

BROOKINGS CITY COUNCIL
April 22, 2025

The Brookings City Council held a meeting Tuesday, April 22, 2025 at 6:00 PM, at the Brookings City & County Government Center, Chambers, with the following City Council members present: Mayor Oepke Niemeyer, Council Members Wayne Avery, Brianna Doran, Bonny Specker, Holly Tilton Byrne, and Nick Wendell. City Manager Paul Briseno, City Attorney Steve Britzman and City Clerk Bonnie Foster were also present.

Agenda. A motion was made by Council Member Specker, seconded by Council Member Tilton Byrne, that the agenda be approved. The motion carried by the following vote: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

Consent Agenda. A motion was made by Council Member Tilton Byrne, seconded by Council Member Specker, that the consent agenda be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

A. Action to approve the April 15, 2025 City Council Minutes.

B. Action on various Volunteer Board appointments: Airport Board: reappoint Brady Klocker (term: 5/1/2025-5/1/2030); Human Rights Commission: new appointment - Elena Friedman - College Student Representative (term: 5/1/2025-5/1/2026); Park & Recreation Board: reappoint Erika Saunders (term: 5/1/2025-5/1/2025), Stacy Zervas (term: 5/1/2025-5/1/2025), and Brenda Anderson (term: 5/1/2025-5/1/2025), new appointment - Isabella Parks – High School Student Representative (term: 5/1/2025-5/1/2026); Planning Commission: new appointment - Emily Braun (term: 4/22/2025-12/31/2027); Sustainability Council: new appointment - Madalynn Graham - College Student Representative (term: 5/1/2025-5/1/2026); Utility Board: reappoint Spencer Hawley (term: 5/1/2025-5/1/2030).

C. Action on Resolution 25-044, a Resolution declaring surplus property for the City of Brookings.

RESOLUTION 25-044 - DECLARING SURPLUS PROPERTY

WHEREAS, the City of Brookings is the owner of the following described equipment formerly used at the City of Brookings:

Landfill: Gray Desk; Electric Adjustable Desk; Lot of Filing Cabinets; File Slot Organizers; 2012 Peterbilt 320 with Curbtender VIN #3BPZH58X2CF143813;

WHEREAS, in the best financial interest, it is the desire of the City of Brookings to dispose of as surplus property; and

WHEREAS, the City Manager is hereby authorized to sell or dispose of said surplus property.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Brookings, SD, that this property be declared surplus property according to SDCL Chapter 6-13.

D. Action on Temporary Alcohol / Special Event Alcoholic Beverage Licenses

from existing alcohol license holders: Sodexo Catering (License Holder RB-28249 and RW-28251): SDSU TL25-047.

Proclamation and Recognition of City Attorney Steve Britzman. In recognition of Steve Britzman's retirement, Mayor Niemeyer presented a Proclamation declaring April 22, 2025 as Steve Britzman Day. Steve served the City of Brookings as City Attorney from March 2000 - April 2025, and Deputy City Attorney: February 1983 - January 1997.

MAYORAL PROCLAMATION

WHEREAS, Steve Britzman has served the City of Brookings with wisdom, integrity, and dedication—first as Deputy City Attorney from February 1983 to January 1997, and then as City Attorney from March 2000 to April 2025; and

WHEREAS, Steve's legacy is one of quiet leadership, deep knowledge of municipal law, and tireless commitment to Brookings and the region; and

WHEREAS, Steve's legal guidance played a vital role in Brookings' development as a regional hub, influenced by the presence of SDSU, economic diversification, and innovative community development initiatives; and

WHEREAS, Steve offered valuable counsel during a period of significant population growth, as the city focused on strategic infrastructure enhancements and thoughtful community planning; and

WHEREAS, through steady counsel, Steve helped the City of Brookings pursue its inclusive vision with clarity and conviction—creating a vibrant, diverse, and welcoming community that shines as a beacon of progress in SD; and

WHEREAS, through his unwavering dedication to public service, his deep involvement in community organizations, and his servant leadership that uplifted all voices, Steve has left an indelible mark on our city; his legacy of integrity, compassion, and inclusion will be felt not only in our community but in the hearts of those he served—today and for generations to come.

