

Brookings City Council
June 10, 2014

The Brookings City Council held a meeting on Tuesday, June 10, 2014 at 6:00 p.m., at City Hall with the following members present: Mayor Tim Reed, Council Members Keith Corbett, Dan Hansen, Ope Niemeyer, John Kubal, Tom Bezdichek and Jael Thorpe. City Attorney Steve Britzman, City Manager Jeffrey Weldon and City Clerk Shari Thornes were also present.

6:00 p.m. Regular Council Meeting

Consent Agenda. Discussion regarding drainage was added as 6A and item 16 Appointment to the Transportation Steering Committee was moved as 6B. A motion was made by Hansen, seconded by Niemeyer, to approve the consent agenda.

- A. Action to approve the agenda, as amended.
- B. Action to approve the May 27 Council Meeting Minutes.
- C. Motion to approve Federal Highway Administration (FHWA) Urban Boundary for the City of Brookings.

All present voted yes; motion carried.

Drainage. City Manager Jeffrey Weldon provided an overview and update on the rain event from the previous week. Public comments were made by Andrew Johnson.

Brookings Transportation Steering Committee. A motion was made by Reed, seconded by Thorpe, to amend the appointment list to add Jason Harms and Jacob Mills to the current roll increasing the membership to 11. Motion withdrawn.

A motion was made by Reed, seconded by Hansen, to replace Al Heuton and Dr. Eluned Jones with Jason Harms and Jacob Mills. *Discussion: Council Member Kubal submitted Tom Bozied, Brenda Schweitzer, and Patty Bacon for consideration.* On the motion, Bezdichek, Hansen and Reed voted yes; Thorpe, Niemeyer and Kubal voted no; motion failed.

A motion was made by Thorpe, seconded by Bezdichek, to replace Al Heuton and Dr. Eluned Jones with Jason Harms and Jacob Mills. On the motion, Bezdichek, Thorpe, Hansen and Reed voted yes; Niemeyer and Kubal voted no; motion carried.

On the main motion, as amended, to approve the following appointments to the Brookings Ad Hoc Transportation Steering Committee: Keith Corbett - Deputy Mayor, Daryl Englund - Retired Civil Engineer, Al Baker - CFO Fishback Financial, Jim Morgan - Retired CEO Daktronics, Mike Bartley - Citizen at large (Former Planning Commission Member), Les Rowland – Architect, Bob Hill - Brookings County Planning, Jacob Mill and Jasons Harms. All present voted yes, except Kubal and Bezdichek; motion carried.

Resolution No. 36-14. A motion was made by Hansen, seconded by Kubal, to approve Resolution No. 36-14, a Resolution awarding a contract for Fire Department Extrication Equipment. All present voted yes; motion carried.

Resolution No. 36-14 - Awarding a Contract for Extrication Equipment for the
Brookings Fire Department

Whereas, the 2013 budget provided for the replacement of extrication equipment for the fire department; and

Whereas, the actual bidding for the replacement of such equipment was held in 2014 and funding was transferred to the 2014 budget through the budget amendment process from 2013; and

Whereas, a bid opening was held on May 20, 2014 for the replacement of said equipment resulting in bid provided by Allegiant Emergency Services of Hartford, South Dakota for the base bid (\$75,923), alternate 1 (\$6,895), alternate 2 (\$4,100) and trade-in of replacement equipment (\$15,630); and by M & T Fire and Safety, Inc. of Volga, South Dakota for the base bid (\$86,065), alternate 1 (\$29,775), alternate 2 (no bid), and trade-in of replacement equipment (\$18,000).

Now, Therefore, Be It Resolved, that the City Council of the City of Brookings award the contract for the purchase of extrication equipment package to Allegiant Emergency Services by accepting the base bid, alternate 1, and the trade-in value and reject alternate 2 for a net price of \$64,393.

Ordinance No. 08-14. A public hearing was held on Ordinance No. 08-14, an Ordinance authorizing a supplemental Appropriation to the 2014 Budget for the purpose of providing for additional funds for the Operation of the City. A motion was made by Niemeyer, seconded by Hansen, to approve Ordinance No. 08-14 with an amendment to move the Swiftel Center funding to general government buildings for the street building project. All present voted yes; motion carried.

Ordinance No. 09-14. A public hearing was held on Ordinance No. 09-14, an Ordinance on a petition to rezone the East 440 feet of Outlot K in the SE ¼ of Section 11-T109N-R50W from an Agricultural A District to a Residence R-3A District (600 Block of 40th Street South). *Public hearing: Todd Voss and David Kneip, applicants, spoke. Dan Foster and Dan Gerjets expressed concerns regarding the drainage.* A motion was made by Bezdichek, seconded by Niemeyer, to approve Ordinance No. 09-14. All present voted yes, except Kubal voted no; motion carried.

Thorpe left the meeting.

Resolution No. 49-14. A public hearing was held on Resolution No. 49-14, a Resolution Determining the Necessity of Repairing or Installing Sidewalks in the City of Brookings at the

Expense of Abutting Property Owners; 2014-01SWR Concrete Maintenance Project. A motion was made by Niemeyer, seconded by Hansen, to approve Resolution No. 49-14. All present voted yes; motion carried.

