

**Brookings City Council**  
**September 11, 2018**

The Brookings City Council held a meeting on Tuesday, September 11, 2018 at 6:00 p.m., at City Hall with the following City Council members present: Mayor Keith Corbett, Council Members Mary Kidwiler, Ope Niemeyer, Dan Hansen, Nick Wendell, Patty Bacon, and Holly Tilton Byrne. City Manager Paul Briseno, City Attorney Steve Britzman, and City Clerk Shari Thornes were also present.

**6:00 PM Regular Meeting**

**Consent Agenda.** A motion was made by Council Member Hansen, seconded by Council Member Wendell, to approve the Consent Agenda. The motion carried by the following vote: Yes: 7 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, Tilton Byrne and Corbett.

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

**3.B. Action to approve the August 28, 2018 City Council Minutes.**

**3.C. Action on Resolution 18-076, a Resolution authorizing the Wine Operating Agreement – renewal Hy-Vee Food, Inc., dba Hy-Vee Food Store.**

Resolution 18-076 Wine Operating Agreement – renewal  
Hy-Vee Food, Inc., dba Hy-Vee Food Store

Be It Resolved by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Agreement for the Operating Liquor Management Agreement between the City of Brookings and Hy-Vee Food, Inc., dba Hy-Vee Food Store, Tom Daschel, Store Manager, 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 790 22<sup>nd</sup> Ave. So.

Be It Further Resolved that the City Manager be authorized to execute the Agreement on behalf of the City, which shall be for a period of ten (10) years, with a renewal in five (5) years.

**3.D. Action on Resolution 18-071, a Resolution Revising Fees of the City of Brookings, South Dakota.**

Resolution 18-071 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, 2019 as follows:

<b>City Clerk</b>			
Circuses, carnivals		Each circus per day	\$ 75.00
		Each carnival or similar exhibition, per day	\$ 25.00
Commercial garbage haulers		License	\$ 50.00
		Each annual renewal	\$ 25.00
House movers		Per year	\$ 50.00
Pawnbrokers		Per year	\$ 50.00
Plumbing Contractor		License	\$ 50.00
		Each annual renewal	\$ 25.00
Vehicles for Hire		First taxicab, or other vehicle for hire	\$ 25.00
		Per year	
		Each additional vehicle operated by the	\$ 10.00
		Same person per year	
Vehicle for Hire Drivers		Per year	\$ 15.00
Transient Merchants		Per month or part thereof	\$ 100.00
DVD or CD		Per disk	\$ 5.00
Transportation Network Company		License	\$ 250.00
		License - new drivers	\$ 25.00
		Per year	\$ 15.00
Food Truck		Per year	\$ 75.00
Temporary Merchant - general		Per Month	\$ 50.00
Temporary Merchant - food cart		Per Year	\$ 75.00
<b>Parks &amp; Forestry Department</b>			
Weed Control		plus contractor cost	\$65.00
Mowing		1st hour	\$150.00
		each additional hour or fraction	\$85.00
		each additional hour large area	\$125.00
Sidewalk Snow Removal-1st Offense		Per hour-per piece of equipment/1 hr. minimum	\$125.00
Sidewalk Snow Removal-2nd Offense		Per hour-per piece of equipment/1 hr. minimum	\$175.00
<b>DED Removal/BMU Line Clearance</b>			
Aerial Bucket plus employee wage			\$160.00
Loader plus employee wage			\$130.00
Trucks plus employee wage			\$90.00
Chipper plus employee wage			\$90.00
Chainsaw/Miscellaneous Equipment plus Employee Wage			\$70.00

<b>Street Department</b>			
Sign Repairs	Replacement Cost, Plus Labor, Sales Tax, and Excise Tax		
- Traffic Accidents			
- Vandalism			
Street Repairs	Replacement Cost for Materials		
<b>City Engineer's Department</b>			
<b>Residential Building Permit Fees:</b>			
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.			
<i>Dwellings: Single-family dwellings, duplexes, townhouses:</i>			
	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
<i>Building Permit Fee Schedule Group R-3 and U Occupancies Only:</i>			
	<b>Total Valuation</b>	<b>Fees</b>	
	\$1.00 - 1,200.00	\$20.00	
	\$1,200.01 - 2,000.00	\$10.00 for the first \$500.00 plus \$1.50 for each additional \$100.00 or fraction thereof, to and including \$2,000, for valuation in excess of \$1,100.00	
	\$2,000.01 - 25,000.00	\$32.50 for the first \$2,000.00 plus \$6.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00.	
	\$25,000.01 - 50,000.00	\$170.50 for the first \$25,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00.	
	\$50,000.01 - 100,000.00	\$283.00 for the first \$50,000.00 plus \$3.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00.	
	\$100,000.01 - and up	\$433.00 for the first \$100,000.00 plus \$2.50 for each additional \$1,000.00 or fraction thereof	
<b>Commercial Building Permit Fees:</b>			
The value to be used in computing the building permit fee for all commercial construction, remodeling, renovation, and repairs shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire extinguishing system, and other permanent equipment exclusive of site improvements and parking lot costs.			

