

**Brookings City Council**  
**October 11, 2016**

The Brookings City Council held a meeting on Tuesday, October 11, 2016 at 6:30 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. City Manager Jeffrey Weldon, City Attorney Steve Britzman 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 September 13 and September 27 City Council Minutes.**

**3.C. Action on Resolution 16-076, a Resolution revising certain Fees of the city of Brookings.**

Resolution 16-076 - A Resolution Revising Fees  
of the City of Brookings, South Dakota

Whereas the fines, fees, and procedures pertaining to services of the City of Brookings shall be reviewed and revised; and

Whereas the License Fees have been established by various chapters of the Code of Ordinances, the City Clerk license fees shall be revised; and

Whereas weed removal, grass mowed, and line clearance removal is required under Section 62-90, of the Code of Ordinances, the Parks and Forestry Department Service Fees shall be revised; and

Whereas street and sidewalk snow removal is required under Section 74-212, Article 5 of Chapter 74, of the Code of Ordinances, the Parks Department Service Fees shall be revised; and

Whereas the Engineer Department Building Permit Fees required under Service Fees shall be adopted, under Section 22-35, Article II of Chapter 22 of the Code of Ordinances, shall be revised; and

Whereas Planning and Zoning Application Fees required under Section 66-3 of Chapter 66, of the Code of Ordinances, the Community Development Department Fees shall be revised; and

Whereas the Application Fees for sign permits required under Chapter 94, of the Code of Ordinances, the Community Development Departments Fees shall be revised; and

Whereas the Investigation Fee for violation of Code under Chapter 94, of the Code of Ordinances, the Community Development Department Fees shall be revised; and

Whereas the Airport Board is recommending fees, the fees shall be revised; and

Whereas the Code of Ordinances under Section 34, requires inspections and plan reviews by the Fire Department, and reports of fires are provided, the Fire Department Fees shall be revised; and

Whereas the Police Department assign officers and cars to escort the moving of structures within the City and provide accident reports the Police Departments Fee shall be revised; and

Whereas the Library Board is recommending fees, the fees shall be revised; and

Whereas the Solid Waste Collections and Landfill Fees have been reviewed and included herein; and

Whereas the standardized fee for black and white copies is \$.50, color copies \$1.00 for all departments.

Therefore, Be It Resolved that the fees be adopted and become effective January 1, 2017 as follows:

City Clerk: Circuses, carnivals – each circus per day \$75.00; each carnival or similar exhibition, per day \$25.00. Commercial Garbage Haulers – original license \$50.00; each annual renewal \$25.00. House Movers – per year \$50.00. Pawnbrokers – per year \$50.00. Plumbing Contractor – original license \$50.00; each annual renewal \$25.00. Vehicles for Hire – first taxicab, or other vehicle for hire per year \$25.00; each additional vehicle operated by the same person per year \$10.00. Vehicle for hire drivers per year \$15.00. Transportation Network Company – original license \$250.00; license new drivers \$25.00; each annual renewal \$15.00. Food Truck – per year \$75.00. Transient Merchants – per month or part thereof \$100.00. DVD or CD - \$5.00 per disk.

Parks & Forestry Department: Weed Control, plus contractor cost, \$65.00. Mowing – 1<sup>st</sup> hour \$150.00; each additional hour or fraction \$85.00; each additional hour large area \$125.00. Sidewalk Snow Removal 1<sup>st</sup> Offense – per hour per piece of equipment, 1-hour minimum \$125.00. Sidewalk Snow Removal 2<sup>nd</sup> Offense – per hour per piece of equipment, 1-hour minimum \$175.00. DED Removal / BMU Line Clearance: Aerial Bucket plus employee wage \$150.00; Loader plus employee wage \$125.00; Trucks plus employee wage \$85.00; Chipper plus employee wage \$85.00; Chainsaw / Misc. Equipment plus employee wage \$65.00.

Brookings Street Department: Sign Repairs (traffic accidents, vandalism) – replacement cost, plus labor, sales tax and excise tax. Street Repairs – replacement cost for materials.

