

Brookings City Council
February 23, 2016

The Brookings City Council held a meeting on Tuesday, February 23, 2016 at 6:00 p.m., at City Hall with the following members present: Mayor Tim Reed, Council Members Keith Corbett, David M. Meyer, Dan Hansen, Ope Niemeyer, and Jael Thorpe (via phone). Council Member Patty Bacon was absent. City Attorney Steve Britzman, City Manager Jeffrey Weldon, and Deputy City Clerk Bonnie Foster were also present.

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

3.A. Action to approve the agenda.

3.B. Action on Sustainability Council student representative appointment: appoint Riley Larson (term 2/23/2016-5/1/2016).

3.C. Action on Brookings Bicycle Advisory Committee appointments: appoint Caleb Evenson (term 2/23/2016-1/1/2019) and Jennifer McLaughlin (term 2/23/2016-1/1/2017).

3.D. Action on Abatement of Property Taxes for Parcel No. 40170-00000-027-00, Lot 27, Fishback Subdivision, Brookings in the amount of \$539.30.

3.E. Action on Abatement of Property Taxes for Parcel No. 40175-00800-001-00, Lot 1, Block 8, Folsom Addition, Brookings, in the amount of \$216.28.

3.F. Action on Abatement of Property Taxes for Parcel No. 40175-00700-012-00, Lot 12, plus S 4' Lot 13, Block 7, Folsom Addition, Brookings, in the amount of \$336.64.

3.G. Action on Resolution 16-025, a Resolution authorizing the City Manager to approve Volunteers for Work Comp Coverage.

Resolution 16-025 - Resolution authorizing the City Manager
to approve Volunteers for Work Comp Coverage

Whereas, the citizens of the City of Brookings voted on June 1, 1999 to amend the Brookings City Charter as adopted March 18, 1997, and

Whereas, the amendment included eliminating the commissioner form of government and provided for the creation of a City Council-City Manager form of government, and

Whereas, South Dakota Codified Law 62-1-5.1 states that "Volunteers serving state or political subdivision without pay--Computing or imputing wage--Certain persons not deemed volunteers. Any volunteer worker rendering services in or for any agency, department, institution, or instrumentality of the state or of any of its political subdivisions, including counties, townships, school districts, or municipalities, whose services have been duly recommended to the officer or governing body responsible for employment of personnel for the respective entity and duly appointed thereto by such officers or governing body, shall for purposes of this title be deemed an employee of the

state or the political subdivision, as the case may be. The appointment shall be entered into the official records or minutes of the entity.

In the event of injury or death, for the purposes of computing compensation for volunteer workers other than volunteer firefighters, a volunteer uncompensated worker's employment earnings from all sources during the last six months of employment shall be used. In the event the volunteer uncompensated worker has never been employed, the worker shall be considered to be earning the state minimum wage over a forty-hour week. The worker's average weekly wage shall be calculated by one of the methods in §§ 62-4-25 to 62-4-27, inclusive. In no event may payments to volunteer uncompensated workers exceed the maximum limitations for benefits as set out in this title. No local prisoner, state inmate, or federal inmate providing services to the state or any of its political subdivisions may be considered a volunteer worker under this section." Source: SL 1971, ch 278, § 1; SL 2001, ch 292, § 1.

Whereas, the City Council desires to formally approve the official volunteer list annually and cover these volunteers for work comp purposes pursuant to SDCL 62-1-5.1; delegate their responsibility for approving new volunteer appointments on a monthly basis throughout the year to the City Manager.

Now, Therefore, Be It Resolved, that effective immediately the Brookings City Council does hereby delegate its responsibility to the City Manager or his/her designee, to approve all new volunteer appointments throughout the year on a monthly basis, subject to countersignature by the Clerk.

3.H. Action on Resolution 16-027, a Resolution declaring Parks & Forestry equipment as surplus property.

Resolution 16-027 - Declaring Surplus Property

Whereas, the City of Brookings is the owner of the following described equipment formerly used at the City of Brookings Parks, Recreation & Forestry Department: One (1) 1998 Dodge Ram 2500 DSL 4x4, VIN Number 1B7KF2367WJ214165.

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

Whereas, the City Manager hereby authorized to sell said surplus property.