\$100,000.01 to 500,000.00	\$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 to 1,000,000.00	\$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	\$3,539.50 for the first \$1,000,000 plus \$2.00 for each additional \$1,000 or fraction thereof.	
<b>Other Inspections and Fees:</b>		
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 1/2 hour)		\$ 50.00
Re-inspection fees assessed under provisions of Section R108 IRC and 108 IBC per hour		\$ 50.00
One-story detached accessory structure with floor area less than or equal to 200 Sq. Ft.		\$ 25.00
Driveway, demolition, window replacement and other minor construction per permit		\$ 25.00
Roofing and Siding: Group R-2 and R-3 Uses and Group U Uses accessory to R-2 and R-3 Uses		\$ 25.00
Moving Fee: Dwelling originally constructed on-site and previously occupied		\$ 200.00
Moving Fee: Dwelling originally constructed on-site to be moved out of City Limits		\$ 50.00
Moving Fee: Accessory building, mobile home, modular home, manufactured home		\$ 50.00
Residential Contractor's License Annual Fee		\$ 75.00
Work commencing before permit issuance: The minimum investigation fee shall be equal to the amount of the permit fee required by code.		
<b>Planning and Zoning</b>		
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		\$ 200.00
Final Plats		\$ 160.00
Vacation		\$ 150.00
I-1R Site Plan		\$ 150.00
Conditional Use		\$ 250.00
Annexation		\$ 150.00
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		
	Square Feet	
	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

	Permanent Signs		
		Square Feet	
		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
<b>Code Enforcement</b>			
	Code Enforcement Investigation per hour (1 hour minimum)		\$ 45.00
<b>Industrial Lands</b>			
	Crop Land Lease	Based on Bid	
<b>Airport Fees</b>			
	Land Lease per square foot:		
		For Private/Collegiate Hangars	\$ 0.12
		For Commercial Hangars	\$ 0.15
	Fuel Flowage :	per gallon FBO	\$ 0.06
		per gallon Others	\$ 0.06
	Crop Land Lease	Based on Bid	
	Tie Down Fee	Per week for tie down 11 days or longer from April 14 to October 14	\$ 25.00
	Hanger Application Fee		\$ 25.00

<b><u>Fire Protection Systems Fees</u></b>		
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	\$0.20	
Fire Alarm Systems	\$75.00 + \$.45 each initiation & signaling device	
Fire Alarm System Modifications	\$37.50 + \$.45 each initiation & signaling device	
False Fire Alarm Calls when trucks roll	\$0.00 First Call	
	\$50.00 Second Call	
	\$100.00 Third Call	
<b><u>Flammable &amp; Combustible Liquids Fees</u></b>		
Flammable & Combustible Liquids		\$ 90.00
Flammable & Combustible Liquids Modifications		\$ 45.00
<b><u>Site Plan Review</u></b>		
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
<b><u>Library Fees</u></b>		
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	\$ 0.10
Fines	Per day DVD's/VHS	\$ 1.00
Process Fee	Lost material per item	\$ 5.00
<b><u>Police Department Fees</u></b>		
Moving of Structure	Per unit (Officer and patrol car) 2 hour minimum per unit	\$ 50.00
Accident Reports	Per report	\$ 5.00
	Pictures, each	\$ 4.00

<b>Collection / Landfill Fees</b>			
Residential Rate	monthly plus sales tax		\$ 18.00
Additional Carts	monthly plus sales tax		\$ 3.50
Yard Waste - Special Bag	per bag		\$ 0.95
Commercial Charges - 5 carts	monthly plus sales tax		\$ 35.00
Additional Carts	monthly plus sales tax		\$ 3.50
<b>Dumpster Charges - Twice Week Pick Up</b>			
1.5 cubic yard container	monthly plus sales tax		\$ 90.00
2.0 cubic yard container	monthly plus sales tax		\$ 115.00
3.0 cubic yard container	monthly plus sales tax		\$ 140.00
4.0 cubic yard container	monthly plus sales tax		\$ 165.00
5.0 cubic yard container	monthly plus sales tax		\$ 190.00
6.0 cubic yard container	monthly plus sales tax		\$ 217.00
7.0 cubic yard container	monthly plus sales tax		\$ 243.00
8.0 cubic yard container	monthly plus sales tax		\$ 268.00
<b>Dumpster Charges - Additional Pick Up</b>			
1.5 cubic yard container	plus sales tax		\$ 29.00
2.0 cubic yard container	plus sales tax		\$ 35.00
3.0 cubic yard container	plus sales tax		\$ 47.00
4.0 cubic yard container	plus sales tax		\$ 58.00
<b>240 Pound Material Minimum</b>			
Commercial	plus sales tax and \$1.00 per ton state fee		\$ 5.00
Compost/Leaves/Grass	plus sales tax and \$1.00 per ton state fee		\$ 43.00
Demolition	plus sales tax and \$1.00 per ton state fee		\$ 43.00
Domestic	plus sales tax and \$1.00 per ton state fee		\$ 43.00
Industrial	plus sales tax and \$1.00 per ton state fee		\$ 43.00
Metal	plus sales tax and \$1.00 per ton state fee		\$ 43.00
Asbestos (region only)	plus sales tax and \$1.00 per ton state fee		\$ 43.00
<b>500 Pound Material Minimum</b>			
Fill	per ton plus sales tax		\$ 5.00
Lumber	per ton plus sales tax		\$ 21.00
Roofing and Siding	per ton plus sales tax		\$ 21.00
Concrete	per ton plus sales tax		\$ 21.00
Trees	per ton plus sales tax		\$ 21.00
Contaminated Soil	per ton plus sales tax		\$ 11.00
Asbestos (accepted in region only)	per bag plus sales tax		\$ 7.50
Refrigerators / Air Conditioners	plus sales tax		\$ 12.00
Mobile Homes	plus sales tax		\$ 135.00
Tires:			
ATV	plus sales tax		\$ 2.00
Car	plus sales tax		\$ 3.00
Pickup	plus sales tax		\$ 5.00
Tire on Rim	plus sales tax		\$ 6.00
Truck	plus sales tax		\$ 11.00
Tractor	plus sales tax		\$ 30.00