Brookings City Engineer's Department: Residential Building Permit Fees: The base valuation to determine permit fees for residential buildings and additions are based on a dollar per square foot schedule per the following. The bid price must be quoted for renovations or remodels. Dwellings: Single-family dwellings, duplexes townhouses. Finished habitable space per square foot \$70.00; Finished basements per square foot \$30.00; Unfinished space (basement and upper levels) per square foot \$18.00; Attached garages per square foot \$20.00; Detached garages per square foot \$18.00. Building Permit Fee Schedule – Group R-3 and U Occupancies Only. \$1.00-\$1,200.00 total valuation, fee of \$20.00; \$1,200.01-\$2,000.00 total valuation, fee of \$10.00 for the first \$500 plus \$1.50 for each additional \$100 or fraction thereof, to and including \$2,000, for valuations in excess of \$1,100; \$2,000.01-\$25,000.00 total valuation, fee of \$32.50 for the first \$2,000 plus \$6.00 for each additional \$1,000 or fraction thereof, to and including \$25,000; \$25,000.01-\$50,000.00 total valuation, fee of \$170.50 for the first \$25,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$50,000; \$50,000.01-\$100,000.00 total valuation, fee of \$283.00 for the first \$50,000 plus \$3.00 for each additional \$1,000 or fraction thereof, to and including \$100,000; \$100,000.01 and up total valuation, fee of \$433.00 for the first \$100,000 plus \$2.50 for each additional \$1,000 or fraction thereof. Commercial Building Permit Fee Schedule: Groups A, B, E, F, H, I, M, S, Group R Division 1's and Division 2's (including Group U's accessory to the R-1 and R-2 occupancies). \$1-\$700.00 total valuation, fee of \$20.00; \$700.01-\$2,000.00 total valuation, fee for values in excess of \$700.00, \$15.00 for the first \$500.00, plus \$2.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00; \$2,000.01-\$25,000 total valuation, fee of \$45.00 for the first \$2,000 plus \$9.00 for each additional \$1,000 or fraction thereof, to and including \$25,000; \$25,000.01-\$50,000.00 total valuation, fee of \$252.00 for the first \$25,000 plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000; \$50,000.01-\$100,000.00 total valuation, fee of \$414.50 for the first \$50,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$100,000; \$100,000.01-\$500,000.00 total valuation, fee of \$639.50 for the first \$100,000 plus \$3.50 for each additional \$1,000 or fraction thereof, to and including \$500,000.00; \$500,000.01-\$1,000,000.00 total valuation, fee of \$2,039.50 for the first \$500,000 plus \$3.00 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.00; \$1,000,000.00 and up total valuation, fee of \$3,539.50 for the first \$1,000,000 plus \$2.00 for each additional \$1,000 or fraction thereof. Other Inspections and Fees: Inspections outside normal business hours, per hour (minimum charge of one hour) \$50.00; Inspection for which no fee is specifically indicated per hour (minimum charge of ½ hour) \$50.00; Re-inspection fees assessed under provisions of Section R108 IRC and 108 IBC per hour \$50.00; Driveway, demolition, window replacement and other minor construction per permit \$25.00; Moving Fee – dwelling originally constructed on-site and previously occupied \$200.00. Moving Fee – accessory building, mobile home, modular home, manufactured home \$50.00

Brookings Community Development Department. Planning and Zoning: Change of Zone \$250.00; Planned Development District \$250.00; Final Development Plan \$100.00; Major Amendment \$250.00; Minor Amendment \$100.00; Board of Adjustment \$125.00; Preliminary Plats plus \$1.00/lot over 20 lots or \$1.00/acre over 1 acre \$175.00; Final Plats \$160.00; Vacation \$150.00; 1-1R Site Plan \$150.00; Conditional Use \$200.00; Zoning & Use Registration Permit \$60.00; Rental License – per structure plus \$2.00 for each dwelling unit \$20.00; Tax Increment Financing Application \$1,000.00. Permanent Signs: (measurements are done in square foot) from 0' to less than 30', \$25.00; from 30' to less than 60', \$30.00; from 60' to less than 90', \$35.00; from 90' to less than 120', \$40.00; from 120' to less than 150', \$45.00; from 150' to less than 180', \$50.00; from 180' to less than 210', \$55.00; from 210' to less than 240', \$60.00; from 240' to less than 270', \$65.00; from 270' to less than 300', \$70.00; from 300' to less than 330', \$75.00; from 330' to less than 360', \$80.00; from 360' to less than 390', \$85.00; from 390' to less than 420', \$90.00; from 420' to less than 450', \$95.00; from 450' to less than 480', \$100.00; from 480' to less than 510', \$105.00; from 510' to less than 540', \$110.00; from 540' or more, \$115.00; non-permanent signs, \$15.00; portable signs, per week, \$15.00; portable signs, per month (Maximum permit period shall not carry over from one permit period to the next.), \$45.00; Banner signs, exempt.

