

**Brookings City Council  
November 10, 2015**

The Brookings City Council held a meeting on Tuesday, November 10, 2015 at 6:00 p.m., at City Hall with the following members present: Mayor Tim Reed, Council Members Keith Corbett, Dan Hansen, Ope Niemeyer, Patty Bacon, Jael Thorpe, and Scott Meyer. City Attorney Steve Britzman, City Manager Jeffrey Weldon and City Clerk Shari Thornes were also present.

**Consent Agenda.** Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters was added to the Executive Session. A motion was made by Council Member Corbett, seconded by Council Member Hansen, to approve the Consent Agenda, as amended. The motion carried by the following vote: Yes: 7 - Reed, Corbett, Hansen, Niemeyer, Meyer, Thorpe, and Bacon.

**3.A. Action to approve the agenda, as amended.**

**3.B. Action on Human Rights Commission appointments:** appoint Maggie Owens (term 11/10/2015-1/1/2018), and appoint Elliot Johnson as the SDSU Student Representative (term 11/10/2015-5/1/2016).

**3.C. Action on Resolution 15-108, a Resolution for the City of Brookings 2016 Dental Insurance Premium Adjustment.**

Resolution 15-108 - Establishing Dental Insurance Monthly Contribution Rates for the City of Brookings Dental Insurance Plan

Be It Resolved, that the 2016 employee and employer contributions for the dental insurance plan be established as follows:

CITY GENERAL & PUBLIC SAFETY EMPLOYEES

	Employer's Share (75%) of Single Rate	Employee's 2016 Share	TOTAL
Employee Only	\$31.65	\$10.55	\$42.20
Employee/Spouse	\$31.65	\$49.41	\$81.06
Employee/Child(ren)	\$31.65	\$51.67	\$83.32
Family	\$31.65	\$81.25	\$112.90

**3.D. Action on Resolution 15-109, a Resolution for the City of Brookings 2016 Vision / Hearing Insurance Premium Adjustment.**

Resolution 15-109 - Establishing Vision/Hearing Insurance Monthly Contribution Rates for the City of Brookings Vision / Hearing Insurance Plan

Be It Resolved, that the 2016 employee and employer contributions for the Vision / Hearing Insurance Plan be established as follows:

CITY GENERAL & PUBLIC SAFETY EMPLOYEES

Employer's    Employee's

	Share (75%) of single rate	2016 Share	TOTAL
Employee Only	\$8.00	\$2.66	\$10.66
Employee/Spouse	\$8.00	\$10.96	\$18.96
Employee/Children	\$8.00	\$14.59	\$22.59
Family	\$8.00	\$20.79	\$28.79

**3.E. Action on Resolution 15-102, a Resolution authorizing the City Manager to sign an On-Off Sale Wine Operating Agreement renewal for Wal-Mart Supercenter #1538, 2233 6<sup>th</sup> St., Brookings, SD.**

Resolution 15-102 - Wal-Mart Supercenter #1538 –  
Wine Operating Agreement Renewal

Be It Resolved by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Agreement renewal for the Operating Liquor Management Agreement for On-Sale Wine between the City of Brookings and Wal-Mart Supercenter #1538, 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 2233 6th St.

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

**3.F. Action on Resolution 15-110, a Resolution authorizing the City Manager to sign an On-Off Sale Wine Operating Agreement renewal for the Swiftel Center, 824 32<sup>nd</sup> Ave., Brookings, SD.**

Resolution 15-110 - Swiftel Center –  
Wine Operating Agreement Renewal

Be It Resolved by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Agreement renewal for the Operating Liquor Management Agreement between the City of Brookings and the Swiftel Center, 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 824 32nd Ave.

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

**3.G. Action on Resolution 15-111, a Resolution declaring items as surplus property.**

Resolution 15-111 - Resolution declaring items as surplus property;  
Miscellaneous Electronic Equipment

Whereas, SDCL 6-13-1 requires a municipality owning personal property which is no longer necessary, useful, or suitable for municipal purposes shall, by resolution, declare it surplus and may, by resolution, order the sale, trade, destruction or other disposal of said personal property.

Now, Therefore, Be It Resolved that the following personal property be declared no longer necessary, useful, or suitable for municipal purposes and said property shall be disposed of in accordance with SDCL 6-13-1.

