

BROOKINGS CITY COUNCIL
July 22, 2025 (unapproved)

The Brookings City Council held a meeting Tuesday, July 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, Lisa Hager, Bonny Specker, and Nick Wendell. Absent: Council Member Holly Tilton Byrne. City Manager Paul Briseno, City Attorney J. Vincent Jones, and City Clerk Bonnie Foster were also present.

Agenda. A motion was made by Council Member Wendell, seconded by Council Member Doran, that the agenda be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Hager, Niemeyer, Specker, Wendell; Absent: 1 - Tilton Byrne.

Consent Agenda. A motion was made by Council Member Wendell, seconded by Council Member Doran, that the consent agenda be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Hager, Niemeyer, Specker, Wendell; Absent: 1 - Tilton Byrne.

A. Action to approve the July 8, 2025 City Council Minutes.

B. Action on Temporary Alcohol / Special Event Alcoholic Beverage Licenses from existing alcohol license holders: Sodexo Catering (License Holder RB-28249 and RW-28251): SDSU TL25-073.

C. Action on Resolution 25-063, a Resolution to Approve the Renovation of the Dwiggins-Medary Skatepark.

RESOLUTION 25-063 - RESOLUTION TO APPROVE THE
RENOVATION OF THE DWIGGINS-MEDARY SKATEPARK

WHEREAS, the City of Brookings has determined a need to renovate the Dwiggins-Medary Skatepark; and

WHEREAS, the City has budgeted funds to renovate the Dwiggins-Medary Skatepark; and

WHEREAS, the City will enter into a contract with American Ramp Company of Joplin, MO, for the amount of \$315,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the City of Brookings hereby authorizes the approval to renovate the Dwiggins-Medary Skatepark.

D. Action on Resolution 25-066, a Resolution declaring surplus property for the City of Brookings.

RESOLUTION 25-066 - DECLARING SURPLUS PROPERTY

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

Library: Green Display Table, Train Table, Coat Rack, Rotating Display, 3 Wooden Bookshelves and Gray Display Cart.

Fire Department: 45 – Scott SCBA, 90 – Scott SCBA Air Cylinders, 3 – Scott RIT Packs, 4 – Scott Confined Space SCBA, Misc. Truck Parts (Damaged), Misc. Equipment Parts (Damaged), 4 – Havis Toughbook Vehicle Mounts, Misc. Radios & Radio Parts (Damaged), 2 – Four Gas Meters, 3 – 4' Recessed Troffer Light Fixture, 2 – ISI Metal Frame SCBA (Past Useful Life), ISG Thermal Camera & Truck Charger (Damaged), 4 – Streamlight Boxlights & Chargers (Damaged.)

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.

Proclamation: McCrory Gardens Day. Mayor Niemeyer presented a Proclamation recognizing the 60th Anniversary of McCrory Gardens by designating August 1, 2025 as McCrory Gardens Day. Lisa Marotz, McCrory Gardens Director, accepted the proclamation, and gave recognition to the following individuals who have played major roles in the development and growth of McCrory Gardens: Dr. David Graper, Dr. Peter Schaefer, Martin Maca, Christopher Schlenker, and Dr. Ron Peterson.

MAYORAL PROCLAMATION

WHEREAS, McCrory Gardens has been a beloved treasure in Brookings since its founding in 1965, serving as a public garden, educational resource, and place of beauty for residents and visitors; and

WHEREAS, the land on which McCrory Gardens grows is part of the ancestral and contemporary homelands of the Oceti Sakowin—the Dakota, Lakota, and Nakota people—who have long nurtured a deep relationship with this land, its plants, and its rhythms; and

WHEREAS, the Gardens stand to honor Samuel A. McCrory and as a living legacy Dr. Ronald M. Peterson, generations of visionaries, horticulturists, educators, students, and volunteers who have stewarded its growth with care and creativity; and

WHEREAS, McCrory Gardens continues to partner with South Dakota State University, SDSU Extension, Tribal and community leaders, and visitors of all backgrounds to preserve the cultural, ecological, and agricultural heritage of South Dakota; and

WHEREAS, the year 2025 marks the 60th Anniversary of McCrory Gardens—an occasion worthy of recognition and celebration.

NOW, THEREFORE, BE IT RESOLVED, that I, Oepke G. Niemeyer, Mayor of the City of Brookings, do hereby proclaim August 1, 2025, as McCrory Gardens Day.

Proclamation: Americans with Disabilities 35th Anniversary Day. Mayor Niemeyer presented a Proclamation recognizing the Americans with Disabilities Act 35th Anniversary Day. Mark Sternhagen, member of the Brookings Disability Awareness Committee accepted the proclamation.

