

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, December 13, 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 EXECUTIVE SESSION

1. Call to Order / Pledge of Allegiance.

2. Record of Council Attendance.

3. Action to approve the agenda.

4. Executive Session

4.A. [ID 22-0483](#) Executive Session, pursuant to SDCL 1-25-2.1, for the purpose of discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee. The term, employee, does not include any independent contractor.

Action: Motion to enter into Executive Session, Voice Vote

Action: Motion to exit Executive Session, Voice Vote

6:00 PM REGULAR MEETING

(Will not start before 6:00 p.m.)

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 22-0457](#) Action to approve City Council meeting minutes.

Attachments: [11/22/2022 Minutes](#)

- 6.B. [RES 22-093](#) Action on Resolution 22-093, a Resolution authorizing the City Manager to sign an On-Sale Liquor Operating Agreement renewal for Jesse Davis, LLC, dba Craft Fusion, Jesse Davis, owner, 610 Medary Avenue, Brookings, South Dakota. Legal description: Lots 3-4-5, Randi Peterson Addition.

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

7. Presentations/Reports:

- 7.A. [ID 22-0476](#) Report: SDSU Student Association.

- 7.B. [ID 22-0479](#) Reports: City Council Ex-Officio Reports

8. Contracts/Change Orders:

- 8.A. [ID 22-0480](#) Action on a Legal Services Agreement between the City of Brookings and Steven J. Britzman, Attorney at Law, for a one-year contract (01/01/2023 - 12/31/2023).

Attachments: [Memo](#)
[2023 Agreement](#)
[2023 Agreement - marked](#)

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

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 22-041](#) Introduction and First Reading on Ordinance 22-041, an Ordinance Amending Ordinance Section 82-521, and Pertaining to Maximum

Duration of Parking in Public Parking Lots in the City of Brookings.
Second Reading: December 20, 2022.

Attachments: [Memo](#)
[Ordinance](#)
[Current City Code](#)
[Joint Cooperative Agreement](#)

10. Public Hearings and Second Readings:

10.A. [ORD 22-039](#) Second Reading and Action on Ordinance 22-039, an Ordinance Authorizing Budget Amendment No. 10 to the 2022 Budget.

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

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

Legislative History

11/22/22 City Council read into the record

10.B. [ORD 22-040](#) Public Hearing and Action on Ordinance 22-040, an Ordinance to amend Chapter 94, Zoning of the City of Brookings pertaining to Sections 94-131, 94-132, 94-133, 94-134, 94-135, 94-135.5, 94-136, 94-137, 94-161, and 94-399.1 for the purposes of Amending the Maximum Allowable Heights in the B-1, B-2, B-2A, B-3, B-4, B-5, I-1, I-1R and I-2 Districts and Associated Bufferyard Requirements.

Attachments: [Memo](#)
[Ordinance - clean](#)
[Ordinance - marked](#)
[Legal Notice - City Council](#)
[Legal Notice - Planning Commission](#)
[Planning Commission Minutes](#)

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

Legislative History

11/22/22 City Council read into the record

11. Other Business:

11.A. [ID 22-0492](#) Action to Authorize the change of location for Shangri-la SD, LLC, Shangri-La Dispensary, a Medical Cannabis Dispensary in the City of Brookings.

Attachments: [Memo](#)
[Application](#)
[Location Map](#)
[Ordinance 21-028](#)

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

12. 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.

13. Executive Session

- 13.A. [ID 22-0482](#) Executive Session, pursuant to SDCL 1-25-2.1, for the purpose of discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee. The term, employee, does not include any independent contractor.

Action: Motion to enter into Executive Session, Voice Vote

Action: Motion to exit Executive Session, Voice Vote

14. [RES 22-096](#) Action on Resolution 22-096, a Resolution Amending the City Manager's Contract for 2023.

Attachments:

[Memo](#)

[Resolution](#)

[2022 Contract](#)

[2018 Employment Agreement](#)

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

15. Adjourn.

*Brookings City Council: Oepke G.Niemeyer, Mayor; Nick Wendell, Deputy Mayor
Council Members Wayne Avery, Joey Collins, Brianna Doran, Holly Tilton Byrne, Bonny Specker*

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.