

**Brookings City Council**  
**June 11, 2019**

The Brookings City Council held a meeting on Tuesday, June 11, 2019 at 5:00 PM, at City Hall with the following City Council members present:, Deputy Mayor Patty Bacon, Council Members Leah Brink, Holly Tilton Byrne, Dan Hanson, Nick Wendell (via phone), and Ope Niemeyer. Mayor Keith Corbett was absent. City Manager Paul Briseno, City Attorney Steve Britzman, and Acting City Clerk Bonnie Foster were also present.

**5:00 PM STUDY SESSION**

City Engineer Jackie Lanning, along with Kent Johnson from Banner Associates, presented the results of the Drainage Study for the Windermere Addition and Moriarty Edgebrook Addition.

**6:00 PM REGULAR MEETING**

**Consent Agenda:** A motion was made by Council Member Hansen, seconded by Council Member Niemeyer, to approve the Consent Agenda. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne; Absent: 1 – Corbett.

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

**3.B. Action to approve the May 28, and May 30-31, 2019 City Council Minutes.**

**Open Forum**

City Manager Paul Briseno introduced new city staff members: Chelsie Bakken, Media & Marketing Director, and Susan Rotert, Human Resources & Risk Management Director.

Lisa Rathbun, Midwest Maidens Roller Derby Term, asked for an update on the Armory. City Manager Briseno stated the Armory is closed at this time and a possible RFP process will begin soon as an option when determining the building's future.”

**Resolution 19-047.** A motion was made by Council Member Hansen, seconded by Council Member Tilton Byrne, that Resolution 19-047, a Resolution Awarding Bids on the Brookings City & County Lawn Care and Snow Removal Services, be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne; Absent: 1 – Corbett.

Resolution 19-047 - Resolution Awarding Bids on Brookings City & County Lawn Care  
and Snow Removal Services

Whereas, the City of Brookings opened bids for Brookings City & County Lawn Care and Snow Removal Services on Tuesday, June 4, 2019 at 1:30 pm at the Brookings City & County Government Center; and

Whereas, the service contract will run from July 1, 2019 through December 31, 2020 and will be renewable for one additional year for 2021; and

Whereas, the City of Brookings has received the following bids for the Brookings City & County Lawn Care and Snow Removal Services: Schedule A: Razors Edge - \$37,590.00 and TNT Snow Removal - \$45,258.00 and Schedule B: Razors Edge - \$45,365.00 and TNT Snow Removal - \$54,210.00.

Now Therefore, Be It Resolved that the low total bid of \$82,955.00 for Razor's Edge be Accepted.

**Resolution 19-048.** A motion was made by Council Member Niemeyer, seconded by Council Member Hansen, that Resolution 19-048, a Resolution Awarding Bids on Project 2019-03STI 20<sup>th</sup> Street South Improvement Project, be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne; Absent: 1 – Corbett.

Resolution 19-048 - Resolution Awarding Bids on  
2019-03STI 20<sup>th</sup> Street South Improvement Project

Whereas, the City of Brookings opened bids for Project 2019-03STI, 20<sup>th</sup> Street South Improvement Project on Tuesday, June 4, 2019 at 1:30 pm at the Brookings City & County Government Center; and

Whereas, the City of Brookings has received the following bid for the 2019-03STI 20<sup>th</sup> Street South Improvements: Bowes Construction: \$3,241,110.70.

Now, Therefore, Be It Resolved that the low bid of \$3,241,110.70 for Bowes Construction Co., Inc. be accepted.

**FIRST READING - Ordinance 19-009.** Introduction and first reading was held on Ordinance 19-009, an Ordinance Authorizing Supplemental Appropriation #2 to the 2019 Budget. Second Reading: June 25, 2019.

**FIRST READING – Ordinance 19-010.** Introduction and first reading was held on Ordinance 19-010, an Ordinance Amending Section 2-34 of Chapter 2 of the Code of Ordinances of the City of Brookings and Pertaining to the First Reading Policy of Ordinances in the City of Brookings. Second Reading: June 25, 2019.

**Temporary Alcohol Application – Aramark Educational Services.** A public hearing was held on two Temporary Alcohol Applications from Aramark Educational Services, LLC, to operate within the City of Brookings, SD, on September 6<sup>th</sup> for the 50-year Club Reunion, and on October 4<sup>th</sup> for the Distinguished Alumni Banquet to be held at the SDSU Alumni Center, 815 Medary Avenue. A motion was made by Council Member Hansen, seconded by Council Member Brink, that the Temporary Licenses be

approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne; Absent: 1 – Corbett.

