

Brookings City Council
May 10, 2016

The Brookings City Council held a meeting on Tuesday, May 10, 2016 at 6:00 p.m., at City Hall with the following members present: Mayor Tim Reed, Council Members Keith Corbett, Mary Kidwiler, Dan Hansen, Ope Niemeyer, Nick Wendell, and Patty Bacon (on the phone). 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 Corbett, to approve the Consent Agenda. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Reed, Kidwiler, Bacon, and Wendell.

3.A. Action to approve the agenda.

3.B. Action to approve the April 19 and April 26 City Council Minutes.

Resolution 16-036. A motion was made by Council Member Niemeyer, seconded by Council Member Wendell, that Resolution 16-036, a Resolution Awarding the Contract on 2016-01SWR, Concrete Maintenance and Overlay Project, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Reed, Kidwiler, Bacon, and Wendell.

Resolution 16-036 - Resolution Awarding Bids on
Project 2016-01SWR Concrete Maintenance Project

Whereas, the City of Brookings opened bids for Project 2016-01SWR, Concrete Maintenance Project on Tuesday, April 26, 2016 at 1:30 pm at the Brookings City & County Government Center; and

Whereas, the City of Brookings has received the following bids for the 2016-01SWR Concrete Maintenance Project: Timmons Construction Inc.: \$244,463.75 and Hulstein Excavating, Inc.: \$308,472.50.

Now Therefore, Be It Resolved that the total low bid of \$244,463.75 for Timmons Construction, Inc. be accepted.

Bicycle Master Plan. A motion was made by Council Member Hansen, seconded by Council Member Corbett, that authorizing the City Manager to enter into an agreement with Toole Design Group for the development of a Bicycle Master Plan for the City of Brookings in an amount not to exceed \$90,000, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Reed, Kidwiler, Bacon, and Wendell.

First Reading – Ordinance 16-011. Introduction and First Reading was held on Ordinance 16-011, an Ordinance to rezone a portion of the S ½ of the NE ¼ of Section

1-T109N-R50W from an Agricultural A District to a Residence R-1C District. Public Hearing: June 14, 2016.

First Reading – Ordinance 16-012. Introduction and First Reading was held on Ordinance 16-012, an Ordinance to rezone Lot 1 of Lots 1 & 2 of Lot A of the Replat of Outlot E, Maynes Addition from a Residence R-2 District to a Planned Development District. Public Hearing. June 14, 2016.

Malt License Renewals. A motion was made by Council Member Kidwiler, seconded by Council Member Hansen, that the following Annual Malt Beverage Alcohol License Renewals be approved: **On-Off Sale Malt (retail):** Aramark / McCrory Gardens Visitors Center, 16th St. & 22nd 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.; Cubby's Sports Bar & Grill, 307 Main Ave.; Danny's, 703 Main Ave. So.; The Depot, 919 20th St. So.; The Dixie, 1300 Main Ave. 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.; New 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.; Dakota Ram, Inc., 2515 E. 6th St.; El Tapatio, Inc., 1717 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. **On-Off Sale Malt & On-Off Sale SD Farm Wine (retail):** The Blizzard, Inc., 924 32nd Ave. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Reed, Kidwiler, Bacon, and Wendell.

Brookings Marketplace Property.

Main Motion: A motion was made by Council Member Hansen, seconded by Mayor Reed, that the City negotiate with both Lloyd Companies and Bender Midwest Development, on a terms sheet for the development of the Brookings Marketplace Property. The terms that should be included in this initial agreement should include price of the land, timeline for development, subsidies, and any incentives sought by the developer. The City and developers have until July 1, 2016 to finalize a terms sheet. Once a terms sheet has been finalized, everything should come to the City Council for review. At which time the city Council will either select one company to negotiate with on a comprehensive development agreement or will not select either and go back to the

drawing board. Public Comment: Jacob Mills, Rich Helsper, Daniel Bielfeldt, Dennis Bielfeldt, John Mills, Angie Boersma, Mason Wheeler, and Andy Johnson.

A (first) amendment was made by Niemeyer, seconded by Kidwiler, to include all four proposers in the main motion (Bender Midwest Development, Lloyd Companies, Mills Development Corp., VanBuskirk Companies). Second was withdrawn. Hansen seconded.

A (second) amendment to the amendment was made by Council Member Kidwiler, seconded by Council Member Corbett, to include all developers, as well as Den Wil Corp., and those who have expressed interest, to create a level playing field. The motion failed by the following vote: Yes: 5 – Corbett, and Kidwiler; No: 2 - Reed, Bacon, Hansen, Wendell, and Niemeyer.

On the first amendment, the motion carried by the following vote: Yes: 2 – Bacon, Kidwiler, Niemeyer, Corbett, and Hansen; No: 5 – Reed, and Wendell.

On the main motion, as amended, “A motion was made by Council Member Hansen, seconded by Mayor Reed, that the City negotiate with both Lloyd Companies and Bender Midwest Development, on a terms sheet for the development of the Brookings Marketplace Property. The terms that should be included in this initial agreement should include price of the land, timeline for development, subsidies, and any incentives sought by the developer. The City and developers have until July 1, 2016 to finalize a terms sheet. Once a terms sheet has been finalized, everything should come to the City Council for review. At which time the city Council will either select one company to negotiate with on a comprehensive development agreement or will not select either and go back to the drawing board. To include all four proposers: Bender Midwest Development, Lloyd Companies, Mills Development Corp., and VanBuskirk Companies.” the motion carried by the following vote: Yes: 5 - Corbett, Niemeyer, Hansen, Kidwiler, and Bacon; No: 2 - Reed, and Wendell.

Council Member Bacon left the meeting.

Executive Session.

A motion was made by Council Member Hansen, seconded by Council Member Corbett, to enter into executive session at 7:56 p.m. for purposes of discussing 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, Brookings Municipal Utilities Executive Vice-President and General Manager, City Council, City Manager, City Attorney, and City Clerk 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 8:18 p.m. The motion carried by a unanimous vote.

Adjourn. A motion was made by Council Member Hansen, seconded by Council Member Corbett, to adjourn the meeting at 8:20 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

Tim Reed, Mayor

ATTEST:

Shari Thornes, City Clerk