Surplus Property to be sold, or destroyed (recycled):

<u>Device Model:</u>	<u>Serial Number:</u>	<u>Type:</u>	<u>Device condition:</u>
<b>To Be Taken to Electronic Drop-off Recycling Facility at City Landfill for Recycling</b>			
HP Proliant ML 310 G4	MX20737002	PC	Not working
CAM	SN:33830	PC	Not working
Nortek PC	N/A	PC	Not working
Dell optiplex GX260	D3QD391	PC	Not working
HP compaq d330 MT	USW41508JG	PC	Not working
HP compaq 310m	V239LB4ZA098	PC	Not working
HP compaq dc5100 MT	2UB60103M7	PC	Not working
Acer Veriton M261 VM261	PSV540600580408E052701	PC	Not working
HP touchsmart 9300 elite AiO	MXL2241P9F	PC	Not working
Micron AL440LX-PII300-MT	1174379-001	PC	Not working
HP compaq nc6120	CN508GNMN	Laptop	Not working
Compaq armada E700	1J03DC61M20F	Laptop	Not working
HP Compaq 8710P	CND7390DVN	Laptop	Not working
Compaq deskpro EN	6125DYSZK012	PC	Not working
Compaq Ipaq Pocket PC H360	4G0BDW36F026	Pocket PC	Not working
HP Color Laserjet CP1215	CNBC8BH0BM	Printer	Not working
HP Color Laserjet 2600N	CNGC69F05Z	Printer	Not working
Xerox Phaser 6180	DPX318547	Printer	Not working
HP Laserjet 1000 series	CNBJ405527	Printer	Not working
HP Scanjet N6310	CN8B6A60DT	Printer	Not working
HP Docking station CRVSA-02T1-PR Series-b	S/N:333937-001	Docking station	Not working
HP Docking station HSTNN-IX01	CNU606XZ1Q	Docking station 8 Port External Hub	Not working
Olicom OC-3626	01A00A		
HP Docking station HSTNN-IX01	CNU619X1P1	Docking station	Not working
KVM switch	2146AATCB596800096	KVM switch	Not working
Panasonic EASA KXT2335 Meridian business set	2FCEE50211	Phone	Not working
NT4X38 & NT4X39	ETG48871846XTN	Phone Token Ring Multiple Access Unit 8 Port Hub	Not working
IBM 8228	8228-23-F1456		Not working (does not power on)
Optiquest Q7 LCD VS11147	Q4A070344451	Monitor	Not working (does not power on)
HP 1502 monitor	CNN4340PXW	Monitor	Not working (does not power on)

NEC AccuSync LCD72VX monitor	63136901NA	Monitor	Not working (does not power on)
HP CD drive	531HA002065	CD drive	Not working (machine parts)
HP CD drive	430HA009722	CD drive	Not working (machine parts)
HP CD drive	572HA020235	CD drive	Not working (machine parts)
HP CD drive	451HA000401	CD drive	Not working (machine parts)
HP CD drive	SN:40944002348	CD drive	Not working (machine parts)
LG disc drive	112HLEQ010644	CD drive	Not working (machine parts)
Compaq disc drive	738B301LK02HS	CD drive	Not working (machine parts)
FD100 credit card reader	LT0000081283	Credit card reader	absolute(does not have chip reader)
FD100 credit card reader	LT0000213708	Credit card reader	absolute(does not have chip reader)
FD100 credit card reader	LT0000190355	Credit card reader	absolute(does not have chip reader)
FD100 credit card reader	LT0000215162	Credit card reader	absolute(does not have chip reader)
FD100 credit card reader	LT0000215024	Credit card reader	absolute(does not have chip reader)
FD100 credit card reader	LT0000215073	Credit card reader	absolute(does not have chip reader)
FD100 credit card reader	LT0000215014	Credit card reader	absolute(does not have chip reader)
FD100 credit card reader	LT0000115349	Credit card reader	absolute(does not have chip reader)
FD100 credit card reader	LT0000215046	Credit card reader	absolute(does not have chip reader)
eMachines T3104 desktop	CK858-C0027925	PC	no hard drive
HP compaq dx2300 MT	MXL7130BLT	PC	no hard drive
Acer Veriton M261 VM261	PSV540600580408E112701	PC	no hard drive
HP compaq dx2200 MT	MXL6370B7X	PC	no hard drive
HP compaq dc5100 MT	2UB54206LC	PC	no hard drive
HP compaq d51C	5x33-KN8Z-F01P	PC	no hard drive
HP compaq dc 5100 MT	MXL543046K	PC	no hard drive
Lenovo Thinkcentre	9702B7ULXRDKM	PC	no hard drive
HP compaq dx2200 MT	MXL7020D92	PC	no hard drive
HP compaq dx2000 MT	2UA50401DN	PC	no hard drive
HP compaq dx2000 MT	2UA5020Q5P	PC	no hard drive
HP Pavillion zv6000	CND5190839	Laptop	no hard drive
HP compaq nx9010	2UA413P09J	Laptop	no hard drive
HP Compaq dc 5100 MT	2UB55007S2	PC	no hard drive
HP compaq dx2300 MT	MXL7130BMY	PC	no hard drive
HP Compaq dc 5100mi	MXL54303Y1	PC	no hard drive
HP D330U	USV3400DH1	PC	no hard drive

