

Brookings City Council
December 15, 2020

The Brookings City Council held a meeting on Tuesday, December 15, 2020 at 5:00 PM, at the City & County Government Building Chambers with the following City Council members present: Mayor Keith Corbett and Council Members Nick Wendell, Holly Tilton Byrne, Joey Collins, Leah Brink, and Oepke Niemeyer. Absent: Council Member Patty Bacon. City Attorney Steve Britzman, City Manager Paul Briseno, and City Clerk Bonnie Foster were also present.

5:00 PM EXECUTIVE SESSION

A motion was made by Council Member Wendell, seconded by Council Member Brink, to enter into Executive Session at 5:02 p.m., pursuant to SDCL 1-25-2.1 for discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee. The term, employee, does not include any independent contractor. The City Manager, City Attorney, and City Council were present. The motion carried by a unanimous vote. A motion was made by Council Member Wendell, seconded by Council Member Tilton Byrne, to exit Executive Session at 5:50 p.m. The motion carried by a unanimous vote.

6:00 PM REGULAR MEETING

Consent Agenda. A motion was made by Mayor Corbett, seconded by Council Member Wendell, to amend the agenda to include a Proclamation recognizing Dr. Bonny Specker. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Brink, Wendell, Tilton Byrne, and Collins; Absent: 1 – Bacon. A motion was made by Council Member Brink, seconded by Council Member Wendell, to approve the Consent Agenda as amended. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Brink, Wendell, Tilton Byrne, and Collins; Absent: 1 – Bacon.

3.A. Action to approve the agenda.

3.B. Action to approve the December 8, 2020 City Council Minutes.

3.C. Action on Resolution 20-110, a Resolution approving Agreements with the Brookings Regional Humane Society for the Care and Disposition of Impounded Animals.

Resolution 20-110 - A Resolution Approving Agreements with the Brookings Regional Humane Society for the Care and Disposition of Impounded Animals

Whereas, the City of Brookings has previously entered into an Agreement with the Brookings Regional Humane Society for the care and disposition of Impounded Animals; and

Whereas, the City of Brookings and Brookings Regional Humane Society have agreed to minor changes to the current Agreement for the Care and Disposition of Impounded Animals, which amendment would be effective for the remainder of 2020; and

Whereas, the City of Brookings and Brookings Regional Humane Society have also

agreed to the terms of an Agreement for the Care and Disposition of Impounded Animals, which Agreement would be effective for the calendar year 2021; and

Whereas, this Resolution is intended to authorize the City to enter into both the Amended Agreement as described herein for the remainder of 2020 and the above-described Agreement with the Brookings Regional Humane Society for the year 2021.

Now, Therefore, It Is Hereby Resolved by the City Council of the City of Brookings, South Dakota that the Amended Agreement for 2020 and the Agreement for Care and Disposition of Impounded Animals for the year 2021 with the Brookings Regional Humane Society are hereby approved and the City Manager and City Clerk are authorized to execute these Agreements.

3.D. Action on appointment to the Brookings Committee for People who have Disabilities. Appoint Kendra Eichten, SDSU ADA Coordinator, as the SDSU Liaison.

Open Forum.

Bradley Walker expressed concerns regarding the City of Brookings December City Council Meeting schedule, and phases of the COVID-19 Ordinance.

Introduction of new City of Brookings employees. Chief Financial Officer Erick Rangel introduced Bill Heldt as the new Brookings Municipal Liquor Store Manager.

Presentation: Proclamation. Mayor Corbett read a Proclamation designating December 15, 2020 as Dr. Bonny Specker Day.

Mayoral Proclamation
City of Brookings, South Dakota

Whereas, the City of Brookings benefits from contributions by individuals who, through their actions, make our community a better place to live; and

Whereas, one such individual is Epidemiologist Dr. Bonny Specker; and

Whereas, Bonny has been actively involved in COVID-19 pandemic mitigation efforts through South Dakota State University, Division of Research and Economic Development; and

Whereas, Bonny has been devoted to providing accurate information through the daily distribution of data, as well as weekly regional, statewide, national, and worldwide updates; and

Whereas, Bonny's efforts have assisted all those making informed decisions; and

Whereas, Bonny's demonstrated commitment to the greater good of the community and public health sets an exceptional example of what it means to be an outstanding resident.

Now, Therefore, I, Keith W. Corbett, Mayor of the City of Brookings, South Dakota, do hereby proclaim Tuesday, December 15, 2020, as Dr. Bonny Specker Day.

Ordinance 20-029. A motion was made by Council Member Collins, seconded by Council Member Wendell, that Ordinance 20-029, an Emergency Ordinance Amending Emergency Ordinance 20-028 to Extend and to Comprehensively Adopt Provisions to Address a Public Health Crisis and to Revise Certain Measures which are Necessary for the Immediate Preservation of the Public Health, Safety and Welfare of the City and are Necessary to Slow the Community Spread of Coronavirus (COVID-19) in the City of Brookings, South Dakota, be approved. Public Comment: Bonny Specker, Jason Merkley, President and Chief Executive Officer for Brookings Health System, Patrick Siegling, Avera Clinic, Amy Hockett, Sanford Clinic, Klint Willert, Superintendent of Brookings School District, Daniel Scholl, SDSU, Bradley Walker, and Dr. David Meyer. The motion carried by the following vote: Yes: 4 - Corbett, Niemeyer, Wendell, and Tilton Byrne; No: 2 – Collins, and Brink; Absent: 1 – Bacon.

