (Final) for 2019-08STI Street Maintenance & Overlay Project; Bowes Construction, Inc.**

Resolution 20-005 - Resolution Authorizing Change Order No. 1, Final, for 2019-08STI Street Maintenance and Overlay Project, Bowes Construction, Inc.

Be It Resolved by the City Council that the following change order be allowed for 2019-08STI, Street Maintenance and Overlay Project: Construction Change Order Number 1 (Final): Adjust plan quantities to as-constructed quantities for a total decrease of \$28,637.02 and extend the substantial completion date by 13 working days to close out the project.

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

**State's Attorney Office Presentation.** State's Attorney Dan Nelson presented information on the State's Attorney Office Diversion Program, and provided an update on felony and misdemeanor statistics for 2019 to the City Council and the public.

**FIRST READING – Ordinance 20-001.** Introduction and First Reading was held on Ordinance 20-001, a Joint Jurisdiction Rezoning Request for the South 150' of the East 165' of Lot 1, Krogman First Addition, in the SE ¼ of the SE ¼ of Section 16 T110N-R50W, from Joint Jurisdiction Residence R-1B to a Joint Jurisdiction Business B-3 Heavy District (1806 US Highway 14). Public Hearing: February 11, 2020.

**Motion to Proceed.** A motion to proceed with the bidding process and construction for the Bob Shelden Athletic Complex Renovation Project was made by Council Member Brink, seconded by Council Member Bacon. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Brink, Bacon, and Tilton Byrne; Absent: 1 – Wendell.

**FIRST READING – Ordinance 20-002.** Introduction and First Reading on Ordinance 20-002, an Ordinance Authorizing Supplemental Appropriation No. 1 to the 2020 Budget. Second Reading: January 28, 2020.

**Ordinance 19-021.** A motion was made by Council Member Brink, seconded by Council Member Hansen, that Ordinance 19-021, an Ordinance Authorizing Supplemental Appropriation #5 to the 2019 Budget, be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Brink, Bacon, and Tilton Byrne; Absent: 1 – Wendell.

**Resolution 20-003.** A motion was made by Council Member Tilton Byrne, seconded by Council Member Hansen, that Resolution 20-003, a Resolution authorizing the transfer of Real Property to Brookings Economic Development Corporation for Economic Development Purposes, be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Brink, Bacon, and Tilton Byrne; Absent: 1 – Wendell.

Resolution 20-003 - Resolution Authorizing the transfer of Real Property to Brookings Economic Development Corporation for Economic Development Purposes

Be It Resolved by the City Council of the City of Brookings, South Dakota as follows:

Whereas, the Brookings Economic Development Corporation desires to purchase approximately eight (8) acres of real property described as a portion of Block Eleven (11) of Freeland Addition to the City of Brookings, for the price of Sixty-five thousand three hundred forty dollars (\$65,340) per acre; and

Whereas, the sale of the property requires stormwater improvements and financial contribution based on a drainage study; and

Whereas, the cost of added detention for the development of this parcel of real property will be paid by the future land owner; and

Whereas, for the express purpose of furthering economic growth and development of the City of Brookings, South Dakota, the Brookings Economic Development Corporation agrees to sell, convey or otherwise transfer said property to a business which is, or will be, conducting business in the City of Brookings, South Dakota; and

Whereas, it is in the best interests of the City of Brookings that the City provide its economic development assistance in this matter to aid and assist with the completion of the aforesaid transaction which will further economic development in the City of Brookings; and

Whereas, the City is authorized to enter into this transaction as an economic development activity under the laws of the State of South Dakota.

Now, Therefore, It Is Hereby Resolved by the City Council of the City of Brookings, South Dakota, as follows:

- A. That the City convey title to the above-described property to the Brookings Economic Development Corporation for sale of the above-described property to a business in a manner consistent with this Resolution; and
- B. That the Mayor, City Clerk, City Manager and City Attorney are authorized to execute the required documents in accordance with this Resolution.

**Adjourn.** A motion was made by Council Member Hansen, seconded by Council Member Tilton Byrne, that this meeting be adjourned at 6:41 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

ATTEST:

\_\_\_\_\_  
Keith W. Corbett, Mayor

\_\_\_\_\_  
Bonnie Foster, City Clerk