

BRING YOUR DREAMS.



City of Brookings
Meeting Agenda - Final
City Council

Brookings City Council
Brookings City & County
Government Center
520 3rd St., Suite 230
Brookings, SD 57006
Phone: (605) 692-6281

"We are an inclusive, diverse, connected community that fuels the creative class, embraces sustainability and pursues a complete lifestyle. We are committed to building a bright future through dedication, generosity and authenticity. Bring your dreams!"

Tuesday, January 25, 2022

5:30 PM

Council Chambers

The City of Brookings is committed to providing a high quality of life for its citizens and fostering a diverse economic base through innovative thinking, strategic planning, and proactive, fiscally responsible municipal management.

5:30 PM REGULAR MEETING

1. Call to Order / Pledge of Allegiance.

2. Record of Council Attendance.

3. Action to approve the agenda.

4. Executive Session

- 4.A.** [ID 22-0022](#) Executive Session, pursuant to SDCL 1-25-2.3, for purposes of consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters, and SDCL 1-25-2.5 for purposes of discussing marketing or pricing strategies by a board or commission of a business owned by the state or any of its political subdivisions, when public discussion may be harmful to the competitive position of the business.

Action: Motion to enter into Executive Session, Voice Vote
Action: Motion to exit Executive Session, Voice Vote

6:00 PM REGULAR MEETING

5. Open Forum

At this time, any member of the public may request time on the agenda for an item not listed or to make a brief announcement or invitation. Items will be scheduled at the end of the meeting. Individuals are asked to state their name and address for the record.

6. Consent Agenda:

Action: Motion to Approve, Request Public Comment, Roll Call

Matters appearing on the Consent Agenda are expected to be non-controversial and will be acted upon by the Council at one time, without discussion. At the request of any one Council Member or the City Manager, an item may be removed from the Consent Agenda and placed on the regular agenda whenever additional discussion on an item is necessary. Items removed from the Consent Agenda will be discussed at the beginning of the formal items.

- 6.A.** [ID 22-0033](#) Action on the January 11, 2022 City Council minutes.

Attachments: [Minutes](#)

- 6.B.** [RES 22-011](#) Action on Resolution 22-011, a Resolution Authorizing the City Manager to Sign and Submit an Environmental Grant Application and to Sign Agreements, Contracts, Correspondence, Pay Requests, and Other Required Documents for Household Hazardous Waste Drop-Off Event.

Attachments: [Resolution](#)

- 6.C.** [RES 22-009](#) Action on Resolution 22-009, a Resolution authorizing the City Manager to sign an On-Sale Liquor Operating Agreement renewal for Brookings Steak Company LLC, dba Whiskey Creek Wood Fire Grill, James Gardner, Aelred Kurtenbach, and Kerry Prochaska, owners, 621 32nd Avenue, Brookings, South Dakota, legal description: Block 1, Lot 1, Wiese Addition.

Attachments: [Resolution](#)
 [Operating Agreement](#)
 [Map](#)

7. Presentations/Reports:

- 7.A.** [ID 22-0038](#) Presentation: Annual Dr. Martin Luther King, Jr. Day Awards by the Brookings Human Rights Commission.

Attachments: [Norah Miller, 1st Place, K - 1st](#)
[Shiloh Butzin, 2nd Place, K - 1st](#)
[Ana Kramer, 3rd Place, K - 1st](#)
[Samara Sloss, Honorable Mention, K - 1st](#)
[Madilynn Doty 1st place, 2nd Grade](#)
[Tanner Frank, 2nd Place, 2nd Grade](#)
[Naomi Nyongbela, 3rd place, 2nd Grade](#)
[Elise Ulvestad, Honorable Mention, 2nd Grade](#)
[Doug Hakeman, 1st Place, Advance](#)
[Matthew Lindberg, 2nd Place, Advance](#)
[Shelly Egeberg, 3rd Place, Advance](#)
[Drew Maag, HM, Advance](#)
[Isabella Park - 1st Place Middle School Essay](#)
[Shae Lefers - 2nd Place Middle School Essay](#)
[Madeline Enderson - 3rd Place Middle School Essay](#)
[Samuel Caugherty - Honorable Mention Middle School Essay](#)

7.B. SDSU Student Association Report.

7.C. [ID 22-0001](#) City of Brookings Employee Service Awards Recognition.

Attachments: [Employee List.docx](#)

7.D. [ID 22-0037](#) Report: 2021 Swiftel Center Financial Update

Attachments: [Memo](#)
 [Presentation](#)

8. Contracts/Change Orders:

9. Ordinance First Readings:

No vote is required on the first reading of an Ordinance. The title of the Ordinance is read. Public Comment and Council discussion is permitted. The date for the second reading or public hearing is announced.

9.A. [ORD 22-006](#) Introduction and First Reading on Ordinance 22-006, an Ordinance amending Chapter 94, Zoning, and Chapter 66, Planning, pertaining to Sections 94-42 - 94-45 and Sections 66-13 - 66-16, authorizing the Planning Commission to act as the Board of Adjustment. Public Hearing and Action: February 8, 2022.

Attachments: [Memo](#)
 [Ordinance](#)
 [Legal Notice - Planning Commission](#)
 [Planning Commission Minutes](#)

- 9.B.** [ORD 22-003](#) Introduction and First Reading on Ordinance 22-003, an Ordinance to rezone within the Joint Jurisdiction Area, Outlot C (3823 Main Avenue South) and Outlot D (portions of 3901 Main Avenue South) in the Northwest Quarter of the Southeast Quarter of Section 11, Township 109 North, Range 50 West, from Joint Jurisdiction Residence R-3A Multiple-Family and Mobile Home District to Joint Jurisdiction Business B-3 Heavy District. Public Hearing and Action: February 8, 2022.

