

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
Fax: (605) 692-6907

"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, May 11, 2021

6:00 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.

6:00 PM REGULAR MEETING

1. Call to Order / Pledge of Allegiance.

2. [ID 21-0231](#) Present Certificate of Election and Oath of Office to Mayor Oepke "Ope" Niemeyer and City Council Members Patty Bacon and Nick Wendell.

Attachments: [Certificate of Election - O. Niemeyer](#)
[Certificate of Election - P. Bacon](#)
[Certificate of Election - N. Wendell](#)
[Oath of Office - O. Niemeyer](#)
[Oath of Office - P. Bacon](#)
[Oath of Office - N. Wendell](#)

3. Record of Council Attendance.

4. 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, unless a member of the Council or City Manager requests an opportunity to address any given item. Items removed from the Consent Agenda will be discussed at the beginning of the formal items. Approval by the Council of the Consent Agenda items means that the recommendation of the City Manager is approved along with the terms and conditions described in the agenda supporting documentation.

4.A. Action to approve the agenda.

4.B. [ID 21-0230](#) Action to approve the April 27, 2021 City Council minutes.

Attachments: [4/27/2021 Minutes](#)

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

5. Items removed from Consent Agenda.

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

6. Open Forum/Presentations/Reports:

6.A. Open Forum.

At this time, any member of the public may request time on the agenda for an item not listed. Items are typically scheduled for the end of the meeting; however, very brief announcements or invitations will be allowed at this time.

7. Contracts/Change Orders:

7.A. [RES 21-030](#) Action on Resolution 21-030, a Resolution Awarding Bids on Project 2021-04STI Swiftel Pavement Reconstruction Project.

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

8. Ordinance First Readings: None

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

9. Public Hearings and Second Readings:

9.A. [ORD 21-015](#) Public Hearing and Action on Ordinance 21-015, an Ordinance rezoning 21625 471st Avenue, from a Joint Jurisdiction Agriculture (JJ-A) District and Joint Jurisdiction Residence (JJ-R1B) Single-family District to a Joint Jurisdiction Business (JJ-B3) Heavy District.

Attachments: [Memo](#)
[Ordinance](#)
[Planning Commission Notice](#)
[Joint Planning Commission Minutes](#)
[City Council Hearing Notice](#)
[County Staff Report](#)
[Application](#)
[Aerial and Zoning Map](#)
[Future Land Use Map](#)
[Development Suitability Map](#)
[JJ-B3 District](#)

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

Legislative History

4/27/21 City Council read into the record

- 9.B.** [ORD 21-016](#) Public Hearing and Action on Ordinance 21-016, an Ordinance amending Chapter 51, Subdivision Regulations, Pertaining to Section 51-42, 51-64, and 51-65.

Attachments: [Memo](#)
[Ordinance - Marked](#)
[Planning Commission Notice](#)
[Planning Commission Minutes](#)
[City Council Hearing Notice](#)

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

Legislative History

4/27/21 City Council read into the record

- 9.C.** [ORD 21-017](#) Public Hearing and Action on Ordinance 21-017, an Ordinance repealing Section 94-165 - SDSU Campus Edge Neighborhood Design Review Overlay District and replacing it with Commercial Corridor Design Review Overlay District.

Attachments: [Memo](#)
[Ordinance](#)
[Planning Commission Notice](#)
[Planning Commission Minutes](#)
[City Council Hearing Notice](#)
[Boundary Map](#)

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

Legislative History

4/27/21 City Council read into the record

- 9.D.** [ID 21-0227](#) Public Hearing and Action on a request for an On-Off Sale Malt License for Behrend Management, Inc., dba Casino 2000, Brooks Behrend, owner, 622 25th Ave S, Suite B Legal description: Block 12 of Telkamp Addition, Suite B. Pending permit issuance and final inspection per the Community Development Dept.

Attachments:

[Memo](#)
[City Attorney Opinion on AR 48.02.11.02](#)
[Legal Notice](#)
[Proposed Building Plan](#)
[Location Map](#)

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

- 9.E.** [ID 21-0228](#) Public Hearing and Action on a request for Video Lottery for Behrend Management, Inc., dba Casino 2000, Brooks Behrend, owner, 622 25th Ave S. Legal description: Block 12 of Telkamp Addition, Suite B. Pending permit issuance and final inspection per the Community Development Dept.

Attachments:

[Memo](#)
[City Attorney Memo on Video Lottery - 2018.05.02](#)
[City Attorney Opinion on AR 48.02.11.02](#)
[Video Lottery - State Statues and Admin Rule](#)
[Legal Notice](#)
[Location Map](#)
[Proposed Building Plan](#)
[Current Video Lottery List](#)

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

- 9.F.** [ID 21-0229](#) Public Hearing and Action on a request to transfer an On-Off Sale Malt License, with Video Lottery, from ERL LLC, dba The Depot, Kathy McClemans and Robb McClemans owners, to MG Oil Company, dba The Depot Casino, Marlyn Erickson and Troy Erickson, owners, 921 20th Street South. Legal description: Lot 7B, Block 13, McClemans Addition.

Attachments:

[Memo](#)
[Legal Notice](#)
[City Code and SDCL References](#)
[Location Map](#)

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

- 9.G.** [RES 21-029](#) Public Hearing and Action on Resolution 21-029, a Resolution authorizing the City Manager to enter into an Operating Agreement for an On-Sale Wine Operating Agreement for MG Oil Company, dba Corner Pantry #19, Marlyn Erickson and Troy Erickson, owners, 921 20th Street South. Legal description: Lot 7B, Block 13, McClemans Addition.

Attachments: [Memo](#)
[Resolution](#)
[Operating Agreement](#)
[Notice of Public Hearing](#)
[Code and SDCL References](#)
[Location Map](#)

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

10. Other Business:

- 10.A. [RES 21-034](#) Action on Resolution 21-034, Contingency Funds Transfer to 2021's Budget - July 4th Fireworks

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

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

11. [ID 21-0242](#) COVID-19 Update.

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

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

13. Adjourn.

*Brookings City Council: Keith Corbett, Mayor; Patty Bacon, Deputy Mayor
Council Members Leah Brink, Joey Collins, Ope Niemeyer, Holly Tilton Byrne, and Nick Wendell*

Council Staff:

*Paul M. Briseno, City Manager Steven Britzman, City Attorney Bonnie Foster, City Clerk
View the City Council Meeting Live on the City Government Access Channel 9.*

*Rebroadcast Schedule: Wednesday 1:00pm/Thursday 7:00pm/Friday 9:00pm/Saturday 1:00pm
The complete City Council agenda packet is available on the city website: www.cityofbrookings.org*

Assisted Listening Systems (ALS) are available upon request by contacting (605) 692-6281. If you require additional assistance, alternative formats, and/or accessible locations consistent with the Americans with Disabilities Act, please contact Susan Rotert, City Human Resources Director and ADA Coordinator at (605) 692-6281 at least three working days prior to the meeting.

Public Comment can be submitted: 1) via eComment on InSite (<https://cityofbrookings.legistar.com/Calendar.aspx>), 2) Email your comments the City Clerk (bfoster@cityofbrookings-sd.gov), or 3) participate via Zoom (contact the City Clerk for login access bfoster@cityofbrookings-sd.gov). Thank you.