NOW, THEREFORE, BE IT RESOLVED, that I, Oepke G. Niemeyer, Mayor of the City of Brookings, do hereby proclaim Tuesday, April 22, 2025 as Steve Britzman Day.

Report: SDSU Student Association. Anna Hundt, SDSU Student's Association Government Affairs Chair, provided an update on SDSU current affairs.

Update: Economic Merger. Council Member Nick Wendell and Tom Fishback, Co-Chairs of the Economic Merger Committee, provided an update on the economic merger to the City Council and the public.

Report: Edgebrook Golf Course Water Sourcing. Kristin Zimmerman, Parks, Recreation & Forestry Director, provided an update on the water sourcing for Edgebrook Golf Course.

Resolution 25-034. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Resolution 25-034, a Resolution Authorizing the City Manager to Sign a Bid Award and Grant Documents for Brookings Airport Hangar Taxilane Extension Construction Project, AIP #3-46-0005-040-2025, contingent on FAA funding, be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-034 - RESOLUTION AUTHORIZING THE CITY MANAGER TO
SIGN A BID AWARD AND GRANT DOCUMENTS FOR BROOKINGS AIRPORT
HANGAR TAXILANE EXTENSION CONSTRUCTION PROJECT NO. AIP #3-46-0005-
040-2025

WHEREAS, the City of Brookings desires improvements to the Brookings Regional Airport which include the extension of a Hangar Taxilane; and

WHEREAS, the South Dakota Department of Transportation and FAA have indicated tentative approval of grant funding assistance for the Brookings Regional Airport Project #3-46-0005-040-2025 (Project); and

WHEREAS, the FAA grant rules require the City of Brookings solicit and award a bid, contingent on funding, prior to execution of a grant agreement; and

WHEREAS, the City of Brookings opened bids for the Project on Tuesday, April 15, 2025 at 1:30 pm at the Brookings City and County Government Center and received the following bids: Bowes Construction Inc. \$124,813.45 and Asphalt Surfacing Company \$133,544.32.

NOW, THEREFORE, BE IT RESOLVED the tentative award for AIP Project #3-46-0005-40-2025, Airport Hangar Taxi Lane Extension Construction Project, Base Bid is made to Bowes Construction Inc. in the amount of \$124,813.45, contingent upon receipt of FAA grant funds, and that the Brookings City Manager is authorized to sign all grant documents and associated contracts to complete the Project.

Resolution 25-039. A motion was made by Council Member Wendell, seconded by Council Member Specker, that Resolution 25-039, a Resolution Awarding Bids on 2025-08STI Asphalt Maintenance Project, be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-039 - RESOLUTION AWARDING BIDS ON PROJECT 2025-08STI
ASPHALT MAINTENANCE PROJECT

WHEREAS, the City of Brookings opened bids for 2025-08STI Asphalt Maintenance

Project on Tuesday, April 15, 2025 at 1:30 pm at the Brookings City & County Government Center; and

WHEREAS, the City of Brookings received the following bid for the 2025-08STI Asphalt Maintenance Project: Bowes Construction, Inc, in the amount of \$1,954,642.15.

WHEREAS, the low bid was approximately 30% lower than the Engineer's Estimate.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the low bid of \$1,954,642.15 for Bowes Construction Inc., be accepted.
2. The City Manager is authorized to sign the contract documents for this project and any further contract documents and change orders which may be required.

FIRST READING – Ordinance 25-012. Introduction and First Reading was held on Ordinance 25-012, an Ordinance amending Article III of Chapter 34 of the Code of Ordinances of the City of Brookings, and pertaining to the International Fire Code. Second Reading: May 13, 2025.