**Temporary Alcohol Application – RGO, Inc., dba Pheasant Restaurant & Lounge.**

A public hearing was held on a Temporary Alcohol Application from RGO, Inc., dba Pheasant Restaurant & Lounge, to operate within the City of Brookings, SD, on July 11, 2019 for a Mama Mia Fundraiser for the Brookings Community Theatre to be held at Brookings Cinema 8, 219 6<sup>th</sup> Street. A motion was made by Council Member Tilton Byrne, seconded by Council Member Hansen, that the Temporary License be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne; Absent: 1 – Corbett.

**On-Sale Malt License Transfer.** A public hearing was held on the transfer of an On-Sale Malt License from Pints & Quarts, Inc., dba Pints & Quarts, Brennan and Lori Sullivan, owners, to KR Hospitality, Inc., dba Pints & Quarts, Kevin and Kristi Raab, owners, 313 Main Ave., Brookings, SD, legal description: Lot 7, Block 3, Original Plat Addition. A motion was made by Council Member Hansen, seconded by Council Member Niemeyer, that the On-Sale Malt License transfer be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne; Absent: 1 – Corbett.

**Resolution 19-046.** A public hearing was held on Resolution 19-046, a Resolution authorizing the City Manager to enter into an Operating Agreement for a Liquor License for KR Hospitality, Inc., dba Pints & Quarts, Kevin and Kristi Raab, owners, 313 Main Ave., Brookings, SD, legal description: Lot 7, Block 3, Original Plat Addition. A motion was made by Council Member Hansen, seconded by Council Member Tilton Byrne, that Resolution 19-046 be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne; Absent: 1 – Corbett.

Resolution 19-046 - KR Hospitality, Inc., dba Pints & Quarts  
On-Sale Liquor Operating Agreement

Now, Therefore, Be It Resolved by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Agreement for the Operating Liquor Management Agreement for Liquor between the City of Brookings and KR Hospitality, Inc., Kevin and Kristi Raab, 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 313 Main Ave.: legal description: Lot 7, Block 3, Original Plat Addition.

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

**Ordinance 19-005.** A public hearing was held on Ordinance 19-005, an Ordinance Amending Article VI of Chapter 22 of the Code of Ordinances of the City of Brookings and Pertaining to Rental Dwelling Units in the City of Brookings. A motion was made by

Council Member Tilton Byrne, seconded by Council Member Hansen, that Ordinance 19-005 be approved. The motion carried by the following vote: Yes: 5 - Niemeyer, Hansen, Bacon, Wendell, and Tilton Byrne; No: 1 – Brink; Absent: 1 – Corbett.

**Ordinance 19-008.** A public hearing was held on Ordinance 19-008, an Ordinance amending the Zoning Ordinance of the City of Brookings to include Indoor Recreation Facility as a permitted special use in the Business B-1 Central District, Business B-2 District, Industrial I-1 Light District, Industrial I-2 Heavy District, and Industrial I-1R Restricted District. A motion was made by Council Member Niemeyer, seconded by Council Member Hansen, that Ordinance 19-008 be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne; Absent: 1 – Corbett.

**Master Drainage Priority List.** A motion was made by Council Member Niemeyer, seconded by Council Member Hansen, to adopt the Master Drainage Plan Priority List. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne; Absent; 1 – Corbett.

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

**Resolution 19-045.** A motion was made by Council Member Hansen, seconded by Council Member Tilton Byrne, that Resolution 19-045, a Resolution authorizing the City Manager to sign Wetland Functional Capacity Unit Credits Purchase Contract with North Central Mitigation, be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Brink, Bacon, Wendell, and Tilton Byrne; Absent: 1 – Corbett.

Resolution 19-045 - Resolution Authorizing the City Manager to sign Wetlands Functional Capacity Unit Credits Purchase Contract with North Central Mitigation

Whereas, the City of Brookings is desirous in obtaining a Section 404 Permit for the Brookings Marketplace project, application number NOW-2017-0348-PIE; and

Whereas, the U.S. Army Corps of Engineers, Omaha District, will require compensatory off-site wetland mitigation as part of the project; and

Whereas, the Corps has authorized North Central Mitigation to complete the Mitigation Requirement; and

Whereas, the North Central Mitigation agrees to sell 7.72 Functional Credit Unit Credits for the purchase price of \$96,500 for the City of Brookings project.

Whereas, the City Council desires to purchase the credits for the development of the Market Place and will do so out of reserves.

Now, Therefore, Be It Resolved that the City Council of the City of Brookings authorizes the City Manager to sign the Wetland Functional Capacity Unit Credits Purchase Contract with North Central Mitigation.

**Adjourn.** A motion was made by Council Member Hansen, seconded by Council Member Niemeyer, that this meeting be adjourned at 8:02 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

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Keith W. Corbett, Mayor

ATTEST:

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Bonnie Foster, Acting City Clerk