

**Brookings City Council**  
**May 26, 2020**

The Brookings City Council held a meeting on Tuesday, May 26, 2020 at 6:00 PM, at City Hall with the following City Council members present: Mayor Keith Corbett and Council Members Holly Tilton Byrne, Nick Wendell, Leah Brink, Patty Bacon, Dan Hansen, and Ope 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 Niemeyer, seconded by Council Member Tilton Byrne, to approve the Consent Agenda. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

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

**3.B. Action to approve the May 12, 2020 City Council Minutes.**

**3.C. Action on Annual Malt Beverage Alcohol License Renewals.** On-Off Sale Malt: Aramark/McCrory Gardens Visitors Center, 16<sup>th</sup> St. & 22<sup>nd</sup> Ave.; BP of Brookings, 2420 6<sup>th</sup> St.; Brookings Softball Assoc. (Southbrook Softball Diamonds), 2800 22<sup>nd</sup> Ave. So.; Carpy's Pub, 700 22<sup>nd</sup> Ave. So.; Casey's General Store #1694, 620 8<sup>th</sup> St. So.; Casey's General Store #2198, 122 6<sup>th</sup> St. W.; Casey's General Store #2419, 534 22<sup>nd</sup> Ave. So.; Casino 2000, 622 25<sup>th</sup> Ave.; The Children's Museum of South Dakota, 521 4<sup>th</sup> St.; CHS, Inc., dba Cenex Zip Trip #63, 1005 6<sup>th</sup> St.; CHS, Inc., dba Cenex Zip Trip #64, 3045 LeFevre Dr.; The Clothes Line Lounge, 727 Wilson Ave. (inactive); Cubby's Sports Bar & Grill, 307 Main Ave.; Danny's, 703 Main Ave. So.; The Depot, 919 20<sup>th</sup> St. So.; Deuces Casino, 223 6<sup>th</sup> St., Suite 105A; Deuces Casino, 223 6<sup>th</sup> St., Suite 105B; Deuces Casino, 223 6<sup>th</sup> St., Suite 105C; EdgeBrook Golf Course, 1415 22<sup>nd</sup> Ave. So.; El Tapatio, Inc., 1717 6<sup>th</sup> St., Suite F; Eponymous Brewing Co., 126 Main Ave. So.; Flavor International Restaurant & Grocery, 501 Main Ave.; Gas 'N Mor, 600 6<sup>th</sup> St.; George's Pizza, Inc., 311 Main Ave.; Hy-Vee Food Store, 790 22<sup>nd</sup> Ave. So.; Hy-Vee Gas, 716 22<sup>nd</sup> Ave. So.; Jim's Tap, 309 Main Ave.; The Lodge, 2515 6<sup>th</sup> St.; New Sake, Inc., 724 22<sup>nd</sup> Ave. So.; Old Sanctuary, 928 4<sup>th</sup> St.; Pints & Quarts, 313 Main Ave.; Pizza Hut #2769, 418 6<sup>th</sup> St.; PNP Pub, 318 2<sup>nd</sup> St. So.; Ray's Corner, 401 Main Ave.; Schoon's Pump N Pak, 202 S. Main Ave.; Schoon's PNP Pub South, 1203 Main Ave. So.; Skinner's Pub, 300 Main Ave.; South Main Diner, 615 Main Ave. So.; Sully's Irish Pub, 421 Main Ave.; Swiftel Center, 824 32<sup>nd</sup> Ave.; Wal-Mart Supercenter #1538, 2233 6<sup>th</sup> St.; Wilbert's, 931 25<sup>th</sup> Ave.; Wooden Legs Brewing Co., 309 5<sup>th</sup> St., Suite 100; Woody's Axe Throwing, 2508 Wilbert Court, Suite C; Yessica's Restaurant, 1300 Main Ave. So.

**3.D. Action on Resolution 20-043, a Resolution Authorizing the City Manager to Sign an Agreement for Federal Aviation Administration Grant for Airport Mower (Fuel Tax Funds).**

Resolution 20-043 - Resolution Authorizing the City Manager to Sign an Agreement for Federal Aviation Administration Grant for Airport Mower (Fuel Tax Funds)

Whereas, the City of Brookings desires funding to purchase a zero-turn mower for the Brookings Regional Airport No. AP0005-2020; and

Whereas, the City of Brookings requests the State of South Dakota Department of Transportation Office of Aeronautics approval for the use of allocated Fuel Tax Funds for this project; and

Whereas, the Federal Aviation Administration is hereby requested to authorize the project in accordance with the approved State Financial Assistance Agreement.

Now, Therefore, Be It Resolved, that the City Manager is hereby authorized to sign all documents related to an agreement for an Airport Mower, Federal Aviation Administration Project No. AP0005-2020.

**3.E. Action to make changes to the City Council Meeting schedule for June.**

Cancel the June 16<sup>th</sup> Study Session and the June 23<sup>rd</sup> regular meeting. Add June 30<sup>th</sup> regular meeting.

