

**Brookings City Council**  
**September 13, 2016**

The Brookings City Council held a meeting on Tuesday, September 13, 2016 at 6:00 p.m., at City Hall with the following members present: Deputy Mayor Keith Corbett, Council Members, Mary Kidwiler, Dan Hansen, Ope Niemeyer, Nick Wendell, and Patty Bacon. 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 Niemeyer, to approve the Consent Agenda. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell  
Absent: 1 – Reed.

**3.A. Action to approve the agenda.**

**3.B. Action to approve the August 9 and August 23 City Council Minutes.**

**3.C. Action on Resolution 16-071, a Resolution authorizing Change Order No. 1 (Final) for 2016-06STI, Chip Seal Project; Topkote, Inc.**

Resolution 16-071 - Resolution Authorizing Change Order No. 1 (Final)  
for 2016-06STI, Chip Seal Project; Topkote, Inc.

Be It Resolved by the City Council that the following change order be allowed for 2016-06STI, Chip Seal Project: Construction Change Order Number 1 (Final). Adjust plan quantities to as-constructed quantities for a total decrease of \$27,357.09 to close out the project.

**3.D. Action to approve Resolution 16-077, a Resolution authorizing the City Manager to sign documents for Project P-PH 0014(177)421 PCN 546N, US Highway 14 Project from 20<sup>th</sup> Avenue to 34<sup>th</sup> Avenue.**

Resolution 16-077 - A Resolution Authorizing the City Manager to Sign Documents  
For Project P-PH 0014(177)421 PCN 546N US Highway 14 Project  
from 20<sup>th</sup> Avenue to 34<sup>th</sup> Avenue

Whereas, the Brookings City Council desires the construction improvement of 6<sup>th</sup> Street from 20<sup>th</sup> Avenue to east of 34<sup>th</sup> Avenue in Brookings, SD; and

Whereas, the State of South Dakota will require a Temporary Easement from the City of Brookings for the project, which will damage approximately twelve trees; and

Whereas, the State of South Dakota has offered \$3,540.00 in compensation for the tree damage.

Now, Therefore, Be It Resolved that the City Manager of the City of Brookings is authorized to sign the Offer and Statement of Compensation, Temporary Easement Agreement, and other related documents for Project P-PH 0014(177)421 PCN 546N, US Highway 14 Project, Brookings, SD.

**Bike Master Plan Community Workshops.** The City Council and public were invited by Toole Design and the Brookings Bicycle Advisory Committee to attend Bike Master Plan Community Workshops on September 14 and 15.

**Resolution 16-078.** A motion was made by Council Member Kidwiler, seconded by Council Member Wendell, that Resolution 16-078, a Resolution awarding the contract for Waste Tire Transportation and Disposal, be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell; Absent: 1 – Reed.

Resolution 16-078 - Resolution Awarding Bids for  
Waste Tire Transportation and Disposal

Whereas, the City of Brookings has received two bids on August 30, 2016 for Waste Tire Transportation and Disposal: Liberty Tire Recycling, LLC in the amount of \$169.75/ton, and New Deal Tire, LLC in the amount of \$180.00/ton.

Now Therefore, Be It Resolved that the bid from Liberty Tire Recycling, in the amount of \$169.75 per ton, be accepted.

**Ordinance 16-019.** A public hearing was held on Ordinance 16-019, an Ordinance appropriating monies to fund the necessary expenditures and liabilities of the City of Brookings for the 2017 Fiscal Year and providing for the Annual Tax Levy and Annual Tax for All Funds. A motion was made by Council Member Hansen, seconded by Council Member Niemeyer, that Ordinance 16-019 be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell; Absent: 1 – Reed.

**Ordinance 16-016.** A public hearing was held on Ordinance 16-016, an Ordinance pertaining to a Conditional Use Permit on N ½ OL4 of SW ¼ NW ¼ in Section 23-T110N-R50W; and S ½ OL4 Exc W330' of SW ¼ NW ¼ in Section 23-T110N-R50W (also known as 1222 Western Avenue). A motion was made by Council Member Hansen, seconded by Council Member Kidwiler, that Ordinance 16-016 be approved with the Planning Commission's stipulation that no mobile home or manufactured home would be on the lot for more than 90 days. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell; Absent: 1 – Reed.

**Ordinance 16-017.** A public hearing was held on Ordinance 16-017, an Ordinance to Rezone the N84' of S184' of OL 'C' in NW ¼ NW ¼ in Section 2-T109N-R50W (2011 Western Avenue S.); and S100' of OL 'C' of NW ¼ NW ¼ in Section 2-T109N-R50W (2019 Western Avenue S.) from an Agricultural A District to a Residence R-3 District. A motion was made by Council Member Niemeyer, seconded by Council Member Wendell, that Ordinance 16-017 be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell; Absent: 1 – Reed.

**Ordinance 16-018.** A public hearing was held on Ordinance 16-018, an Ordinance to rezone Lot 1, Block 1 of Holibrook Addition, except the west 450' of Lot 1; and Lot X-1 of Lot H-5, E ½ NW ¼ & Gov't Lots 1 & 2 in Section 3-T110N-R49W, except the west 350' of Lot X-1 (also known as 2500 6th Street), from a Highway Business B-4 District to a Planned Development District. A motion was made by Council Member Niemeyer, seconded by Council Member Kidwiler, that Ordinance 16-018 be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell; Absent: 1 – Reed.

