

Brookings City Council
September 25, 2018

The Brookings City Council held a meeting on Tuesday, September 25, 2018 at 6:00 p.m., at City Hall with the following City Council members present: Deputy Mayor Mary Kidwiler, Council Members Ope Niemeyer, Dan Hansen, Nick Wendell, Patty Bacon, and Holly Tilton Byrne. Acting City Manager Jackie Lanning, City Attorney Steve Britzman, and City Clerk Shari Thornes were also present. Mayor Keith Corbett and City Manager Paul Briseno were absent.

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: 6 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon and Tilton Byrne.

3.A. Action to approve the agenda.

3.B. Action to approve the September 11, 2018 City Council Minutes.

3.C. Action on Resolution 18-077, a Resolution Authorizing Change Order No. 1 (Final) for 2018-09STI Recreational Trail Overlay Project, Bowes Construction, Inc.

Resolution 18-077

Resolution Authorizing Change Order No. 1 (Final) for 2018-09STI
Recreational Trail Overlay Project, Bowes Construction, Inc.

Be it Resolved by the City Council that the following change order be allowed for 2018-09STI, Recreational Trail Overlay Project:

Construction Change Order Number 1: Adjust plan quantities to as-constructed quantities for a total decrease of \$4,436.58 to the contract to close out the project.

Open Forum. Matt Schmidt, 1903 Windermere Way, expressed his gratitude to Mayor Corbett, Council Member Niemeyer, City Manager Briseno and City Engineer Lanning for coordinating the neighborhood meeting on September 12 regarding the recent flooding issues. He received a letter in the mail advising the city has expanded the study area. Schmidt asked what area had been expanded and what is the timetable for completion? Lanning thanked everyone for hosting the neighborhood meeting and advised the basin study area has been expanded to include 17th Avenue into Moriarty Park and then easterly down to 20th Street S, so the basin of drainage in that area is included in the drainage study. Banner is scheduled to report back in October. Residents would be notified by letter when the report is ready, so they may attend the City Council Meeting presentation.

Presentation on August 2018 Monthly Financial Report. Finance Director Shawna Costello presented on the current 2018 Financials.

Resolution 18-080. A motion was made by Council Member Bacon, seconded by Council Member Tilton Byrne, that Resolution 18-080, a Resolution Awarding Bids on the Snow Removal Equipment Contracts, be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, and Tilton Byrne.

Resolution 18-080 - Resolution Awarding Bids on the
Snow Removal Equipment Contracts

Whereas, the City of Brookings opened bids for Snow Removal Equipment on Tuesday, September 11, 2018 at 1:30 pm at Brookings City & County Government Center; and

Whereas, the City of Brookings has received the following bids for Snow Removal Equipment:

Four (4) Motorgraders with Wings: Three bids were received. VJ Ahlers Excavating Inc, JD772CH, \$200.00/hr.; Bowes Construction, two (2) 140H, \$200.00/hr.

One (1) 3- to 6-Yard Loader: One bid was received. Bowes Construction, 966H CAT, 5.25 cubic yards, \$217.00/hr.

Four (4) Loaders with Reversible Blades: Three 3 bids received. Austreim Excavating, 624G, \$205.00/hr; Austreim Excavating, 544K, \$205.00/hr. Bowes Construction, 950 CAT, \$225.00/hr.

Ten (10) End-Dump Trucks: Only nine bids were received. VJ Ahlers Excavating Inc, #2, 25 cubic yards, \$125.00/hr.; VJ Ahlers Excavating Inc, #5, 20 cubic yards, \$110.00/hr.; Bowes Construction, #23, 22.7 cubic yards, \$125.00/hr.; Bowes Construction, #24, 22.7 cubic yards, \$125.00/hr.; Prussman Contracting Inc, #19, 22.8 cubic yards, \$130.00/hr.; Prussman Contracting Inc, #20, 22.8 cubic yards, \$130.00/hr.; Prussman Contracting Inc, #22, 22.2 cubic yards, \$130.00/hr.; Prussman Contracting Inc, #21, 20.6 cubic yards, \$130.00/hr.; Prussman Contracting Inc. #23, 19.5 cubic yards, \$130.00/hr.

Four (4) Side-Dump Trucks: Two bids were received. V. J. Ahlers Excavating, #6, 36 cubic yards, \$145.00/hr.; V. J. Ahlers Excavating, #51, 36 cubic yards, \$145.00/hr.

Now Therefore, Be It Resolved the following bids be accepted:

Four (4) Motorgraders with Wings: Three bids were received. VJ Ahlers Excavating Inc, JD772CH, \$200.00/hr.; Bowes Construction, two (2) 140H, \$200.00/hr.

One (1) 3- to 6-Yard Loader: One bid was received. Bowes Construction, 966H CAT, 5.25 cubic yards, \$217.00/hr.