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

Resolution 16-018. A motion was made by Council Member Corbett, seconded by Council Member Hansen, that Resolution 16-018, a Resolution to purchase One New 2017 Model 37,000 GVW 4x2 Class Truck Chassis, be approved. The motion carried by

the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer;
Absent: 1 – Bacon.

Resolution 16- 018 - Resolution to purchase One New 2017 Model
37,000 GVW 4x2 Class Truck Chassis

Whereas, the City of Brookings Street Department requests action to purchase one (1) new 2017 Model 37,000 GVW 4x2 Class Truck chassis.

Bids were opened on February 9, 2016 and results were as follows: Boyer Trucks in the amount of \$83,390.00; North Central International of Sioux Falls in the amount of \$80,594.00; and I-State Truck Center in the amount of \$80,434.00.

Now Therefore, Be It Resolved that the bid from I-State Truck Center in the amount of \$80,434.00 be accepted.

The capital budget for one new chassis and box is \$120,000.00.

This truck will replace a 1992 Chevy single axle truck.

Resolution 16-019. A motion was made by Council Member Meyer, seconded by Council Member Hansen, that Resolution 16-019, a Resolution to purchase one (1) BC1500 - 15” Brush Chipper with Tier 4i Engine off of the National Joint Powers Alliance for the Parks, Recreation & Forestry Department (Forestry/Parks), be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer; Absent: 1 – Bacon.

Resolution 16-019 - Resolution to Purchase One BC1500 – 15” Brush Chipper
w/ Tier 4i Engine off of the National Joint Powers Alliance
for the Parks, Recreation & Forestry Dept.

Whereas, the City of Brookings has sought and received the following quote for one BC1500 – 15” Brush Chipper w/ Tier 4i Engine from the National Joint Powers Alliance: Vermeer High Plains in the amount of \$45,856.00.

Now Therefore, Be It Resolved that the contract from Vermeer High Plains in the amount of \$45,856.00 be accepted.

The capital budget for this expenditure is \$35,000.00.

Resolution 16-020. A motion was made by Council Member Niemeyer, seconded by Council Member Corbett, that Resolution 16-020, a Resolution awarding the contract on 2016-07STI, Asphalt Concrete Freight on Board Project, be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer; Absent: 1 – Bacon.

Resolution 16-020 - Resolution awarding the contract on
Project 2016-07STI Asphalt Concrete Freight On Board Project

Whereas, the City of Brookings opened bids for Project 2016-07STI Asphalt Concrete Freight On Board Project on Tuesday, February 16, 2016 at 1:30 pm at the Brookings City and County Government Center; and

Whereas, the City of Brookings has received the following bid for Project 2016-07STI Asphalt Concrete Freight on Board Project: Bowes Construction Co., Inc.: \$54,950.00.

Now Therefore, Be It Resolved that the total low bid of \$54,950.00 for Bowes Construction Co., Inc., Brookings, SD be accepted.

Resolution 16-021. A motion was made by Council Member Hansen, seconded by Council Member Niemeyer, that Resolution 16-021, a Resolution awarding the contract on 2016-06STI, Chip Seal Project, be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer; Absent: 1 – Bacon.

Resolution 16-021 - Resolution Awarding Bids on
Project 2016-06STI Chip Seal Project

Whereas, the City of Brookings opened bids for Project 2016-06STI Chip Seal Project on Tuesday, February 16, 2016 at 1:30 pm at the Brookings City and County Government Center; and

Whereas, the City of Brookings has received the following bids for Project 2016-06STI Chip Seal Project: Topkote, Inc. - \$224,751.00; The Road Guy Construction Co., Inc. - \$250,000.00; Bituminous Paving, Inc. - \$254,700.00; and Jensen Rock & Sand - \$282,480.00.

Now Therefore, Be It Resolved that the low bid of \$224,751.00 of Topkote, Inc. be accepted.

Resolution 16-022. A motion was made by Council Member Niemeyer, seconded by Council Member Corbett, that Resolution 16-022, a Resolution awarding the contract on 2016-05STI, Building Demolition Project, be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer; Absent: 1 – Bacon.