HP Compaq 6910p	CND9132ZLQ	Laptop	no hard drive
HP Compaq NW8240	CNU6100QZK	Laptop	no hard drive
HP Docking station HSTNN-IX01	CNU709XV9W	Docking station	obsolete works only with certain laptop
CAM MOD 280-UL Register	WD004698649	Register	obsolete must have old CAM software
CAM MOD 280-UL Register	WD00425598	Register	obsolete must have old CAM software
CAM MOD 280-PL Register	WA004833488	Register	obsolete must have old CAM software
CAM MOD 280-PL Register	WA004182040	Register	obsolete must have old CAM software
RC Allen Alfa 1	S/N:08844	Cash Register	obsolete goes with CAM system
Cash drawer EP-127	N/A	Cash Register	obsolete goes with CAM system
Cash drawer EP-127	N/A	Cash Register	obsolete goes with CAM system
Symbol M2004-I216 cyclone Data Logic QD2100 Hand Scanner	M1E62A18Y	Hand Scanner	obsolete goes with CAM system
Data Logic QD2100 Hand Scanner	ZR022375	Hand Scanner	obsolete goes with CAM system
Elo touchsystems STI85-0300	M1J91H78P	Hand Scanner Touch screen device	obsolete goes with CAM system
Ithaca 610-P	DB003842013	Receipt printer	obsolete goes with CAM system
3M 910	SN:719805	Overhead Projector	Working - obsolete
Panasonic DVD player	KS2BA026992	DVD player	Working - obsolete
Mintek DVD player DVD-1600	020720033-3F2	DVD player	Working - obsolete
JVC HR-XVC14	S/N:15261228	DVD player	Working - obsolete
HP Laserjet 2200D	JP8GJ24371	Printer	Working - obsolete
HP officejet 6310V	CN82CFV326	Printer	Working - obsolete
Kyocera FS-4000DN	XPK6401528	Printer	Working - obsolete

Device Model:	Serial Number:	Type:
Lathem 7000E timecard	K038844	Time punch machine
Lathem 2206 timecard	A-678188	Time punch machine
Lathem 2206 timecard	A-678206	Time punch machine
Lathem 2206 timecard	A-678211	Time punch machine
Lathem 7000E timecard	K023665	Time punch machine
Lathem 7000E timecard	K033988	Time punch machine
Lathem 2206 timecard	A-6798535	Time punch machine

Lathem 7000E timecard	K004494	Time punch machine
Lathem 7000E timecard	K040711	Time punch machine
Lathem 7000E timecard	K032542	Time punch machine
Lathem 7000E timecard	K023663	Time punch machine
Lathem 7000E timecard	K023661	Time punch machine
Lathem 7000E timecard	K023666	Time punch machine
Lathem 7000E timecard	K032539	Time punch machine
Lathem 7000E timecard	K023625	Time punch machine
Lathem 2206 timecard	A-826758	Time punch machine
Lathem 2016 timecard	A-869291	Time punch machine
Lathem 2206 timecard	A-678190	Time punch machine
Lathem 2206 timecard	A-679836	Time punch machine
Lathem 2206 timecard	A-680079	Time punch machine
Lathem 2106 timecard	A-839988	Time punch machine

**Transportation Traffic Analysis.** Transportation Traffic Analysis, Highway 14 (6<sup>th</sup> Street) from Main Avenue to Medary Avenue; comparison of 3-lane and 5-lane design.

A motion was made by Council Member Hansen, seconded by Council Member Corbett, that the City Council approve the recommendations set forth by the Traffic Steering Ad Hoc Committee of December 2014 to support a five-lane road. Public Comments were received from LeWayne Erickson, Doug Smith, Lawrence Novotny, Mike Bartley, David Kneip, and Dave Gullickson. The motion carried by the following vote: Yes: 7 - Reed, Corbett, Hansen, Niemeyer, Thorpe, Meyer, and Bacon.