MAYORAL PROCLAMATION

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.

NOW, THEREFORE, BE IT RESOLVED, that I, Oepke G. Niemeyer, Mayor of the City of Brookings, do hereby proclaim July 26, 2025 as Americans with Disabilities Act 35th 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.

Resolution 25-069. A public hearing was held on Resolution 25-069, a Resolution Authorizing Purchase of Real Estate for Parking Lot, be approved. A motion was made by Council Member Specker, seconded by Council Member Doran, that Resolution 25-069 be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Hager, Niemeyer, Specker, Wendell; Absent: 1 - Tilton Byrne.

RESOLUTION 25-069 - RESOLUTION AUTHORIZING THE ACQUISITION OF
REAL PROPERTY FOR THE PURPOSES OF DOWNTOWN PARKING;
AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF THE
REAL PROPERTY, AND AUTHORIZING THE DOCUMENTS TO EFFECTUATE THE
TERMS AND INTENT OF THIS RESOLUTION

BE IT RESOLVED by the City Council of the City of Brookings, South Dakota (the

“City”), as follows:

WHEREAS, the City is authorized to acquire real property pursuant to SDCL §§ 9-12-1(2) and 9-51-1; and

WHEREAS, the City has determined additional parking is necessary to facilitate commerce, downtown redevelopment efforts, and economic growth, and it is necessary and desirable to acquire the following real property (the “Property”):

- Lot 3, Railroad Additions to the City of Brookings, County of Brookings, State of South Dakota;
- Lot 2, Railroad Additions to the City of Brookings, County of Brookings, State of South Dakota;
- Lot 1, Railroad Additions to the City of Brookings, County of Brookings, State of South Dakota;
- Lots A, B, and C of Railroad Additions to the City of Brookings, County of Brookings, State of South Dakota; and

WHEREAS, the Property described herein is being acquired by the City for purposes of increasing parking availability in Downtown Brookings; and

WHEREAS, the total cost of the Property purchase will not exceed the cash sum \$1,317,305, which includes \$1,250,000 for the property purchase plus \$4,805 for title work/closing cost and \$62,500 in real estate commission; and

WHEREAS, the City intends to complete the transaction described herein, following a due diligence investigation, and will be completed pursuant to terms, agreements and documents consistent with this Resolution, together with such other documents necessary to effectuate the terms and intent of this Resolution; and

WHEREAS, the funds necessary for the purchase of the Property are available in the City Council Financial Policy Fund; and

NOW, THEREFORE, BE IT RESOLVED that

1. The real estate transactions set forth herein are hereby authorized; and
2. The Mayor, City Manager, City Clerk, and City Attorney are hereby authorized to execute on behalf of the City the documents required to complete the transactions described herein, consistent with the terms of this Resolution in a manner satisfactory to the City Manager.

FIRST READING – Ordinance 25-027. Introduction and First Reading was held on Ordinance 25-027, an Ordinance Authorizing Budget Amendment No. 5 to the 2025 Budget. Second Reading and Action: August 12, 2025.

FIRST READING – Ordinance 25-024. Introduction and First Reading was held on Ordinance 25-024, an Ordinance Establishing a Citizen’s Request for Reconsideration Policy Appeal Process. Second Reading and Action: August 12, 2025.

FIRST READING – Ordinance 25-023. Introduction and First Reading was held on Ordinance 25-023, an Ordinance Amending Chapter 94, Article VI, Division 6, pertaining to Section 94-505, Regulations relating to Cannabis Dispensaries. Public Hearing and Action: August 12, 2025.

FIRST READING – Ordinance 25-026. Introduction and First Reading was held on Ordinance 25-026, an Ordinance to Change the Zoning within the City of Brookings (the South 110 feet of Outlot A in the Southwest ¼ in Section 20, Township 110, Range 49, City of Brookings, Brookings County, South Dakota, also known as 716 34th Avenue, from Agriculture A District to Business B-3 Heavy District). Public Hearing and Action: August 12, 2025.

FIRST READING – Ordinance 25-025. Introduction and First Reading was held on Ordinance 25-025, an Ordinance to Change the Zoning within the City of Brookings (various City properties from an Agriculture A District, Floodway FW District, Residence R-1 Rural Estate District, Residence R-1B Single-Family District, Residence R-2 Two-Family District, Residence R-3 Apartment District, Residence R-3A Apartments / Mobile Homes / Manufactured Housing District, Residence RMH Single-Family and Manufactured Housing District, Business B-3 Heavy District, Industrial I-1 Light District, Industrial I-1R Restricted District, Industrial I-2 Heavy District, and Planned Development District to a Civic District). Public Hearing and Action: August 12, 2025.