Code Enforcement: Code Enforcement Investigation per hour (1 hour minimum), \$45.00

Industrial Lands: Crop Land Lease, based on bid.

Airport Fees: Land Lease per square foot, \$.12; FBO Fuel Flowage per gallon, \$0.06; Other Fuel Flowage per gallon, \$0.06; Crop Land Lease, based on bid; Tie Down Fee, per week for tie downs 11 days or longer from April 14 to October 14, \$25.00; Hangar Application Fee, \$25.00.

Brookings City Fire Department: Fire Protection Systems Fees: Fire Sprinkler Systems, \$75.00 plus \$.45 per sprinkler head; Retrofitted Fire Sprinkler Systems, \$75.00 plus \$.45 per sprinkler head; Kitchen Hood Extinguishing Systems, \$90.00; Kitchen Hood Extinguishing System Modification, \$45.00; Clean Agent or other total Flooding System per square foot of covered area, \$.20; Fire Alarm Systems, \$75.00 plus \$.45 each initiation and signaling device; Fire Alarm System Modifications, \$37.50 plus \$.45 each initiation and signaling device; False Fire Alarm Calls when trucks roll, \$0.00 first call, \$50.00 second call, \$100.00 third call. Flammable and Combustible Liquids Fees: Flammable and Combustible Liquids, \$90.00; Flammable and Combustible Liquids Modifications, \$45.00. Site Plan Review: Site Plan Review per hour (one hour minimum), \$45.00; Inspections outside of normal business hours, per hour (two hour minimum), \$45.00; Re-inspection, per hour (one hour minimum), \$45.00; Fire Incident Reports, \$10.00.

Library Fees: Out of County Library Card – per individual, \$35.00; per family, \$45.00; Fax, sent or received, per page, \$2.25; Fines, per day books, \$.10; Fines, per day DVD/VHS, \$1.00; Process Fee, lost material, per item, \$5.00.

Police Department Fees: Moving of Structure - per unit (officer and patrol car), 2 hour minimum per unit, \$50.00; Accident Reports – per report, \$5.00; per picture, \$4.00.

City of Brookings Solid Waste Department: Collection Fees – Residential Rate \$17.50 monthly plus tax; additional carts \$3.50 monthly plus tax. Yard Waste – special bag \$.85 per bag. Commercial Charges 5 carts \$35.00 monthly plus sales tax; additional carts \$3.50 monthly plus sales tax; Dumpster Charges – twice week pick up; 1.5 cubic yard container \$90.00 monthly plus sales tax; 2.0 cubic yard container \$115.00 monthly plus sales tax; 3.0 cubic yard container \$140.00 monthly plus sales tax; 4.0 cubic yard container \$165.00 monthly plus sales tax; 5.0 cubic yard container \$190.00 monthly plus sales tax; 6.0 cubic yard container \$217.00 monthly plus sales tax; 7.0 cubic yard container \$243.00 monthly plus sales tax; 8.0 cubic yard container \$268.00 monthly plus sales tax. Dumpster Charges – additional pick up; 1.5 cubic yard container \$29.00 plus sales tax; 2.0 cubic yard container \$35.00 plus sales tax; 3.0 cubic yard container \$47.00 plus sales tax; 4.0 cubic yard container \$58.00 plus sales tax. Landfill Fees (per ton) – 240 pound material minimum \$5.00 plus sales tax and \$1.00 per ton state fee; commercial \$43.00 plus sales tax and \$1.00 per ton state fee; compost / leaves / grass \$43.00 plus sales tax and \$1.00 per ton state fee; demolition \$43.00 plus sales tax and \$1.00 per ton state fee; demolition \$43.00 plus sales tax and \$1.00 per ton state fee; domestic \$43.00 plus sales tax and \$1.00 per ton state fee; industrial \$43.00 plus sales tax and \$1.00 per ton state fee; metal \$43.00 plus sales tax and \$1.00 per ton state fee; asbestos (region only) \$43.00 plus sales tax and \$1.00 per ton state fee. Landfill Fees (per ton) - 500 pound material minimum \$5.00 plus sales tax; fill \$21.00 per ton plus sales tax; lumber \$21.00 per ton plus sales tax; roofing and siding \$21.00 per ton plus sales tax; concrete \$21.00 per ton plus sales tax; trees \$21.00 per ton plus sales tax; contaminated soil \$11.00 per ton plus sales tax. Landfill Fees – asbestos (accepted in region only) \$7.50 per bag plus sales tax; refrigerators/air conditioners \$12.00 per item plus sales tax; mobile homes \$135.00 each plus sales tax. Tires – ATV tire \$2.00 each plus sales tax; car tire \$3.00 each plus sales tax; pickup tire \$5.00 each plus sales tax; tire on rim \$6.00 each plus sales tax; truck tire \$11.00 each plus sales tax; tractor tire \$30.00 each plus sales tax.

