

Brookings City Council
April 8, 2020

The Brookings City Council held a special meeting on Tuesday, April 8, 2020 at 5:15 PM, at City Hall with the following City Council members present: Mayor Keith Corbett and Council Members Holly Tilton Byrne, Nick Wendell, Patty Bacon, Dan Hansen, Leah Brink, and Ope Niemeyer. City Attorney Steve Britzman, City Manager Paul Briseno, and City Clerk Bonnie Foster were also present.

5:15 PM SPECIAL MEETING

Executive Session. A motion was made by Council Member Niemeyer, seconded by Council Member Wendell, to enter into Executive Session at 5:16 p.m., for consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters with the City Council, City Manager, City Attorney, City Clerk, and Mike Struck, Community Development Director, present. The motion carried by a unanimous vote. A motion was made by Council Member Niemeyer, seconded by Council Member Brink, to exit Executive Session at 5:54 p.m. The motion carried by a unanimous vote.

Consent Agenda: A motion was made by Council Member Brink, seconded by Council Member Niemeyer, to approve the Consent Agenda. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

4.A. Action to approve the agenda.

4.B. Action to approve the March 10 and March 23, 2020 City Council Minutes.

4.C. Action on appointments to the Bicycle Advisory Committee: appoint Jess Fryslie and Ben Vukovich (terms expire 1/1/2023).

April 14th Combined Municipal / School Board Election Update. City Clerk Bonnie Foster provided an update on the April 14th Combined Municipal / School Election, which has been postponed to June 23rd due to Legislation passed with House Bill 1298.

Resolution 20-034. A motion was made by Council Member Tilton Byrne, seconded by Council Member Brink, that Resolution 20-034, a Resolution Authorizing Change Order No. 3 (Final) for the 2019-04STI, 22nd Avenue Phase I Reconstruction Project, Timmons Construction, Inc., be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Resolution 20-034 - Resolution Authorizing Change Order No. 3 (Final) for 2019-04STI,
22nd Avenue Phase 1 Reconstruction Project, Timmons Construction, Inc.

Be It Resolved by the City Council that the following change order be allowed for 2019-04STI, 22nd Avenue Phase 1 Reconstruction Project: Construction Change Order Number 3 (Final): Adjust plan quantities to as-constructed quantities for a total increase of \$8,636.64 to the contract and extend the final completion date to June 19, 2020 to close out the project.

Resolution 20-031. A motion was made by Council Member Niemeyer, seconded by Council Member Brink, that Resolution 20-031, a Resolution Awarding Bids on Airport Hangar Taxilane Reconstruction Project, AIP #3-46-0005-032-2020, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Resolution 20-031 - Resolution Authorizing the City Manager to sign Bid Award and Grant Documents for Brookings Hangar Taxilane Reconstruction Project No. AIP #3-46-0005-032-2020

Whereas, the Brookings City Council desires South Dakota Department of Transportation assistance with the Brookings Regional Airport Project 3-46-0005-32-2020; and

Whereas, the City of Brookings desires the reconstruction of the Hangar Taxilane including grading, subbase course, aggregate base course, asphalt paving, pavement marking, topsoil, seeding and miscellaneous items; and

Whereas, the City of Brookings opened bids for the project on Tuesday, March 17, 2020 at 1:30 pm at the Brookings City and County Government Center and received the following bids: Bowes Construction, Inc. - \$242,433.00 and DeBoer Construction, Inc. – 269,948.50.

Now Therefore, Be It Resolved that the tentative award for AIP Project #3-46-0005-32-2020, Brookings Hangar Taxilane Reconstruction is made to Bowes Construction, Inc. for the low bid of \$242,433.00, contingent upon receipt and approval of a Good Faith DBE Effort and receipt of an FAA Grant Offer and the Brookings City Manager is authorized to sign the FAA Grant Offer, Grant Agreement and all necessary paperwork for the Contract Documents.

Resolution 20-033. A motion was made by Council Member Brink, seconded by Council Member Bacon, that Resolution 20-033, a Resolution Awarding Bids on City Crop Lease in Wiese and Freeland Additions, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Resolution 20-033 - Resolution Awarding Bids on City Crop Lease in Wiese and Freeland Additions

Whereas, the City of Brookings opened bids for approximately 40 acres of City Crop Lease for City-owned parcels located in Wiese Addition and Freeland Addition, Sections 18 and 19, T110N, R49W, on Tuesday, April 7, 2020 at 1:30 PM at the Brookings City & County Government Center; and

Whereas, the City of Brookings has received the following bids for City Crop Lease: Bauer Farms – \$ 170.00/acre.