Attachments: [Memo](#)
 [Ordinance](#)
 [Legal Notice - Planning Commission](#)
 [Planning Commission Minutes](#)
 [Application](#)
 [Area Map](#)
 [Zoning Map](#)
 [Future Land Use Map](#)

- 9.C.** [ORD 22-002](#) Introduction and First Reading on Ordinance 22-002, an Ordinance amending Chapter 94, Zoning, Pertaining to Section 94-125.7, Residence R-1D Single-Family for the Purposes of Adding Regulations for Single-Family, Small Lot, and Single-Family Zero Feet Side Yard - 2 Units, Small Lot as permitted Special Uses. Public Hearing and Action: February 8, 2022.

Attachments: [Memo](#)
 [Ordinance - Clean](#)
 [Ordinance - Marked](#)
 [Legal Notice - Planning Commission](#)
 [Planning Commission Minutes](#)
 [Example](#)

- 9.D.** [ORD 22-004](#) Introduction and First Reading on Ordinance 22-004, an Ordinance to Permit by Conditional Use an apartment building on Outlot E (130 9th Street) and the East 100 Feet of Outlot F in Parkdale Home Addition and the North 100 feet of Lots Six and Seven in Block Five of Oyloe's Addition (124 9th Street). Public Hearing and Action: February 8, 2022.

Attachments: [Memo](#)
 [Ordinance](#)
 [Legal Notice - Planning Commission](#)
 [Planning Commission Minutes](#)
 [Aerial Map](#)
 [Application](#)
 [Site Plan](#)
 [Building Plans](#)

- 9.E. [ORD 22-005](#)** Introduction and First Reading on Ordinance 22-005, an Ordinance to Permit by Conditional Use an office building on Outlots B and S of Section 23, Township 110 North, Range 50 West. Public Hearing and Action: February 8, 2022.

Attachments: [Memo](#)
 [Ordinance](#)
 [Legal Notice - Planning Commission](#)
 [Planning Commission Minutes](#)
 [Aerial Map](#)
 [Conditional Use Application](#)
 [Site Plan](#)
 [Building Plans](#)

10. Public Hearings and Second Readings:

- 10.A. [ORD 22-001](#)** Second Reading and Action on Ordinance 22-001, an Ordinance Authorizing Budget Amendment No.1 to the 2022 Budget.

Attachments: [Memo](#)
 [Ordinance](#)

 Action: Motion to Approve, Request Public Comment, Roll Call
 Legislative History

1/11/22 City Council read into the record

- 10.B. [RES 22-002](#)** Public Hearing and Action on Resolution 22-002, a Resolution Authorizing the Placement of Yield Signs at the Intersection of 9th Street and 8th Avenue.

Attachments: [Memo](#)
 [Resolution](#)
 [Legal Notice](#)
 [Map](#)

Action: Open & Close Public Hearing, Motion to Approve, Roll Call

- 10.C. [RES 22-003](#)** Public Hearing and Action on Resolution 22-003, a Resolution Authorizing

the Placement of Stop Signs at the Intersection of 9th Street and 9th Avenue.

Attachments: [Memo](#)
 [Resolution](#)
 [Legal Notice](#)
 [Map](#)

Action: Open & Close Public Hearing, Motion to Approve, Roll Call

11. Other Business:

- 11.A. [RES 22-010](#)** Action on Resolution 22-010, a Resolution Amending the City of Brookings Green Building Practices Policy for City-Funded Facilities.

Attachments: [Memo](#)
 [Resolution - Clean](#)
 [Resolution - Marked](#)
 [Resolution 16-016](#)
 [Senate Bill 134](#)
 [Sustainability Council Minutes 12/2021](#)

Action: Motion to Approve, Request Public Comment, Roll Call

- 11.B. [ID 22-0036](#)** Action to Approve a Developer Agreement between City of Brookings and Prairie Hills, LLC, for Tax Increment District #11.

Attachments: [Memo](#)
 [Agreement](#)

Action: Motion to Approve, Request Public Comment, Roll Call

- 12. [ID 22-0039](#)** City of Brookings Progress Report.

Attachments: [Presentation](#)

13. City Council member introduction of topics for future discussion.

Any Council Member may request discussion of any topic at a future meeting. Items cannot be added for action at this meeting. A motion and second is required which states the topic, requested outcome, and time frame. A majority vote is required.

14. Adjourn.

*Brookings City Council: Oepke G.Niemeyer, Mayor; Nick Wendell, Deputy Mayor
Council Members Wayne Avery, Patty Bacon, Leah Brink, Joey Collins, Holly Tilton Byrne,*

*Brookings City Council Staff:
Paul M. Briseno, City Manager Steven Britzman, City Attorney Bonnie Foster, City Clerk*

Public Comment is limited to a maximum of three minutes per person during the meeting. Individuals are asked to give their name and address for the record. Public Comment may be submitted prior to the meeting: 1) Email comments to the City Clerk (bfoster@cityofbrookings-sd.gov), 2) participate via Zoom, or 3) via eComment (<https://cityofbrookings.legistar.com/Calendar.aspx>). Those who provide comments in any manner should understand their comments will become part of the official record and subject to review by all parties and the public.

Meetings are broadcast live and recorded. Go to www.cityofbrookings-sd.gov for more information. Government Channel 9 Rebroadcast Schedule: Wednesday 1:00 pm / Thursday 7:00 pm / Friday 9:00 pm / Saturday 1:00 pm

Upon request, accommodations for meetings will be provided for persons with disabilities. Please contact Susan Rotert, City Human Resources Director and ADA Coordinator at (605) 692-6281 at least three (3) business days in advance of the meeting.