**First District Assoc. of Local Governments.** Todd Kays, Executive Director, provided an update to the Mayor and City Council.

**Resolution 16-082.** A motion was made by Council Member Kidwiler, seconded by Council Member Hansen, that Resolution 16-082, a Resolution Awarding the Contract for Swiftel Center Finishes Updates Project, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Reed, Kidwiler, Bacon, and Wendell.

Resolution 16-082 - Resolution Awarding Bid for Swiftel Center Finishes Update

Whereas, the City of Brookings has received five bids on October 4, 2016 at 1:30 pm for Swiftel Center Finishes updates; and

Whereas, the City of Brookings is looking to award the base tile, base concrete and alternate #T1. The following three companies provided complete bids for those items; Clark Drew Construction with a combined bid of \$171,122.00, and 24 work days needed; Sunkota with a combined bid of \$265,400.00, and 46 work days needed; and ICS with a combined bid of \$324,725.00, and 45 work days needed.

Now, Therefore, Be It Resolved that the low bid from Clark Drew Construction in the amount of \$171,122.00 to accepted.

**FIRST READING: Ordinance 16-022.** Introduction and First Reading on Ordinance 16-022, an Ordinance amending the Requirements for Campaign Financing Disclosures in the City of Brookings, South Dakota. Public Hearing: November 8, 2016.

**FIRST READING: Ordinance 16-023.** Introduction and First Reading on Ordinance 16-023, an Ordinance establishing procedure for Revisions and Amendments to Ordinances following First Readings. Public Hearing: November 8, 2016.

**Temporary Alcohol Application.** A public hearing was held on a temporary alcohol application to operate within the City of Brookings, South Dakota, for Cinema 8 State Theatre Company, Dick Peterson, owner, 219 6th Street, Brookings, South Dakota, for a Cinema 8 VIP Guest Gala on November 3, 2016. A motion was made by Council Member Corbett, seconded by Council Member Wendell, that the Temporary Alcohol Application be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Reed, Kidwiler, Bacon, and Wendell.

**Ordinance 16-020.** A public hearing was held on Ordinance 16-020, an Ordinance authorizing Supplemental Appropriation #2 to the 2016 Budget. A motion was made by Council Member Hansen, seconded by Council Member Corbett, that Ordinance 16-020 be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Reed, Kidwiler, Bacon, and Wendell.

**Ordinance 16-021.** A public hearing was held on Ordinance 16-021, an Ordinance to Rezone a portion of Section 19-T110-R49W (as referenced on approved Wilbert Square Addition Preliminary Plat dated November 24, 2015 as Lots 1-3, Block 1, Wilbert Square Addition), from a Highway Business B-4 District to a Planned Development District. A motion was made by Council Member Niemeyer, seconded by Council Member Corbett, that Ordinance 16-021 be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Reed, Kidwiler, Bacon, and Wendell.

**Initial Development Plan.** A motion was made by Council Member Niemeyer, seconded by Council Member Kidwiler, that an Initial Development Plan for a Portion of Section 19-T110N-R49W as referenced on the approved Wilbert Square Addition Preliminary Plat dated November 24, 2015 as Lots 1-3, Block 1, Wilbert Square Addition, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Hansen, Reed, Kidwiler, Bacon, and Wendell.

**Adjourn.** A motion was made by Council Member Corbett, seconded by Council Member Wendell, to adjourn the meeting at 7:08 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