FIRST READING – Ordinance 20-025. Introduction and first reading was held on Ordinance 20-025, an Ordinance rezoning 22 acres from a Residence R1-B single family district to R-3 apartment district (generally located south of 20th St. So. and West of Valley View Addition). Public Comment: Keith Rounds, and Bradley Walker. Public Hearing: January 12, 2021.

FIRST READING – Ordinance 20-026. Introduction and first reading was held on Ordinance 20-026, an Ordinance to permit by Conditional Use a CNC Machine Shop in the Residence R1-C Single-Family District on Lot 5, Block 3, Legeros 2nd Addition, also known as 1420 Legeros Drive. Public Hearing: January 12, 2021.

Resolution 20-108. A motion was made by Council Member Brink, seconded by Council Member Wendell, that Resolution 20-108, a Resolution Authorizing a Short-Term Loan from the General Fund to the Bob Shelden Capital Project Fund, be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Brink, Wendell, Tilton Byrne, and Collins; Absent: 1 – Bacon.

Resolution 20-108 - Resolution Authorizing a Short-Term Loan
from the General Fund to the Bob Shelden Capital Project Fund

Whereas, the Sales Tax Revenue Bond, Series 2019, is the funding source for the Bob Shelden Capital Project, and

Whereas, the City has determined it can reduce its interest expense for the Bob Shelden Capital Project expenditures by utilizing unrestricted funds in the General Fund until April 23, 2021, when the variable interest rate of the 2019 Sales Tax Revenue Bond will be converted to a fixed rate; and

Whereas, the City desires to finance the Bob Shelden Capital Project expenditures until

the April 23, 2021 Commitment Expiration Date of the above-referenced Revenue Bond to reduce interest expense using a short-term interfund loan from the General Fund to the Bob Shelden Capital Projects' Fund, and

Whereas, in accordance with SDCL 9-22-24, the City is authorized, upon approval of the City Council, to loan unrestricted cash from one fund to another fund of the City, and

Whereas, it is in the best interests of the City of Brookings to finance expenditures for the Bob Shelden Capital Project through a short-term loan from the General Fund, with the short-term loan repaid to the General Fund on April 23, 2021,

Now, Therefore, Be It Resolved, that the City Manager is directed to execute a short-term Interfund Loan from the General Fund to the Bob Shelden Capital Project Fund, payable as follows:

Principal	\$3,033,110.26
Interest	0.0%
Term	Dec. 15, 2020 - April 23, 2021 (129 days).

Resolution 20-109. A motion was made by Council Member Brink, seconded by Council Member Wendell, that Resolution 20-109, a Resolution Transferring City Manager Contingency Funds to City Departments, be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Brink, Wendell, Tilton Byrne, and Collins; Absent: 1 – Bacon.

Resolution 20-109 - A Resolution Transferring City Manager Contingency Funds
to City Departments

Whereas, the City of Brookings hereby transfers City Manager's contingency funds to fund unplanned operational obligations of the municipality. This resolution is for the purpose of completing a transfer of contingency funds to the following accounts:

412 City Attorney
101-412-5-422-08 Litigation Expense \$ 58,000.00

403 City Clerk
101-403-5-422-11 Software Services \$ 2,500.00

405 Human Resources
101-405-5-856-45 Employee Recognition \$ 3,000.00

Total Transfers \$ 63,500.00

The Financing Source for this transfer is from the following account:
101-405-5-856-99 Contingency Fund \$ 63,500.00

Total Source of Funding \$ 63,500.00

Whereas, this resolution is deemed necessary for the immediate preservation of the public peace, health, safety and support of the City, and shall become effective upon publication.

Resolution 20-111. A motion was made by Council Member Brink, seconded by Council Member Collins, that Resolution 20-111, a Resolution Authorizing Additional 2021 Non-Profit Outside Agency Funding, be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Brink, Wendell, Tilton Byrne, and Collins; Absent: 1 – Bacon.

Resolution 20-111 - Resolution Authorizing Additional
2021 Non-Profit Outside Agency Funding

Whereas, the City of Brookings approved 2020 non-profit outside agency funding; and

Whereas, \$41,000 was not spent due to COVID-19 circumstances; and

Whereas, the City Council approved \$225,486 for 2021 non-profit outside agency funding; and

Whereas, the 2021 budget for outside agency funding is within the four (4) percent governance and ends policy; and

Whereas, COVID-19 has created greater funding need throughout the Brookings non-profit community; and

Whereas, Brookings residents are dependent of non-profit services now more than ever; and

Now, Therefore, Be It Resolved:

1. The City Council will redistribute \$41,000 of 2020 allocated non-profit funding to the 2021 non-profit need.
2. That the United Way will make recommendation to City Council for the 2021 distribution of \$266,486.

City Manager Compensation Package.

A motion was made by Council Member Brink, seconded by Council Member Wendell, that the 2021 City Manager Compensation Package (3% pay increase / annual salary of \$158,829.58) be approved. Public Comment: Bradley Walker. Yes: 6 - Corbett, Niemeyer, Brink, Wendell, Tilton Byrne, and Collins; Absent: 1 – Bacon.

Adjourn. A motion was made by Council Member Wendell, seconded by Council Member Collins, that this meeting be adjourned at 7:19 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

ATTEST:

Bonnie Foster, City Clerk

Keith W. Corbett, Mayor