Resolution No. 49-14 - Resolution Determining the Necessity of Repairing or Installing Sidewalks
in the City of Brookings at the Expense of Abutting Property Owners;
2014-01 Concrete Maintenance Project

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

1. It is hereby determined that sidewalk repairs or installation is necessary abutting the parcels and lots of land in the City described in the Notice to Property Owners attached to this Resolution and marked as 2014-01 Concrete Maintenance Project.
2. Such sidewalks shall be installed to the width and of the materials prescribed by Chapter 74, "Streets, Sidewalks and other Public Places" and Article V. "Sidewalks", and to the grade and in accordance with the Plans and Specifications prepared in the office of the City Engineer.
3. The method of apportionment of benefits is as follows: Such assessments, unless paid within thirty (30) days after the date of mailing of a statement of account by the City, shall be collected by the City in accordance with the procedure for Plan One in Section 9-43-102, South Dakota Compiled Laws of 1967, as amended, with interest of 10% on the unpaid balance. Assessments amounting to less than \$300.00 shall be paid in one payment.
4. The City Clerk has caused a copy of the Resolution and a Notice to Property Owners to be mailed to each property owner by certified mail.

Annual Malt Renewals. A public hearing was held on Annual Malt Beverage Alcohol License Renewals. A motion was made by Hansen, seconded by Bezdichek, to approve the following Malt Renewals for the 2014-2015 calendar year: On-Off Sale Malt (retail): Aramark/McCrory Gardens Visitors Center, 16th St. & 22nd Ave.; BraVo's, 610 Medary Ave.; Brookings Softball Assoc. (Southbrook Softball Diamonds), 2800 22nd Ave. So.; Carpy's Pub, 700 22nd Ave. So.; Casino 2000, 622 25th Ave.; The Children's Museum of South Dakota, 521 4th St.; The Clothes Line Lounge, 727 Wilson Ave.; Cottonwood Bistro, 1710 6th St.; Cubby's Sports Bar & Grill, 307 Main Ave.; Danny's, 703 Main Ave. So.; The Depot, 919 20th St. So.; EdgeBrook Golf Course, 1415 22nd Ave. So.; Gas 'N Mor, 600 6th St.; George's Pizza & Steakhouse, 311 Main Ave.; Guadalajara, Village Square Mall #1; Hy-Vee Food Store, 790 22nd Ave. S.; KRAVE, Inc., 1040 22nd Ave. S.; Main Street Pub, 408 Main Ave.; Old Sanctuary, 928 4th St.; Pizza Hut #2769, 418 6th St.; PNP Pub, 318 2nd St. So.; Ray's Corner, 401 Main Ave.; Rian Corp./Italian Garden, 1300 Main Ave. So.; Sake, Inc., 724 22nd Ave. So.; Schoon's PNP Pub South, 1203 Main Ave. So.; Sixth Street Diner, 615 Main Ave. So.; Skinner's Pub, 300 Main Ave.; South Main Diner, 615 Main Ave. S.; Swiftel Center, 824 32nd Ave.; Wooden Legs Brewing Co., 309 5th St., Suite 100. Off-Sale Malt (package): BP of Brookings, Inc., 2420 6th St.; CHS (dba Zip Trip #63), 1005 6th St.; CHS (dba Zip Trip #64), 3045 LeFevre Dr.; El Tapatio, Inc., 1717 6th St.; Fireside Inc., 2515 E. 6th St.; Gas N Mor,

600 6th St.; Hy-Vee Food Store, 700 22nd Ave.; Hy-Vee Gas, 716 22nd Ave. So.; Jim's Tap, 309 Main Ave.; Newman's Kerr McGee, 503 6th St.; Pints & Quarts, 313 Main Ave.; Schoon's Pump-n-Pak, 202 S. Main Ave.; Sully's Irish Pub, 421 Main Ave.; Wal-Mart Supercenter #1538, 2233 6th St. Off-Sale Malt and Off-Sale SD Farm Wine (package): Casey's General Store #1694, 620 8th St. So.; Casey's General Store #2198, 122 West 6th St.; Casey's General Store #2419, 534 22nd Ave. So. All present voted yes; motion carried.

Resolution No. 50-14. A public hearing was held on Resolution No. 50-14, a Resolution authorizing the City Manager to sign an On-Sale Farm Wine Operating Agreement for The Blizzard, Chris Canavati and Mitri Canavati, owners, 924 32nd Ave. A motion was made by Hansen, seconded by Niemeyer, to approve Resolution No. 50-14. All present voted yes; motion carried.

Resolution No. 50-14 - The Blizzard - Wine Operating Agreement

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 Wine between the City of Brookings and Chris Canavati and Mitri Canavati, owners, The Blizzard, 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 924 32nd Ave.

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 with a renewal for another five (5) years.

Thorpe returned to the meeting.

Revised Preliminary Plat. A public hearing was held on a Revised Preliminary Plat for a portion of Prairie Hills Addition in the NE ¼ of the NE ¼ of Section 2-T109N-R50W. A motion was made by Hansen, seconded by Bezdichek, to approve. All present voted yes; motion carried.

Review of City of Brookings 5-Year Capital Improvement Plan. City Manager Jeff Weldon reviewed the Five-Year Capital Improvement Plan. No action was taken.

Adjourn. A motion was made by Hansen, seconded by Kubal, to adjourn. All present voted yes; motion carried. Meeting adjourned 8:45 p.m.

CITY OF BROOKINGS

Tim Reed, Mayor

ATTEST:

Shari Thornes, City Clerk