A motion was made by Council Member Hansen, seconded by Council Member Bacon, to table action to December 8, 2015. The motion carried by the following vote: Yes: 7 - Reed, Corbett, Hansen, Niemeyer, Thorpe, Meyer, and Bacon.

**SDML Conference Report.** Council Member Bacon reported on the South Dakota Municipal League Conference, which was held in Watertown, SD on October 6-9, 2015.

**Kauffman Mayor's Conference Report.** Mayor Tim Reed reported on the Kauffman Mayors Conference, which was held October 6-9, 2015 in Albuquerque, NM.

**National League of Cities Report.** Council Members reported on the National League of Cities Conference & Exposition, which was held in Nashville, TN November 4-7, 2015.

**BMU Quarterly Report.** Steve Meyer, General Manager, and Laura Julius, Finance & Account Manager presented the Council with the 3<sup>rd</sup> Quarter Report for Brookings Municipal Utilities.

**City General Employee Contract.** A motion was made by Council Member Niemeyer, seconded by Council Member Corbett, that the City General Employee Contract be

approved. The motion carried by the following vote: Yes: 7 - Reed, Corbett, Hansen, Niemeyer, Thorpe, Meyer, and Bacon.

**Police Department Union Contract.** A motion was made by Council Member Bacon, seconded by Council Member Corbett, that the Police Department Union Contract be approved. The motion carried by the following vote: Yes: 7 - Reed, Corbett, Hansen, Niemeyer, Thorpe, Meyer, and Bacon.

**Resolution 15-080.** A motion was made by Council Member Hansen, seconded by Council Member Meyer, that Resolution 15-080, a Resolution authorizing Change Order No. 2 (Final) for 2014-04SSI Derald Drainage Improvement Project; Rounds Construction, Inc., be approved. The motion carried by the following vote: Yes: 7 - Reed, Corbett, Hansen, Niemeyer, Thorpe, Meyer, and Bacon.

Resolution 15-080 - Resolution Authorizing Change Order No. 2 (Final)  
for 2014-04SSI Derald Drainage Improvement Project; Rounds Construction, Inc.

Be It Resolved by the City Council that the following change order be allowed for 2014-04SSI, Derald Drainage Improvement Project:

Construction Change Order Number 2: Adjust contract for landscaping around the storm sewer outlet, modifications to a storm drain inlet and adjust plan quantities to as-constructed quantities for a decrease of \$3,433.50 to close out the project.

**First Reading – Ordinance 15-023.** Introduction and First Reading on Ordinance 15-023, an Ordinance amending Division 5 of Chapter 2 of the Code of Ordinances of the City of Brookings South Dakota, and pertaining to Terms of Office of Members of the Sustainability Council of the City of Brookings. Public Hearing: November 24, 2015.

**Annual Liquor & Wine License Renewals.** A motion was made by Council Member Hansen, seconded by Council Member Corbett, that the following annual Liquor and Wine Alcohol License Renewals for 2016 be approved: Liquor (Off-Sale): Brookings Municipal Liquor Store, 780 22<sup>nd</sup> Ave. So.; Liquor (On-Sale): Fireside Restaurant / Dakota Ram Inc., 2515 E. 6<sup>th</sup> St. (CL), Park Hospitality, Inc., 2500 6<sup>th</sup> St. (CL), Applebee's / Porter Apple Co. B Inc., 3001 LeFevre Dr., Buffalo Wild Wings Bar & Grill / W&P of Brookings, LLC, 1721 6<sup>th</sup> St., CRAFT / Midwest Fresh Concepts, LLC, 610 Medary Ave., Cubby's Sports Bar & Grill / GDT Inc., 307 Main Ave., Danny's / David Olson Inc., 703 Main Ave. So., Elks Brookings Lodge #1490, 516 4<sup>th</sup> St., Jim's Tap / Urquhart Ent., Inc., 309 Main Ave., 9 Bar Nightclub / Nine Inc., 303 Main Ave., Old Market Eatery / The Lee Group, 424 5<sup>th</sup> St., Pheasant Restaurant & Lounge / RGO, Inc., 726 Main Ave. So., Pints & Quarts / B&L Sullivan, Inc., 313 Main Ave., Prairie Lanes Inc., 722 Western Ave., The Ram / Ram & O'Hare's Ent., LLC, 327 Main Ave., Ray's Corner / Fergen Enterprises Inc., 401 Main Ave., Skinner's Pub Inc., 300 Main Ave., Sully's Irish Pub/B&L Sullivan Inc., 421 Main Ave., VFW GEO Dokken Post 2118, 520 Main Ave., The Wild Hare / Wonder, Inc., 303 3<sup>rd</sup> St. Restaurant (On-Sale): Whiskey