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Inc, #21, 20.6 cubic yards, \$130.00/hr.; Prussman Contracting Inc. #23, 19.5 cubic yards, \$130.00/hr.

Four (4) Side-Dump Trucks: Two bids were received. V. J. Ahlers Excavating, #6, 36 cubic yards, \$145.00/hr.; V. J. Ahlers Excavating, #51, 36 cubic yards, \$145.00/hr.

Resolution 18-075. A motion was made by Council Member Tilton Byrne, seconded by Council Member Niemeyer, that Resolution 18-075, a Resolution approving the Joint Law Enforcement Agreement between the City of Brookings Police and the South Dakota State University Police, be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, and Tilton Byrne.

Resolution 18-075 – Resolution Approving the Joint Law Enforcement Agreement Between the City of Brookings Police and the South Dakota State University Police

Whereas, the City of Brookings and South Dakota State University have made updates and revisions to the current Joint Law Enforcement Agreement; and

Whereas, the Joint Law Enforcement provides guidelines and instructions to each agency regarding the selection and appointment of officers for the University Police Department, notification of disciplinary actions, state law regarding sworn officer status, jurisdiction, training standards, sharing of case information, discharge rules and rights to appeal, costs, liabilities and insurance perimeters; and

Whereas, the City Manager and Chief of Police have recommended approval of the revised Joint Law Enforcement Agreement.

Now, Therefore, Be It Resolved by the governing body of the City of Brookings, SD, that the revised Joint Law Enforcement Agreement is hereby adopted by the City of Brookings. This revision shall supersede the previous agreement dated March 3, 2010.

Ordinance 18-014. An introduction and first reading was held on Ordinance 18-014, an Ordinance amending the zoning ordinance of the City of Brookings pertaining to the side yard setbacks in the RB-4, B-2, B-2A and B-3 Districts. Second Reading: October 9, 2018.

Ordinance 18-013. A second reading was held on Ordinance 18-013, an Ordinance authorizing Supplemental Appropriation #2 to the 2018 Budget. A motion was made by Council Member Bacon, seconded by Council Member Hansen, that Ordinance 18-013 be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, and Tilton Byrne.

Ordinance 18-012. A second 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. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Ordinance 18-012 be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, and Tilton Byrne.

Industrial I-1R District Site Plan for 2500 Eastbrook Drive on Lot 1 (Excluding Lot H-1) and Lot 6, Block 2, Insbrook Park Addition (CRC Global Solutions). A public hearing was held on the Industrial I-1R District Site Plan for 2500 Eastbrook Drive on Lot 1 (Excluding Lot H-1) and Lot 6, Block 2, Insbrook Park Addition (CRC Global Solutions). A motion was made by Council Member Hansen, seconded by Council Member Wendell, that the Industrial I-1R District Site Plan for 2500 Eastbrook Drive on Lot 1 (Excluding Lot H-1) and Lot 6, Block 2, Insbrook Park Addition (CRC Global Solutions) be approved with the proposed conditions provided by the Development Review Team. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, and Tilton Byrne.

Resolution 18-079. A motion was made by Council Member Hansen, seconded by Council Member Wendell, that Resolution 18-079, a Resolution accepting a Conveyance of Real Property in Nelson 5th Addition to the City of Brookings, South Dakota, be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, and Tilton Byrne.

Resolution 18-079 – Resolution Accepting A Conveyance of Real Property in
Nelson 5th Addition to the City of Brookings, South Dakota

WHEREAS, CD Properties has conveyed certain real property to the City of Brookings, South Dakota, consisting of a detention pond and lift station, to be used for public purposes and specifically to provide a sanitary sewer lift station and additional detention for drainage purposes in Nelson 5th Addition, said real property being described as follows: Lot One (1) and Lot Two (2) of Block Two (2) in Nelson 5th Addition to the City of Brookings, County of Brookings, State of South Dakota, and

WHEREAS, the City Council recognizes the benefit the community will receive as a result of the conveyance of this real property,

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council that the real property described above is hereby accepted by the City of Brookings, South Dakota.

Resolution 18-078. A motion was made by Council Member Niemeyer, seconded by Council Member Wendell, that Resolution 18-078, a Resolution Setting Fees for Permitted Parking in Municipal Parking Lots, be approved. The motion carried by the following vote: Yes: 6 - Niemeyer, Hansen, Kidwiler, Wendell, Bacon, and Tilton Byrne.

Resolution 18-078 – Resolution Setting Fees for Permitted Parking
in Municipal Parking Lots

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

Whereas, the City would like to provide extended parking in designated parking spaces in municipal parking lots by special permit.

Now, Therefore, Be It Resolved that the fees for Permitted Parking in Municipal Parking Lots be \$100 for a six-month permit and \$180 for an annual permit.

Adjourn. A motion was made by Council Member Hansen, seconded by Council Member Wendell, to adjourn the meeting at 6:42 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

Keith W. Corbett, Mayor

ATTEST:

Shari Thornes, City Clerk