Ordinance 25-022. A motion was made by Council Member Doran, seconded by Council Member Specker, that Ordinance 25-022, an Ordinance Amending Chapter 2 of the Code of Ordinances of the City of Brookings and Pertaining to the Authority and Duties of the Brookings Human Rights Commission, be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Hager, Niemeyer, Specker, Wendell; Absent: 1 - Tilton Byrne.

Resolution 25-065. Public Hearing and Action was held on Resolution 25-065, 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 25-065 be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Hager, Niemeyer, Specker, Wendell; Absent: 1 - Tilton Byrne.

RESOLUTION 25-065 - 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 from Open Wetland to Urban Medium Intensity; 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.

On-Off Sale Malt License. A public hearing was held on a request to transfer an On-Off Sale Malt License, for 929-931 25th Avenue, from Dennis Bielfeldt, owner, Den Wil Hospitality Group, Inc., dba Wilbert's, to Matt Chapman, owner, Domellie's LLC, dba Domellie's. A motion was made by Council Member Wendell, seconded by Council Member Doran, that the On-Off Sale Malt License transfer be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Hager, Niemeyer, Specker, Wendell; Absent: 1 - Tilton Byrne.

Resolution 25-060. A public hearing was held on Resolution 25-060, a Resolution authorizing the City Manager to enter into a 10-year On-Off Sale Wine Operating Agreement with Matt Chapman, Domellie's LLC, dba Domellie's. A motion was made by Council Member Wendell, seconded by Council Member Doran, that Resolution 25-060 be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Hager, Niemeyer, Specker, Wendell; Absent: 1 - Tilton Byrne.

RESOLUTION 25-060 - ON-SALE WINE OPERATING AGREEMENT – 10-YEAR
AGREEMENT: MATT CHAPMAN, DOMELLIE'S LLC

BE IT RESOLVED by the City of Brookings, South Dakota, that the City Council hereby approves an Operating Alcohol Management Agreement for Wine between the City of Brookings and Matt Chapman, owner, Domellie's LLC, dba Domellie's, for the purpose of an alcohol manager to operate the on-sale establishment or business for and on behalf of the City of Brookings at 929-931 25th Avenue. Legal description: Lot 3 and 3A, Block 2, Telkamp Addition, City of Brookings, Brookings County, South Dakota.

NOW, THEREFORE, 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 10-years, with a 5-year mid-term renewal.

Resolution 25-067. A public hearing was held on Resolution 25-067, a Resolution authorizing the City Manager to enter into a 10-year On-Sale Convention Liquor Operating Agreement with Matt Chapman, Domellie's LLC, dba Domellie's. A motion was made by Council Member Wendell, seconded by Council Member Doran, that

Resolution 25-067 be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Hager, Niemeyer, Specker, Wendell; Absent: 1 - Tilton Byrne.

**RESOLUTION 25-067 - ON-SALE CONVENTION LIQUOR OPERATING
AGREEMENT - 10-YEAR AGREEMENT - MATT CHAPMAN, DOMELLIE'S LLC**

BE IT RESOLVED by the City of Brookings, South Dakota, that the City Council hereby approves an Operating Alcohol Management Agreement for Convention Liquor between the City of Brookings and Matt Chapman, owner, Domellie's LLC, dba Domellie's, for the purpose of an alcohol manager to operate the on-sale establishment or business for and on behalf of the City of Brookings at 929-931 25th Avenue. Legal description: Lot 3 and 3A, Block 2, Telkamp Addition, City of Brookings, Brookings County, South Dakota.

NOW, THEREFORE, 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 10-years, with a 5-year mid-term renewal.

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

Executive Session. A motion was made by Council Member Wendell, seconded by Council Member Doran, to enter into Executive Session at 6:57 p.m., pursuant to SDCL 1-25-2.4, for preparing for contract negotiations or negotiating with employees or employee representatives; SDCL 1-25-2.3, for 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 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. The motion carried by a unanimous vote. A motion was made by Council Member Wendell, seconded by Council Member Doran, to exit Executive Session at 7:44 p.m. The motion carried by a unanimous vote.

Adjourn. A motion was made by Council Member Wendell, seconded by Council Member Doran, that this meeting be adjourned at 7:44 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS, SD

Oepke G. Niemeyer, Mayor

ATTEST:

Bonnie Foster, City Clerk