Resolution 25-041. A public hearing was held on Resolution 25-041, a Resolution to Annex Lots 1 and 2 in Clark 2nd Addition in the Southwest Quarter of Section 20, Township 110, Range 49 in Brookings County, South Dakota. A motion was made by Council Member Specker, seconded by Council Member Doran, that Resolution 25-041 be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-041 - RESOLUTION TO ANNEX LOTS 1 AND 2 IN CLARK 2ND ADDITION IN THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 110 NORTH, RANGE 49 WEST IN BROOKINGS COUNTY, SOUTH DAKOTA

WHEREAS, the City of Brookings is authorized pursuant to South Dakota Codified Law 9-4-1 to annex contiguous territory upon receipt of a written petition, describing said territory sought to be annexed, signed by not less than three-fourths (3/4) of the legal voters and by the owner or owners of not less than three-fourths (3/4) of the value of said territory; and

WHEREAS, the City of Brookings has received a Petition for Annexation on the following described property, to wit: Lot 1 of Clark 2nd Addition in the Southwest Quarter (SW ¼) of Section Twenty (20), Township One Hundred Ten (110) North, Range Forty-nine (49), West of the 5th P.M., Brookings County, South Dakota and Lot 2 of Clark 2nd Addition in the Southwest Quarter (SW ¼) of Section Twenty (20), Township One Hundred (110) North, Range Forty-nine (49) West of the 5th P.M., Brookings County, South Dakota; and

WHEREAS, the aforementioned land is contiguous to the present boundaries of the City of Brookings; and

WHEREAS, the City of Brookings has received a Petition for Annexation of Territory signed by the owners of greater than three-fourths (3/4) of the value of the aforementioned property and greater than three-fourths (3/4) of the legal voters residing in said territory; and

WHEREAS, the Brookings County Board of County Commissioners reviewed the petition during their regular meeting on April 15, 2025 pursuant to South Dakota Codified Law 9-4-5 and has approved, by Resolution 25-22, that this property, as described, be annexed into the City of Brookings.

NOW, THEREFORE, BE IT RESOLVED by the City of Brookings, South Dakota, that the property described above is hereby annexed to the City of Brookings.

Resolution 25-042. A public hearing was held on Resolution 25-042, a Resolution to Amend the 2040 Comprehensive Plan's Future Land Use Map. A motion was made by Council Member Wendell, seconded by Council Member Doran, that Resolution 25-042 be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 24-042 - A RESOLUTION TO AMEND THE BROOKINGS, SOUTH
DAKOTA COMPREHENSIVE PLAN 2040

WHEREAS, the Comprehensive Plan provides a Major Street Plan Map, identifies a Future Land Use Map, projects population figures for the planning period, and describes an integrated land use vision for the City; and

WHEREAS, portions of Future Land Use Map as shown on the attached area map are to be amended to wit: a portion of said areas from Urban Medium Intensity and Open Space to Business Park / Light Industry; and

WHEREAS, the City Council of the City of Brookings, SD held a public hearing in accordance with SDCL 11-6-18 on the proposed amendment to the Future Land Use Map of the Brookings, South Dakota Comprehensive Plan 2040; and

WHEREAS, the City Planning Commission of the City of Brookings, SD has recommended approval of the amendments to the Future Land Use Map of the Brookings, South Dakota Comprehensive Plan 2040 in accordance with SDCL 11-6-17;

NOW, THEREFORE, BE IT RESOLVED THAT said amendment to the Future Land Use Map of the Brookings South Dakota Comprehensive Plan 2040 is hereby adopted by the City of Brookings.

Commercial Corridor Design Review Overlay District Site Plan. A public hearing was held on a Commercial Corridor Design Review Overlay District Site Plan for 600 Main Avenue. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that the Site Plan for 600 Main Avenue be approved. The

motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

Ordinance 25-011. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that Ordinance 25-011, an Ordinance amending Chapter 6, Article I, Section 6-8 of the Code of Ordinances of the City of Brookings pertaining to Sidewalk Café Alcoholic Beverage Sales and Consumption Guidelines, be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

Preliminary Plat. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that a Revised Preliminary Plat for Lots 2-3 in Block 2 and Block 3 of Reserve Fourth Addition, be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

Resolution 25-029. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that Resolution 25-029, a Resolution Amending the Capital Improvement Fee for Edgebrook Golf Course, be approved. Public Comment: Doug Smith. The motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-029 - RESOLUTION AMENDING THE CAPITAL IMPROVEMENT FEE FOR EDGEBROOK GOLF COURSE

WHEREAS, in fiscal year 2025 amend Capital Improvement Fee to \$2.00 for all 9-hole green fees, \$4.00 for all 18-hole green fees, and \$40 CIP fee for all season passes. This fee may only be modified with City Council Approval; and

WHEREAS, staff has conducted analysis of the Edgebrook Golf Course Capital Improvement Plan, the City Council has determined that this fee is necessary to offset the capital improvement needs of Edgebrook Golf Course.

