

**Brookings City Council**  
**July 14, 2020**

The Brookings City Council held a meeting on Tuesday, July 14, 2020 at 4:00 PM, at City Hall with the following City Council members present: Mayor Keith Corbett and Council Members Holly Tilton Byrne, Nick Wendell, Leah Brink, Patty Bacon, Joey Collins, and Ope Niemeyer. City Attorney Steve Britzman, City Manager Paul Briseno, and City Clerk Bonnie Foster was also present.

**4:00 PM STUDY SESSION**

City Manager Paul Briseno and Assistant City Manager Jake Meshke provided an overview of the proposed 2021 balanced budget to the City Council and members of the public.

**6:00 PM REGULAR MEETING**

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

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

**3.B. Action to approve the June 30, 2020 City Council Minutes.**

**3.C. Action to make changes to the City Council Meeting Schedule for July:** July 7 - Special Meeting, July 14 - Regular Meeting, July 21 - Study Session (CANCELLED), July 28 - Regular Meeting.

**Proclamation.** Mayor Keith Corbett presented a Proclamation celebrating the 30<sup>th</sup> Anniversary of the Americans with Disabilities Act. Brookings Committee for People who have Disabilities members Mark Sternhagen and Brianna Doran accepted the Proclamation.

Mayoral Proclamation  
City of Brookings, South Dakota

Whereas, the Americans with Disabilities Act (ADA) was passed on July 26, 1990, as the first comprehensive declaration of equality for people with disabilities and protects rights in all aspects of employment, in accessing public services, and guaranteeing access to private establishments; and

Whereas, the goals of the community aligns with providing people with disabilities with the opportunities and support to achieve full integration and inclusion in society, in an individualized manner; and

Whereas, disability is a natural part of the human experience that does not diminish the right to enjoy the opportunity to live independently, enjoy self-determination, make choices, contribute to society, and experience full integration and inclusion with necessary services and supports; and

Now, Therefore, I, Keith W. Corbett, Mayor of the City of Brookings, do hereby proclaim July 26, 2020 as Americans with Disabilities Act 30<sup>th</sup> Anniversary Day.

And call upon the people of Brookings to:

1. Recognize and celebrate the progress that has been made by reaffirming the principals of equality and inclusion and recommitting our efforts to reach full ADA compliance for people with disabilities in the city of Brookings.
2. Continue advocating for full inclusion and equity of individuals with disabilities in all aspects of society.

In Witness Whereof, I have placed the Seal of the City of Brookings, State of South Dakota, this 14<sup>th</sup> day of July, 2020.

Keith W. Corbett, Mayor

**Resolution 20-063.** A motion was made by Council Member Bacon, seconded by Council Member Tilton Byrne, that Resolution 20-063, a resolution authorizing the execution of contractual documents with the State of South Dakota for the receipt of CARES Act funds to address the COVID-19 Public Health Crisis, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, and Collins.

Resolution 20-063 - A Resolution Authorizing the Execution of Contractual Documents with the State of South Dakota for the Receipt of CARES Act Funds to Address the COVID-19 Public Health Crisis

Whereas, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the "CARES Act"), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the City of Brookings; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

Whereas, the City of Brookings acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

Whereas, the City of Brookings acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds on a statewide basis to reimburse counties and municipalities as delineated herein; and

Whereas, the City of Brookings seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

Whereas, the City of Brookings acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for the City of Brookings most recently approved as of March 27, 2020; and

Whereas, the City of Brookings acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

Now, Therefore, Be It Resolved by the City Council of the City of Brookings that the Mayor, City Clerk and City Manager of Brookings may execute any and all documents as required by the State in order to receive CARES Act funds.

Be It Further Resolved that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the City budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

Be It Further Resolved that the City will not request reimbursement from the State under the CARES Act for costs for which the City previously received reimbursement, or for which the City has a reimbursement request pending before another source.

**Ordinance 20-011.** A public hearing was held on Ordinance 20-011, an Ordinance Rezoning the N ½ of the N ½ of the Southwest ¼ in Section 34, Township 110 from Agricultural, A District to Residence R-1C Single-Family District, Residence R-1D Single-Family District, and Residence R-3 Apartment District (South of Summit Pass and east of West 16<sup>th</sup> Avenue South). A motion was made by Council Member Wendell, seconded by Council Member Brink, that Ordinance 20-011 be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, and Collins.

**Preliminary Plat.** A motion was made by Council Member Brink, seconded by Council Member Niemeyer, that the Preliminary Plat for Lots 26-30, Block 6; Lots 1-14, Block 18; Lots 1-14, Block 19; Lots 1-31, Block 20; Lots 1-8, Block 24; Lots 1 & 2, Block 25; Lots 1 & 2, Block 26; Lots 1-3, Block 27; Lot 1, Block 28; all in Timberline Addition be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, and Collins.

**Ordinance 20-015.** A second reading was held on Ordinance 20-015, an Ordinance Authorizing Supplemental Appropriation No. 4 to the 2020 Budget. A motion was made by Council Member Brink, seconded by Council Member Wendell, that Ordinance 20-015 be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, and Collins.

**Resolution 20-059.** A motion was made by Council Member Brink, seconded by Council Member Bacon, that Resolution 20-059, a Resolution Transferring Contingency Funds for Retirement Payout Funds, be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, and Collins.

Resolution 20-059 - A Resolution Transferring Contingency Funds  
for Retirement Payout Funds

Whereas, the City of Brookings hereby transfers Retirement Payout Expense contingency funds to meet retirement obligations of the municipality. This transfer is for the purpose of completing a transfer of contingency funds to the following accounts:

405 Finance	101-415-5-101-00	Regular Pay	\$ 21,549.22
431 Street	101-431-5-101-00	Regular Pay	\$ 10,598.56
		Total Transfers	\$ 32,147.78

The Financing Source for this transfer is from the following account:

Retirement Payout Expense Contingency	\$ 32,147.78
Total Source of Funding	\$ 32,147.78

Whereas, this resolution is deemed necessary for the immediate preservation of the public peace, health, safety and support of the City, and shall become effective upon publication.

**Council Items for Future Discussion.** A motion was made by Council Member Brink, seconded by Council Member Bacon, that a standing item to discuss the current status of COVID-19 be added to future City Council Agendas. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, and Collins.

**Adjourn.** A motion was made by Council Member Brink, seconded by Council Member Bacon, that this meeting be adjourned at 6:38 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

ATTEST:

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Keith W. Corbett, Mayor

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Bonnie Foster, City Clerk