**Off-Sale Malt Beverage Alcohol License.** A public hearing was held on an Off-Sale Malt Beverage Alcohol License for Old Market Eatery, LLC, Jesse Lee, owner, 424 5<sup>th</sup> Street, Brookings, South Dakota, legal description: all of Lots 15-16-17-18, all in Block 7, Original Plat Addition (Condo Unit 201). A motion was made by Council Member Hansen, seconded by Council Member Wendell, that an Off-Sale Malt Beverage Alcohol License for Old Market Eatery be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell; Absent: 1 – Reed.

**Revised Preliminary Plat.** A motion was made by Council Member Hansen, seconded by Council Member Niemeyer, that a Revised Preliminary Plat for Lots 9-23, Block 7; Lots 7-19A, Block 8; Lots 1-5, Block 10; Arapahoe Lane; and Steamboat Trail in Timberline Addition in the W1/2 of the NE1/4 excluding the N1350' in Section 34-T110N-R50W, be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell; Absent: 1 – Reed.

**University Community Coalition Charter.** A motion was made by Council Member Bacon, seconded by Council Member Kidwiler, that the Charter for the University Community Coalition, be approved. AMENDMENT: A motion was made by Council Member Wendell, seconded by Council Member Kidwiler, to add "SDSU State and Local Chair or designee" to standing membership. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell; Absent: 1 – Reed. AMENDMENT: A motion was made by Council Member Hansen, seconded by Council Member Wendell, stating that "No at large member would serve a term longer than two years with the ability to be reappointed." The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell; Absent: 1 – Reed. On the original motion, as amended, the motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell; Absent: 1 – Reed.

University Community Coalition  
Sponsored by the City of Brookings, SD and South Dakota State University  
Adopted September 13, 2016

**Purpose:**

The Brookings community and South Dakota State University (SDSU) have a long history of collaboration and cooperation for their mutual benefit. The purpose of this University Community Coalition is to identify, investigate, propose and advocate practices and policies that will improve the well-being of the university-community

relationship and the quality of life in Brookings. In addition, the University Community Coalition will create a platform for effective communication between the Brookings community and South Dakota State University.

#### Objectives:

- Provide a venue for collaboration and communication;
- Identify, investigate, and promote activities, practices, and policies that improve the university and community relationship;
- Explore where the Campus and Community can help each other attain its mission and vision;
- Enhance students off-campus experiences and encourage connectivity with the greater Brookings community;
- Encourage community members' connectivity with university programs and events;
- Create initiatives to encourage public safety, community health, and a high quality of life for students and community members; and
- Provide a venue for community-wide discussion on issues affecting both the University and Brookings community;

#### Expectations of the Coalition:

Issues can be referred to the Coalition from the City Council, SDSU President's Executive Council, SDSU Student Association, SDSU Academic Senate for assistance and advice.

In addition to issues referred to them the Coalition will have a minimum of one open forum per year to hear issues and suggestions from the Brookings Community and the Campus Community.

The Coalition will meet as needed to identify and promote activities, practices, and policies that will resolve issues and attain the stated objectives.

The Coalition will also have an annual forum to review the year. The annual forum will include university administration, city officials, and student leaders. An annual report will be generated and published to the University President, the President's Executive Council, the Mayor, and the City Council. This report will be a public document.

#### Membership

The Coalition will be comprised of a maximum of eleven members.

The Coalition membership will include;

- Brookings City Manager or designee
- Brookings Chief of Police or designee
- SDSU Student Association President or designee
- SDSU State and Local Chair or designee
- SDSU VP of Student Affairs or designee
- SDSU VP of Public Safety and Security or designee

Designees will need to be approved by the City Council.

A maximum of five (5) at-large positions would be appointed by the Mayor and approved by the City Council. No at large member would serve a term longer than two years with the ability to be reappointed. The at-large appointments should consider issues facing the University and Community (i.e. university administrators and faculty, SDSU student, business leader, property owner, involved community member, bar proprietor).

Expectations of members:

- Appoint a chair to conduct meetings and manage the agenda.
- Adhere to code of ethics and city open meeting policies.
- Work to achieve community wide solutions and not represent an individual member's goals or platform.

**2017 Capital Improvement and Community Reinvestment Plans.** A motion was made by Council Member Niemeyer, seconded by Council Member Hansen, that the 2017 Capital Improvement and Community Reinvestment Plans be approved. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell; Absent: 1 – Reed.

**2017 Storm Drainage Fee Rates.** A motion was made by Council Member Hansen, seconded by Council Member Bacon, directing staff to prepare a resolution for action at the September 27<sup>th</sup> Council Meeting with a 15% rate increase per year for the next three-year period. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Hansen, Kidwiler, Bacon, and Wendell; Absent: 1 – Reed.

**Adjourn.** A motion was made by Council Member Kidwiler, seconded by Council Member Bacon, to adjourn the meeting at 7:18 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

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Tim Reed, Mayor

ATTEST:

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Shari Thornes, City Clerk