

Brookings City Council
January 13, 2015

The Brookings City Council held a meeting on Tuesday, January 13, 2015 at 6:00 p.m., at City Hall with the following members present: Deputy Mayor Keith Corbett, Council Members Dan Hansen, Ope Niemeyer, John Kubal, Tom Bezdichek, and Jael Thorpe; Mayor Tim Reed was absent. City Attorney Steve Britzman, City Manager Jeffrey Weldon, and City Clerk Shari Thornes were also present.

Consent Agenda: A motion was made by Council Member Hansen, seconded by Council Member Kubal, to approve the Consent Agenda. The motion carried by the following vote: Yes: 6 -Bezdichek, Corbett, Hansen, Kubal, Niemeyer, and Thorpe; Absent: 1 - Reed

3.A. Action to approve the agenda.

3.B. Action to approve the October 21 and December 9 City Council Minutes.

3.C. Action on appointments to the Board of Health. Appoint Bob Brotsky and Albert Patin (terms 1/1/2015-1/1/2018)

3.E. Action on Resolution 15-003, a Resolution authorizing Change Order No. 1 (Final) for 2014-01SWR Concrete Maintenance Project; Timmons Construction.

Resolution No. 15-003 - Resolution authorizing Change Order No. 1 (CCO#1) for 2014-01SWR, Concrete Maintenance Project; Timmons Construction

Be It Resolved by the City Council that the following change order be allowed for 2014-01SWR, Concrete Maintenance Project:

Construction Change Order Number 1: Adjust contract plans quantities to as-constructed quantities for a total decrease of \$9,041.89 to close out the project.

Introduction of new Department Directors. Matt Bartley, Street Dept. Superintendent, and Gary Moen, EdgeBrook Golf Course Manager, were introduced to the City Council.

Presentation by the Brookings Economic Development Corporation (BEDC) on the 2013 Visioning Charrette Final Report.

Resolution 15-002. A motion was made by Council Member Niemeyer, seconded by Council Member Hansen, that Resolution 15-002, a Resolution authorizing Change Order No. 1 (Final) for 2014-07STI Asphalt Concrete Freight on Board Project; Bowes Construction, Inc. be approved. The motion carried by the following vote: Yes:6 - Bezdichek, Corbett, Hansen, Kubal, Niemeyer, and Thorpe; Absent:1 - Reed.

Resolution No. 15-002 - A Resolution Authorizing Change Order No. 1 (Final), for 2014-07STI Freight On Board Project; Bowes Construction Inc.

Be It Resolved by the City Council that the following change order be allowed for 2014-07STI Freight on Board Project: Construction Change Order Number 1 Final

Adjust estimated bid quantities to “as-built” quantities for a total increase of \$20,491.47 to close out the project.

Resolution 15-004. A motion was made by Council Member Kubal, seconded by Council Member Niemeyer, that Resolution 15-004, a Resolution awarding a contract for a 75 foot Quint Fire Apparatus for the Fire Department be approved. The motion carried by the following vote: Yes: 6 - Bezdichek, Corbett, Hansen, Kubal, Niemeyer, and Thorpe; Absent: 1 - Reed.

Resolution No. 15-004 - Resolution Awarding Bids on 75 foot Quint Fire Apparatus

Whereas, the City of Brookings held a bid letting at 1:30 pm on Tuesday, December 16, 2014; and

Whereas, the City of Brookings has received the following bids for a 75 foot Quint Fire Apparatus: Allegiant Emergency Services, Inc. Bid of \$698,592.00 with Deduct of \$10,000.00 for Trade-in of 1992 Spartan Aerial, plus Deduct of \$15,322.00 for 75% Pre-Payment at Time of Contract Signing. Final Bid of \$673,270.00.

Now Therefore, Be It Resolved that the bid of \$673,270.00 of Allegiant Emergency Services, Inc. be accepted.

First Reading: Ordinance 15-001. A first reading and introduction was held on Ordinance 15-001, an Ordinance on a petition to rezone Lot 11, Block 10, Moriarty Fourth Addition from a Residence R-1B District to a Residence R-1C District. Public Hearing: January 27, 2015.

Resolution 15-006. A motion was made by Council Member Hansen, seconded by Council Member Thorpe, that Resolution 15-006, a Resolution authorizing the City Manager to sign an On-Off Sale Wine Operating Agreement for ERL, LLC, DBA The Depot, Kathy McClemans, Robb McClemans and Elizabeth McClemans, owners, 921 20th St. So., Brookings, SD, be approved. The motion carried by the following vote: Yes: 6 - Bezdichek, Corbett, Hansen, Kubal, Niemeyer, and Thorpe; Absent: 1 – Reed.

Resolution No. 15-006 - ERL, LLC, DBA The Depot – 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 Kathy McClemans, Robb McClemans and Elizabeth McClemans, owners, ERL, LLC, DBA The Depot, 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 921 20th St. So.

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.

Resolution 15-005. A motion was made by Council Member Hansen, seconded by Council Member Kubal, that Resolution 15-005, a Resolution authorizing the City Manager to sign the Wetland Agreement between the South Dakota Department of Transportation and the City of Brookings be approved. The motion carried by the following vote: Yes: 6 - Bezdichek, Corbett, Hansen, Kubal, Niemeyer, and Thorpe; Absent: 1 –Reed.

Resolution No. 15-005 - A Resolution Authorizing the City Manager to Sign Wetland Agreement between the South Dakota Department of Transportation and the City of Brookings, South Dakota

Whereas, the South Dakota Department of Transportation will permanently impact approximately 0.168 acres of existing jurisdictional wetlands in connection with Project Number IM 0295(35)127 PCN 022C which will require approximately 0.252 acres of created or enhanced wetlands for wetland mitigation purposes; and

Whereas, the City of Brookings is agreeable to allowing the construction of wetlands for Project Number IM 0295(35)127 PCN 022C on the parcel of land owned by the City of Brookings which is located in the North ½ of the Northeast ¼ of Section 11-T109N-R50 West of the P.M.; and

Whereas, the State of South Dakota will construct and monitor the wetlands on the City parcel associated with Project Number IM 0295(35)127 PCN 022C.

Now, therefore, be it resolved that the City Manager of the City of Brookings is authorized to sign the Wetland Agreement between the South Dakota Department of Transportation and the City of Brookings, South Dakota.

Brookings Municipal Utilities Quarterly Financial Report. Steve Meyer and Laura Julius presented the Quarterly Report to the City Council.

Executive Session. A motion was made by Council Member Hansen, seconded by Council Member Niemeyer, to enter into Executive Session at 7:12 p.m. to discuss marketing or pricing strategies by a board or commission of a business owned by the state or any of its political subdivisions, when public discussion may be harmful to the competitive position of the business with Steve Meyer, Laura Julius, the City Manager, City Attorney and City Clerk present. All present voted yes; motion carried. A motion was made by Council Member Hansen, seconded by Council Member Kubal, to exit Executive Session at 7:48 p.m. All present voted yes; motion carried.

Adjourn. A motion was made by Council Member Hansen, seconded by Council Member Kubal, that the meeting be adjourned at 7:48 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

Tim Reed, Mayor

ATTEST:

Shari Thornes, City Clerk