

Brookings City Council
August 10, 2021

The Brookings City Council held a meeting on Tuesday, August 10, 2021 at 6:00 PM, at the Brookings City & County Government Center, Chambers, with the following City Council members present: Mayor Oepke Niemeyer, Council Members Leah Brink, Patty Bacon, Holly Tilton Byrne, Nick Wendell, Joey Collins, and Wayne Avery. 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 Wendell, seconded by Council Member Collins, to approve the Consent Agenda. The motion carried by the following vote: Yes: 7 - Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, Collins, and Avery.

3.A. Action to approve the agenda.

3.B. Action to approve the July 27, 2021 City Council Minutes.

3.C. Action on Resolution 21-064, a Resolution declaring surplus property for the City of Brookings.

Resolution 21-064 - Declaring Surplus Property

Whereas, the City of Brookings is the owner of the following described equipment formerly used at the City of Brookings:

Police Dept. Bicycles: #2368 Black and Orange Townie; #2365 Green Schwinn Sierra; #2360 Pink and Brown Huffy Panama Jack; #2359 Black Roadmaster Mountain Climber; #2352 Red and Black Bike, Serial #SL03432475; #2340 Black Hyper Spinner Pro, Serial #TB18A134393; #2338 Black and Green Huffy, Serial #AH17A032187; #2320 Black Hyper Kicker, Serial #DMYJ10E43716; #2310 Silver PK7; #2310 Purple and Pink Huffy Alpine, Serial #AH16I032064; #2294 Black and Gray Hyper HAVOC; #2284 Pink Seastar; #2268 Black and White Mongoose Excursion, Serial #R7926WM; #2265 Pink and Silver Bike; #2256 Gray and Silver Roadmaster Quarry master, Serial #SNFSD1BEE1469; #2252 Pink and Purple Raptor; #2240 Green and Black Genesis Overkill, Serial #615050832; #2229 Maroon Redline, Serial #ACA14F001823; #2214 Green and White Pacific Scorpio, Serial #264015; #2213 Black Shimano Breakpoint; #2209 Red and Gray Bike, Serial #LWJE030777; #2204 Pink and Black Crossfire Bike; #2199 Silver and Red Stringer, Serial #BR07C85262; #2192 Blue Roadmaster Granite Peak; #2189 Black Schwinn Hurricane, Serial #S3G24943; #2187 Blue and Red Bike, Serial #98D927747; #2176 Black and Blue Diamond Back Outlook; #2166 Red Roadmaster; #2165 Pink and White Huffy Trail Runner; #2162 White Roadmaster Granite Peak, Serial #SNFSD19M81843; #2150 Black and Red Hyper, Serial #TT17 E22323; #2146 Black Huffy Nel Looso, Serial #SNHBC18D33345; #2122 Yellow and Pink Scott Boulder Sport; #2121 Pink and White Mantis Heartbreaker, Serial #IK1842570016; #2118 Black and White Shimano Ironhorse, Serial #13007218; #2116 Black Bike; #2115 Teal Huffy, Serial #A0063717; #2113 Black and Pink Hyper Shicker, Serial #TZ19E030585; #2112 Black and Red Mongoose RX-75, Serial

#SNFSD08M05568; #2108 Black and Orange Mongoose Terrex; #2106 Black Bike, Serial #HDM15J02743; #2105 Green Genesis Assault 24, Serial #GS72460.

Brookings Municipal Liquor Store: 22 Ridel Wine glasses.

Brookings Regional Landfill: approximately 16,000 brown yard waste bags.

Fire Dept.: Homelite XL-98 Multi-purpose saw, Serial #43650151; Elmo Model EV-500Af Document Viewer, Serial #216319; Panasonic SA-HT800V DVD/VCR Home theater system, Serial #G3TD10921 (Only has Subwoofer/no other speakers); RCA Model F31665 Television, Serial #950223036 on a Bretford rolling stand.

Brookings Public Library: Eight (8) wooden reception chairs with green cushions; one (1) adjustable height table (historical room); three (3) round tables; twelve (12) black and orange chairs; two (2) red bistro tables; four (4) red and black chairs; two (2) large metal display racks; one (1) 2010 Lenovo G550 (LEI) Laptop; one (1) 2012 ASUS All-in-one PC (AWE5); one (1) 2013 HP EliteBook 8470p (HP 34); one (1) 2009 Epson TM T881V Receipt Printer; one (1) 2010 Dell Latitude e5510 (D11); one (1) Viewsonic 19" Monitor; one (1) Viewsonic 19" Monitor; one (1) NEC 17" monitor; one (1) Dell 17" monitor; and two (2) HP 19" monitors.

Whereas, in the best financial interest, it is the desire of the City of Brookings to dispose of as surplus property; and

Whereas, the City Manager is hereby authorized to sell or dispose of said surplus property.

Now, Therefore, Be It Resolved by the governing body of the City of Brookings, SD, that this property be declared surplus property according to SDCL Chapter 6-13.

3.D. Action on Resolution 21-065, a Resolution authorizing the City Manager to sign an On-Sale Liquor Operating Agreement renewal for Nine, Inc., DBA 9 Bar Nightclub, Gus Theodosopoulos, owner, 303 Main Avenue, Brookings, South Dakota, legal description: Lot 2, Block 3, Original Plat Addition.

Resolution 21-065 - On-Sale Liquor Operating Agreement Renewal
Nine, Inc., DBA 9 Bar Nightclub

Be It Resolved by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Agreement renewal for the On-Sale Operating Alcohol Management Agreement for Liquor between the City of Brookings and Nine, Inc., DBA 9 Bar Nightclub, Gus Theodosopoulos, owner, for the purpose of a liquor manager to operate the on-sale establishment or business for and on behalf of the City of Brookings at 303 Main Avenue.