Resolution 16-022 - Resolution Awarding Bids on
2016-05STI Building Demolition Project

Whereas, the City of Brookings opened bids for Project 2016-05STI Building Demolition Project on Tuesday, February 16, 2016 at 1:30 pm at the Brookings City and County Government Center; and

Whereas, the City of Brookings has received the following bids for 2016-05STI Building Demolition Project: Bowes Construction, Inc. – 17,500.00; Bode Construction - \$21,000.00; Austreim Excavating - \$24,945.00; Rounds Construction Co. Inc. - \$35,000.00; VJ Ahlers Excavating, Inc. - \$35,704.90; Prussman Contracting, Inc. - \$47,500.00 and Timmons Construction, Inc. - \$90,842.00.

Now Therefore, Be It Resolved that the low bid of \$17,500.00 for Bowes Construction, Inc. be accepted.

Resolution 16-024. A motion was made by Council Member Hansen, seconded by Council Member Thorpe, that Resolution 16-024, a Resolution awarding the lease for City Crop Land (Wiese and Freeland Addition), be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer; Absent: 1 – Bacon.

Resolution 16-024 - Resolution Awarding Bids on City Crop Lease

Whereas, the City of Brookings opened bids for approximately 66 acres of City Crop Lease for City-owned parcels located in Wiese Addition and Freeland Addition, Sections 18 and 19, T110N, R49W, on Tuesday, February 16, 2016 at 1:30 PM at the Brookings City & County Government Center; and

Whereas, the City of Brookings has received the following bids for City Crop Lease: David Rochel – \$236.52/acre, Corey Granum – \$175.00/acre, Daniel Bauer - \$137.50/acre, and Joel Foster – \$125.00/acre.

Now Therefore, Be It Resolved that the high bid of David Rochel, Aurora, SD, for \$236.52 per acre be accepted.

FIRST READING: Ordinance 16-009. Introduction and First Reading on Ordinance 16-009, an Ordinance to amend the 2016 Budget. Public Hearing: March 22, 2016.

Temporary Liquor License: Police Foundation Pig Roast. A public hearing was held on a Temporary Liquor Application for the Brookings Police Foundation Pig Roast, to be held at the National Guard Armory (300 5th St. So.) on March 20, 2016. A motion was made by Council Member Corbett, seconded by Council Member Hansen, that the temporary license be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer; Absent: 1 – Bacon.

Ordinance 16-007. A public hearing was held on on Ordinance 16-007, an Ordinance to Rezone Lot 3, Block 1, Foster Addition from an Industrial I-1R District to an Industrial I-1 District. A motion was made by Council Member Hansen, seconded by Council Member Corbett, that Ordinance 16-007 be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer; Absent: 1 – Bacon.

Ordinance 16-008. A public hearing was held on Ordinance 16-008, an Ordinance for an amendment to Chapter 94, Zoning, revising the definition of agriculture. A motion was made by Council Member Thorpe, seconded by Council Member Hansen, that Ordinance 16-008 be approved. The motion carried by the following vote: Yes: 5 - Niemeyer, Thorpe, Hansen, Reed, and Meyer; No: 1 – Corbett; Absent: 1 – Bacon.

Placing Referred Ordinance 16-002 on the April 12 Election Ballot. A motion was made by Council Member Corbett, seconded by Council Member Niemeyer, to place Referred Ordinance 16-002 on the April 12 Joint City Council / School Board Election Ballot. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer; Absent: 1 – Bacon.

Bike Lane Recommendations. A motion was made by Mayor Reed, seconded by Council Member Corbett, to schedule a public hearing on the Bike Lane recommendations on the March 22 City Council Meeting Agenda. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer; Absent: 1 – Bacon.

Site Plan. A motion was made by Council Member Hansen, seconded by Council Member Niemeyer, that an Industrial I-1R District Site Plan for Lot 3, Block 1, Foster Addition, be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer; Absent: 1 – Bacon.

Preliminary Plat. A motion was made by Council Member Hansen, seconded by Council Member Corbett, that the Preliminary Plat of the Southland Addition with the stub street be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer; Absent: 1 – Bacon.

Comprehensive Plan Charter: Amendment. A motion was made by Council Member Thorpe, seconded by Council Member Niemeyer, that an Amendment to the Comprehensive Master Plan Charter changing the membership size from 9-11 to 11-15, be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Thorpe, Hansen, Reed, and Meyer; Absent: 1 – Bacon.

Adjourn. A motion was made by Council Member Hansen, seconded by Council Member Corbett, to adjourn the meeting at 7:04 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

Tim Reed, Mayor

ATTEST:

Shari Thornes, City Clerk