Now Therefore, Be It Resolved that the high bid of Bauer Farms, Aurora, SD, for \$170.00 per acre be accepted.

Resolution 20-036. A motion was made by Council Member Brink, seconded by Council Member Niemeyer, that Resolution 20-036, a Resolution Awarding Bids on the Bob Shelden Athletic Field Complex Renovation Project, be approved. Public Comment: Cody Wright. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Resolution 20-036 - Resolution Awarding Bids on
Bob Shelden Athletic Complex Renovation Project

Whereas, the City of Brookings opened bids for the Bob Shelden Athletic Complex Renovation Project on Tuesday, March 17, 2020 at 1:30 pm at the Brookings City and County Government Center; and

Whereas, the City of Brookings has received the following bids: Clark Drew Construction - Base Bid: \$2,516,000.00, Alternate 1: Add \$38,000.00, Alternate 2: Deduct \$23,000.00, Alternate 3: Add \$91,500.00, Alternate 4: Add \$92,000.00, Alternate 5A: Add \$223,000.00, Alternate 5B: Add \$319,000.00, Alternate 6: \$14,800.00, Alternate 7: Add: \$6,900.00, Alternate 8: Add \$37,600.00, Alternate 10: Add \$6,600.00; and Schwartzle Construction – Base Bid: \$2,749,000.00, Alternate 1: Add \$40,000.00, Alternate 2: Deduct \$35,000.00, Alternate 3: Add \$90,000.00, Alternate 4: Add \$90,000.00, Alternate 5A: Add \$250,000.00, Alternate 5B: Add \$180,000.00, Alternate 6: Add \$14,000.00, Alternate 7: Add \$7,000.00, Alternate 8: Add \$36,000.00, and Alternate 10: Add \$6,500.00.

Now Therefore, Be It Resolved that the low base bid of \$2,516,000.00 and Alternate 3 for \$91,500.00 and Alternate 5A for \$223,000.00 from Clark Drew Construction, Inc. be accepted.

Resolution 20-035. A motion was made by Council Member Hansen, seconded by Council Member Brink, that Resolution 20-035, a Resolution Authorizing the Execution of a Real Estate Sale and Purchase Agreement, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Resolution 20-035 - Resolution Authorizing the Execution of
Real Estate Sale and Purchase Agreement

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

Whereas, the City of Brookings desires to purchase the following described property: Lot Seventeen (17) of College Addition, City of Brookings, County of Brookings, State of South Dakota, and

Whereas, the property has been offered for sale and the City of Brookings has prepared a proposed Real Estate Sale and Purchase Agreement, the terms of which are satisfactory to the City of Brookings; and

Whereas, the City of Brookings has received Hazard Mitigation Grant Funds through the Federal Emergency Management Agency for 75% of the project costs to purchase the property and remove the residential structures; and

Whereas, the City of Brookings has determined the above-described property is necessary for drainage purposes and has committed to providing the local match towards the project.

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

- A. That the City acquire title to the above-described real property pursuant to a Real Estate Sale and Purchase Agreement with DKO Properties, LLC for a drainage project for the City of Brookings, South Dakota; and
- B. That the Mayor, City Clerk, City Manager and City Attorney are authorized to execute the documents required to complete this transaction in accordance with this Resolution.

Ordinance 20-005 (Revised). A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Ordinance 20-005 (REVISED), an Emergency Ordinance to Address a Public Health Crisis by Implementing Certain Measures Which Have Been Deemed Necessary to Slow the Community Spread of Coronavirus (COVID-19), be approved. Public Comment: Bradley Walker, Eric Miller, Simon Newkirk, and Kevin Leisinger. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne.

Executive Session. A motion was made by Council Member Niemeyer, seconded by Council Member Brink, to enter into Executive Session at 6:41 p.m. for consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters with the City Council, City Manager, City Attorney, and City Clerk present. The motion carried by a unanimous vote. A motion was made by Council Member Brink, seconded by Council Member Hansen, to exit this Executive Session at 7:25 p.m. The motion carried by a unanimous vote.

Adjourn. A motion was made by Council Member Brink, seconded by Council Member Niemeyer, that this meeting be adjourned at 7:27 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

Keith W. Corbett, Mayor

ATTEST:

Bonnie Foster, City Clerk