NOW, THEREFORE, BE IT RESOLVED that the Capital Improvement Fee for Edgebrook Golf Course his hereby amended.

Resolution 25-030. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that Resolution 25-030, a Resolution of Intent to Lease Real Property to Ryan Companies US, Inc., be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-030 - RESOLUTION OF INTENT TO LEASE REAL PROPERTY TO RYAN COMPANIES US, INC.

BE IT RESOLVED by the governing body of the City of Brookings, South Dakota that the City of Brookings intends to enter into a lease agreement with Ryan Companies US, Inc., on a month-to-month basis terminating on or before July 31, 2026 and pertaining to

the following described property: Research & Technology Center – 807 32nd Avenue
The Lease will be an amount of \$10.00 per square foot for 2,066 square feet of office space.

BE IT RESOLVED, that a Public Hearing on this Resolution was held on April 22, 2025 at 6:00 o'clock P.M. at the Brookings City & County Government Center and that all persons were given an opportunity to be heard on the intent to lease real property.

BE IT FURTHER RESOLVED, that the City Manager, City Clerk, and City Attorney are authorized to execute a lease agreement with Ryan Companies US, Inc. for real property located in the Research and Technology Center at 807 32nd Avenue.

Resolution 25-043. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Resolution 25-043, a Resolution Authorizing the Acquisition of the Fifth Street Gym Property by the City of Brookings from Brookings School District #5-1, be approved. Public Comment: Doug Smith. The motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-043 - RESOLUTION AUTHORIZING ACQUISITION OF THE FIFTH
STREET GYM PROPERTY BY THE CITY OF BROOKINGS FROM BROOKINGS
SCHOOL DISTRICT 5-1

BE IT RESOLVED by the City Council of the City of Brookings, South Dakota as follows:

WHEREAS, the City desires to acquire the real property described below and referred to as the "Fifth Street Gym", and Brookings School District 5-1 agrees to convey to the City, pursuant to the terms and conditions of a Real Property Transfer Agreement and in accordance with SDCL 6-5-2, the following described property: Lot One Hundred Two (102) of Block Ten (10) of Second Addition to the City of Brookings, County of Brookings, State of South Dakota, and

WHEREAS, the City of Brookings has obtained an Easement for use of the parking lot located East of the Fifth Street Gym through the cooperation of Brookings County and John Mills and Jacob Mills, and

WHEREAS, this transaction represents the efforts of the Brookings School District, the County of Brookings, Community Members John Mills and Jacob Mills, and the City of Brookings to secure the Fifth Street Gym for community use, and

WHEREAS, the School District and City are authorized to enter into this transaction in accordance with South Dakota Codified Law 6-5-2.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Brookings, South Dakota, as follows:

- A. That the City of Brookings acquire the above-described property from the Brookings School District for no cash consideration for public use; and
- B. That the Mayor, City Manager, City Clerk and City Attorney are authorized to execute a Real Property Transfer Agreement and other required documents in accordance with this Resolution.

City Attorney Services. A motion was made by Council Member Tilton Byrne, seconded by Council Member Avery, authorizing the City Manager to enter into an Agreement for City Attorney Services with Woods, Fuller, Schultz, and Smith P.C. Law Firm. Public Comment: Reggie Huff and Zeno Wicks. The motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

Appoint City Council Member. A motion was made by Council Member Wendell, seconded by Council Member Avery, to appoint Lisa Hager as City Council Member, effective 5/01/2025-4/30/2026. Lisa will fill Council Member Andrew Rasmussen's vacant seat. Public Comment: Doug Smith, Zeno Wicks, and Larry Ayres. The motion carried by the following vote: Yes: 6 - Avery, Doran, Niemeyer, Specker, Tilton Byrne, and Wendell.

Progress Report. Progress Report. Samantha Beckman, Assistant to the City Manager, provided a progress report highlighting the City's initiatives and projects.

Adjourn. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that this meeting be adjourned at 8:11 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS, SD

Oepke G. Niemeyer, Mayor

ATTEST:

Bonnie Foster, City Clerk