

BROOKINGS CITY COUNCIL
July 8, 2025

The Brookings City Council held a joint meeting with the County Commission on Tuesday, July 8, 2025 at 5:30 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, Holly Tilton Byrne, and Nick Wendell. County Commission Members present: Shawn Hostler, Larry Jensen, Dave Miller, Doug Post, and Kelly VanderWal. City Manager Paul Briseno, City Attorney Vince J. Jones, and City Clerk Bonnie Foster were also present.

Agenda. A motion was made by Council Member Doran, seconded by Council Member Tilton Byrne, that the agenda be approved. The motion carried by the following vote: Yes: 6 - Avery, Doran, Hager, Niemeyer, Specker, and Tilton Byrne; Absent: 1 - Wendell. A motion was made by County Commissioner Hostler, seconded by County Commissioner Miller, that the agenda be approved. The motion carried by the following vote: Yes: 5 - Hostler, Jensen, Miller, Post, and VanderWal.

Ordinance 25-005. A public hearing was held on City of Brookings Ordinance 25-013 and Brookings County Commission Ordinance 2025-04, an Ordinance to Change the Zoning within the City of Brookings (the East 1 Acre of Rudebusch Addition Easterly 2 Acres of Lot 1 in NE ¼ of Section 4-T109N-R50W, also known as 1809 West 20th Street South, from Joint Jurisdiction Agriculture District to Joint Jurisdiction Residence R-1A Single-Family District). A motion was made by Council Member Doran, seconded by Council Member Tilton Byrne, that Ordinance 25-013 be approved. Public Comment: TJ Chandler. The motion failed by the following vote: No: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, Wendell. A motion was made by County Commissioner Post, seconded by County Commissioner Miller, that Ordinance 2025-04 be approved. The motion failed by the following vote: Yes: 2 – Miller and Post; No: Hostler, Jensen, and VanderWal.

Adjourn the Joint Meeting. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that this portion of the Joint Meeting be adjourned at 5:58 p.m. The motion carried by a unanimous vote. A motion was made by County Commissioner VanderWal, seconded by County Commissioner Miller that this portion of the Joint Meeting be adjourned at 5:58 p.m. The motion carried by a unanimous vote.

(A brief recess began at 5:58 p.m. to end the joint portion of the meeting, dismissing the County Commission. The City Council reconvened at 6:00 p.m.)

Consent Agenda. A motion was made by Council Member Doran, seconded by Council Member Wendell, that the consent agenda be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

A. Action to approve the June 24, 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 TL25-068, SDSU TL25-069, SDSU TL25-070, SDSU TL25-071, and SDSU TL25-072.

C. Action on Resolution 25-015, a Resolution authorizing the City Manager to sign an On-Off Sale Wine Operating Agreement 5-year renewal with Kathy Elenkiwich, owner, for BYG - BK LLC., dba Backyard Grill.

RESOLUTION 25-015 - BYG – BK LLC, DBA BACKYARD GRILL
WINE ON-SALE ALCOHOLIC BEVERAGE OPERATING AGREEMENT 5-YEAR
MID-TERM RENEWAL

BE IT RESOLVED by the City of Brookings, South Dakota, that the City Council hereby approves a Lease Renewal Agreement for the On-Sale Wine Alcoholic Beverage Management Agreement between the City of Brookings and Kathy Elenkiwich, owner, of BYG - BK LLC, dba Backyard Grill, for the purpose of a manager to operate the on-sale establishment or business for and on behalf of the City of Brookings at 1805 6th Street. Legal Description: East 298.5 feet of the North 342.1 feet, Lot 6, Suite 1805, Village Square Addition.

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 the remaining 5 years of the 10-year agreement.

D. Action on the 2026 City Council Meeting Calendar.

Proclamation: Park and Recreation Month. Mayor Niemeyer presented a Proclamation to Kristin Zimmerman, Parks, Recreation & Forestry Director, Members of the Park & Recreation Board, and Department staff recognizing July as Park and Recreation Month. Erica Saunders, President of P&R Board accepted the proclamation.

MAYORAL PROCLAMATION

WHEREAS, parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS, parks and recreation promotes time spent in nature, which impacts mental health by increasing cognitive performance, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's; and

WHEREAS, parks and recreation encourages physical activities by providing space for activities designed to promote active lifestyles; and

WHEREAS, parks and recreation increases economic prosperity through increased property values, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, Brookings recognizes the benefits derived from parks and recreation resources.

NOW, THEREFORE, BE IT RESOLVED, that I, Oepke G. Niemeyer, Mayor of the City of Brookings, do hereby proclaim July as Parks and Recreation Month.

Report: Ex-Officio Reports. A Brookings Health Systems Board of Trustees report was given by Council Member Hager. A Brookings Municipal Utility Board report was not presented.

Resolution 25-064. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that Resolution 25-064, a Resolution Awarding Bids on 2025-01SWR Sidewalk Maintenance Project, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, Wendell.

RESOLUTION 25-064 - RESOLUTION AWARDING BIDS ON THE 2025-01SWR
SIDEWALK MAINTENANCE PROJECT

WHEREAS, the City of Brookings opened bids for the 2025-01SWR Project on Tuesday, June 17, 2025 at 1:30 pm at the Brookings City & County Government Center; and

WHEREAS, the City of Brookings received the following low bid for the 2025-01SWR Sidewalk Maintenance Project from Brock Contracting, in the amount of \$52,738.75; and

WHEREAS, the low bid was approximately 53% lower than the Engineer's Estimate.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the low bid of \$52,738.75 for Brock Contracting, 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 25-022. Introduction and First Reading was held on 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. Public Comment: former Human Rights Commission member Lawrence Novotny, and current Human Rights Commission member Carla Gatzke. Second Reading and Action: July 22, 2025.

Ordinance 25-021. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that Ordinance 25-021, an Ordinance authorizing Budget Amendment No. 4 to the 2025 Budget, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, Wendell.

Ordinance 25-015. A public hearing was held on Ordinance 25-015, an Ordinance Amending the Zoning Ordinance Pertaining to Concrete, Asphalt, and Rock Crushing Facility for the Purposes of Administration of the Zoning Ordinance. A motion was made by Council Member Wendell, seconded by Council Member Doran, that Ordinance 25-015 be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, Wendell.

Ordinance 25-014. A public hearing was held on Ordinance 25-014, an Ordinance Amending the Zoning Ordinance of the City of Brookings and Pertaining to the Expiration of a Conditional Use Permit for the Purpose of Administration of the Zoning Ordinance. A motion was made by Council Member Wendell, seconded by Council Member Avery, that Ordinance 25-014 be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, Wendell.

Executive Session. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, to enter into Executive Session at 6:54 p.m., pursuant to SDCL 1-25-2.3, for the purpose 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 the purpose 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. The motion carried by a unanimous vote. A motion was made by Council Member Wendell, seconded by Council Member Tilton Byrne, to exit Executive Session, at 7:36 p.m. The motion carried by a unanimous vote.

Adjourn. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that this meeting be adjourned at 7:36 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS, SD

Oepke G. Niemeyer, Mayor

ATTEST:

Bonnie Foster, City Clerk