Be It Further Resolved that the City Manager be authorized to execute the Agreement renewal on behalf of the City, which shall be for a period of five (5) years.

3.E. Action on Resolution 21-066, a Resolution authorizing the City Manager to sign an On-Sale Liquor Operating Agreement renewal for W&P of Brookings, LLC, dba Buffalo Wild Wings Bar & Grill, Todd and Susan LaHaise, owner, 1801 6th Street. Legal description: A portion of Lot 6 (parcel 3), Village Square Addition.

Resolution 21-066 - On-Sale Liquor Operating Agreement Renewal
W&P of Brookings, LLC, dba Buffalo Wild Wings Bar & Grill

Be It Resolved by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Agreement renewal for the On-Sale Operating Alcohol Management Agreement for Liquor between the City of Brookings and W&P of Brookings, LLC, dba Buffalo Wild Wings Bar & Grill, Todd and Susan LaHaise, owners, for the purpose of a liquor manager to operate the on-sale establishment or business for and on behalf of the City of Brookings at 1801 6th Street.

Be It Further Resolved that the City Manager be authorized to execute the Agreement renewal on behalf of the City, which shall be for a period of five (5) years.

3.F. Action to hold an August 17, 2021 City Council Study Session.

3.G. Action on City Council Ex-Officio Appointment to the Brookings Municipal Utilities Board. Change in appointment to the Brookings Municipal Utilities Board: Council Member Wayne Avery to replace Mayor Niemeyer

Proclamation. Mayor Niemeyer presented the Medary Chapter of the Daughters of the American Revolution a Proclamation Celebrating the Chapter's 100th Anniversary.

Mayoral Proclamation

Whereas, the Medary Chapter of the Daughters of the American Revolution (DAR), formally known as the John Kerr Chapter of the National Society Daughters of the American Revolution, was organized on March 7, 1921; and

Whereas, the Medary Chapter of DAR is celebrating their 100th year of service to the community, state and country; and

Whereas, more than fifty Medary Chapter members represent hundreds of patriots who dedicated their lives and fortunes for our freedom; and

Whereas, members volunteer their time and money to honor and support veterans and current deployed military members; and

Whereas, the Medary Chapter DAR spends countless hours preserving American History and encouraging observance of Constitution Week, Good Citizens Awards and College Scholarships as well as many other civic, environmental and educational concerns; and

Whereas, the Medary Chapter DAR has achieved longevity and success because of

the chapter's hard work and commitment.

Now, Therefore, Be It Resolved, that I, Oepke G. Niemeyer, Mayor of the City of Brookings, do hereby proclaim July 17, 2021 as: Medary Chapter of the Daughters of the American Revolution Day.

Brookings Landfill Household Hazardous Waste Event. Katie Stiegelmeier, Solid Waste Administrative Assistant, provided an update report highlighting the City's Household Hazardous Waste Event scheduled for August 21st.

2020 Annual Comprehensive Financial Report and Audit Summary. Ashley Rentsch, Deputy Finance Manager, presented the 2020 Annual Comprehensive Financial Report and Audit Summary to the City Council and members of the public.

2nd Quarter 2021 CFO Report. Chief Financial Officer, Erick Rangel, presented the 2nd Quarter Financial Report to the City Council and members of the public.

Ordinance 21-026. A motion was made by Council Member Tilton Byrne, seconded by Council Member Collins, that Ordinance 21-026, an Ordinance Establishing Procedures for False Security Alarms in the City of Brookings, South Dakota, be approved. The motion carried by the following vote: Yes: 7 - Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, Collins, and Avery.

Ordinance 21-027. A motion was made by Mayor Niemeyer, seconded by Council Member Brink, that Ordinance 21-027, an Ordinance Establishing the Number of Medical Cannabis Establishments in the City of Brookings, South Dakota, be tabled. Public Comment: Emmett Restroffer and Ned Horsted. The motion carried by the following vote: Yes: 7 - Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, Collins, and Avery.

Ordinance 21-028. A motion was made by Mayor Niemeyer, seconded by Council Member Brink, that Ordinance 21-028, an Ordinance Establishing Procedures for the Licensing of Medical Cannabis Dispensaries in the City of Brookings, be tabled. The motion carried by the following vote: Yes: 7 - Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, Collins, and Avery.

Armory Development Agreement Addendum. A motion was made by Council Member Brink, seconded by Council Member Tilton Byrne, that an Addendum to the Armory Development Agreement be approved. The motion carried by the following vote: Yes: 7 - Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, Collins, and Avery.

Executive Session. A motion was made by Council Member Wendell, seconded by Council Member Collins, to enter into Executive Session at 7:00 p.m. pursuant to SDCL 1-25-2.5 for the purpose of preparing for contract negotiations or negotiating with employees or employee representatives., with the City Council, City Manager, City Attorney, City Clerk, Erick Rangel, Chief Financial Officer, Susan Rotert, Human

Resources Director, and Jacob Meshke, Assistant City Manager present. The motion carried by a unanimous vote.

A motion was made by Council Member Brink, seconded by Council Member Tilton Byrne, to exit Executive Session at 7:24 p.m. The motion carried by a unanimous vote.

Adjourn. A motion was made by Council Member Wendell, seconded by Council Member Collins, that the meeting be adjourned at 7:25 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

ATTEST:

Oepke G. Niemeyer, Mayor

Bonnie Foster, City Clerk