Creek Wood Fire Grill / Brookings Steak Co. LLC, 621 32<sup>nd</sup> Ave. Wine (On-Off Sale): Aramark/McCrory Gardens Visitors Center, 6<sup>th</sup> St. & 22<sup>nd</sup> Ave., Brookings Municipal Liquor Store, 780 22<sup>nd</sup> Ave. So., Carpy's Pub, 714 22<sup>nd</sup> Ave. So., Children's Museum of South Dakota, 521 4<sup>th</sup> St., CRAFT / Midwest Fresh Concepts, LLC, 610 Medary Ave., The Depot / ERL, LLC, 919 20<sup>th</sup> St. So., Guadalajara Mexican Restaurant, 1715 6<sup>th</sup> St., Suite F, Hy-Vee Food Store / Hy-Vee, Inc., 700 22<sup>nd</sup> Ave., KRAVE, Inc., 1040 22<sup>nd</sup> Ave. So., New Sake, Inc., 724 22<sup>nd</sup> Ave. So., Old Sanctuary / Old Sanctuary Assoc., LLC, 928 4<sup>th</sup> St., Pheasant Restaurant & Lounge / RGO, Inc., 726 Main Ave. So., Schoon's Pump N' Pak So. / Schoon Properties, Inc., 1205 Main Ave. So., Skinner's Pub Inc., 300 Main Ave., Swiftel Center, 824 32<sup>nd</sup> Ave., Via Italia / MN, LLC, 1300 Main Ave. So., Wal-Mart Supercenter #1538 / Wal-Mart Stores, Inc., 2233 6<sup>th</sup> St., Zip Trip #63 / CHS, Inc., 1005 6<sup>th</sup> St., and Zip Trip #64 / CHS, Inc., 3045 LeFevre Dr. The motion carried by the following vote: Yes: 7 - Reed, Corbett, Hansen, Niemeyer, Thorpe, Meyer, and Bacon.

**Council Member Introduction of Topics for Future Discussion.**

A motion was made by Council Member Bacon, seconded by Council Member Niemeyer, to consider an internship program for the City Council at a future study session. The motion carried by the following vote: Yes: 7 - Reed, Corbett, Hansen, Niemeyer, Thorpe, Meyer, and Bacon.

A motion was made by Council Member Bacon, seconded by Council Member Meyer, to submit an amendment to the animal control ordinance pertaining to chickens with first reading on November 24 and second reading on December 8. The motion carried by the following vote: Yes: 5 - Hansen, Niemeyer, Thorpe, Meyer, and Bacon; No: 2 - Reed, and Corbett.

A motion was made by Council Member Niemeyer, seconded by Mayor Reed, to request a feasibility review of one-way streets for vehicles with bike lanes on 5<sup>th</sup> Street (Main Ave. to 15<sup>th</sup> Ave.) and 7<sup>th</sup> Street (Main Ave. to Faculty Dr.). This issue will be referred to the Bike Advisory Committee for their recommendations pertaining to bike usage. The motion carried by the following vote: Yes: 7 - Reed, Corbett, Hansen, Niemeyer, Thorpe, Meyer, and Bacon.

Council Member Hansen requested a presentation on strobe light pedestrian crossings at a future study session.

Council Member Thorpe requested information regarding the proposed 6<sup>th</sup> Street right-of-way plans be provided to the City Council prior to the December 8<sup>th</sup> meeting. Plans will be available for review in the City Manager's Office and an open house will be held in the Community Room at 5:00 p.m. on Tuesday, December 8<sup>th</sup>, hosted by the City Engineer.

**Executive Session.** A motion was made by Council Member Niemeyer, seconded by Council Member Corbett, to enter into Executive Session at 8:58 p.m. with the City Manager, City Clerk, City Attorney, Steve Meyer, BMU Executive Director, and Laura

Julius, BMU Finance Officer, present. The motion carried by a unanimous vote. A motion was made by Council Member Corbett, seconded by Council Member Hansen, to exit Executive Session at 9:49 p.m. The motion carried by a unanimous vote.

**Adjourn.** A motion was made by Council Member Corbett, seconded by Council Member Meyer, to adjourn the meeting at 9:51 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

ATTEST:

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Tim Reed, Mayor

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Shari Thornes, City Clerk