**3.E. Action on Resolution 18-076, a Resolution authorizing Change Order No. 1 (Final) for 2018-06TI Chip Seal Project, Topkote, Inc.**

Resolution Authorizing Change Order No. 1 (Final) for 2018-06TI  
Chip Seal Project, Topkote, Inc.

Be It Resolved by the City Council that the following change order be allowed for 2018-06STI, Chip Seal Project:

Construction Change Order Number 1: Adjust plan quantities to as-constructed quantities for a total decrease of \$48,989.12 to the contract to close out the project.

**Presentation on Brookings County Drug Court.** Brookings County States Attorney Teree Nesvold, the Honorable Abigail Howard Third Circuit Magistrate Judge, and Assistant Police Chief Derrick Powers presented on the Brookings County Drug Court Program.

**Ordinance 18-013.** An introduction and first reading was held on Ordinance 18-013, an Ordinance authorizing Supplemental Appropriation #2 to the 2018 Budget. Second Reading: September 25, 2018.

**Ordinance 18-012.** An introduction and first reading was held on Ordinance 18-012, an Ordinance Amending Chapter 82 of the Code of Ordinances of the City of Brookings and Pertaining to Permitted Parking in Municipal Parking Lots. Public Hearing: September 25, 2018.

**Temporary Liquor License.** A public hearing was held on a Temporary Liquor Applications from Aramark Educational Services, LLC, to operate within the City of Brookings, South Dakota on September 20 for the Festival of Books to be held at the SDSU Alumni Center, 815 Medary Avenue. A motion was made by Council Member Kidwiler, seconded by Council Member Tilton Byrne, that the Temporary Liquor Application be approved. The motion carried by the following vote: Yes: 7 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, Tilton Byrne, and Corbett.

**Resolution 18-074.** A public hearing was held on Resolution 18-074, a Resolution of Intent to Lease to Precision Health Technologies, LLC the following described property in the Research and Technology Center, 811 32nd Ave., Brookings, SD. A motion was made by Council Member Hansen, seconded by Council Member Wendell, that Resolution 18-074 be approved. The motion carried by the following vote: Yes: 7 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, Tilton Byrne, and Corbett.

**Ordinance 18-011.** A public hearing was held on Ordinance 18-011, an Ordinance appropriating monies to fund the necessary expenditures and liabilities of the City of Brookings for the 2019 Fiscal Year and providing for the Annual Tax Levy and Annual Tax for All Funds. A motion was made by Council Member Bacon, seconded by Council Member Hansen, that Ordinance 18-011 be approved. The motion carried by the following vote: Yes: 7 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, Tilton Byrne, and Corbett.

**Capital Improvement Plan and Community Reinvestment Plan.** A public hearing was held on the adoption of the Capital Improvement Plan and Community Reinvestment Plan. A motion was made by Council Member Hansen, seconded by Council Member Tilton Byrne, that the Capital Improvement Plan and Community Reinvestment Plan be adopted. The motion carried by the following vote: Yes: 7 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, Tilton Byrne, and Corbett.

**City of Brookings 2018-2023 Strategic Plan.** A public hearing was held on the City of Brookings 2018-2023 Strategic Plan. A motion was made by Council Member Bacon, seconded by Council Member Hansen, that the City of Brookings 2018-2023 Strategic Plan be approved. The motion carried by the following vote: Yes: 7 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, Tilton Byrne, and Corbett.

**Adjourn.** A motion was made by Council Member Hansen, seconded by Council Member Wendell, to adjourn the meeting at 6:39 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

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Keith W. Corbett, Mayor

ATTEST:

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Shari Thornes, City Clerk