**3.F. Action on Resolution 20-046, a Resolution authorizing Change Order No. 1 for 2020 Engine #1 replacement; Toyne, Inc.**

Resolution 20-046 - Resolution Authorizing Change Order No. 1 for  
2020 Engine #1 replacement; Toyne Inc.

Be It Resolved by the City Council that the following Change Order be allowed for 2020 Engine #1 replacement: Change Order Number 1: Adjust the contract for the deduct of \$1,664.00 for the contract price, incorporating this change order, for a total of \$538,579.36.

**Resolution 20-048.** A motion was made by Council Member Wendell, seconded by Council Member Tilton Byrne, that Resolution 20-048, a Resolution to Annex Blocks 21 & 22 of Timberline Addition, including the adjacent rights-of-way contained within, in the East 1,635' of the North ½ of the Northwest ¼, except Clites Addition and except the East 264' thereof in Section 34, Township 110 North, Range 50 West, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Resolution 20-048 - Resolution Annexing Blocks 21 & 22 of Timberline Addition, including the adjacent portions of right-of-way contained within, in the East 1,635' of the North ½ of the Northwest ¼, except Clites Addition and except the East 264' thereof in Section 34, Township 110 North, Range 50 West of the 5th P.M.,  
in Brookings County, 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 (3/4) of the legal voters and by the owner or owners of not less than three-fourths (3/4) of the value of said territory; and

Whereas, the City of Brookings desires to annex the following described property, to wit: Blocks 21 & 22 of Timberline Addition, including the adjacent portions of right-of-way

contained within, in the East 1,635' of the North ½ of the Northwest ¼, except Clites Addition and except the East 264' thereof in Section 34, Township 110 North, Range 50 West of the 5th P.M., in Brookings County, South Dakota; and

Whereas, the aforesaid 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 aforesaid property and there being no legal voters residing in said territory.

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.

**Resolution 20-049.** A motion was made by Council Member Niemeyer, seconded by Council Member Tilton Byrne, that Resolution 20-049, a Resolution to Annex the North ½ of the South West ¼ of Section 34, Township 110 North, Range 50 West of the 5th P.M., Brookings County, South Dakota, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Resolution 20-049 - Resolution Annexing the North ½ of the South West ¼ of Section 34, Township 110 North, Range 50 West of the 5th P.M., in Brookings County, 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 (3/4) of the legal voters and by the owner or owners of not less than three-fourths (3/4) of the value of said territory; and

Whereas, the City of Brookings desires to annex the following described property, to wit: The North ½ of the South West ¼ of Section 34, Township 110 North, Range 50 West of the 5th P.M., in Brookings County, South Dakota; and

Whereas, the aforesaid 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 aforesaid property and there being no legal voters residing in said territory, now therefore,

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.

**FIRST READING – Ordinance 20-008.** Introduction and First Reading on Ordinance 20-008, an Ordinance to Rezone Block 21 & 22 of Timberline Addition, in the East 1,635' of the North ½ of the Northwest ¼ Except Clites Addition and Except the East 264' thereof in Section 34, Township 110 North, Range 50 West of the 5<sup>th</sup> P.M., Brookings County, South Dakota from Agricultural A District to a Residence R-1C Single-Family District (Generally located North of Steamboat Trail and South of 8th Street South). Public Hearing: June 9, 2020.

**FIRST READING – Ordinance 20-009.** Introduction and First Reading on Ordinance 20-009, an Ordinance on an Amendment to the Subdivision Regulations. Public Hearing: June 9, 2020.

**Malt Renewals.** A public hearing was held on three annual Malt Beverage Alcohol License Renewals for Guadalajara's, Tee'd Off Golf, and The Wild Hare. A motion was made by Council Member Niemeyer, seconded by Council Member Wendell, that the three licenses be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

**Resolution 20-045.** A motion was made by Council Member Tilton Byrne, seconded by Council Member Niemeyer, that Resolution 20-045, a Resolution Amending the Consolidated Fee Schedule, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Resolution 20-045 - Resolution Amending the Consolidated Fee Schedule

Whereas, the City has adopted a Consolidated Fee Schedule, which sets various rates, fees, and charges for services provided; and

Whereas, the City is installing an electric vehicle charging station and desires to update the Consolidated Fee Schedule to establish the fees for use of the charging station.

Now, Therefore, Be It Resolved, that the City of Brookings hereby adopts the attached Consolidated Fee Schedule for use of the electric vehicle charging station.

Hourly Rate for first three (3) hours \$1.00

Hourly Rate for over three (3) hours \$2.00

City of Brookings and Brookings County Use Exempt

**Adjourn.** A motion was made by Council Member Hansen, seconded by Council Member Wendell, that this meeting be adjourned at 6:29 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

ATTEST:

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Keith W. Corbett, Mayor

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Bonnie Foster, City Clerk