

**Brookings City Council**  
**June 13, 2023 (unapproved)**

The Brookings City Council held a meeting on Tuesday, June 13, 2023 at 5:30 PM, at the Brookings City & County Government Center, Chambers, with the following City Council members present: Mayor Oepke Niemeyer, Deputy Mayor Nick Wendell, Council Members Wayne Avery, Holly Tilton Byrne, Bonny Specker, Brianna Doran, and Andrew Rasmussen. City Manager Paul Briseno, City Attorney Steve Britzman, and City Clerk Bonnie Foster were also present.

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

**Discussion on Video Lottery and On-Sale Alcohol Licenses.** Bonnie Foster, City Clerk, and Steve Britzman, City Attorney, provided an overview of on-sale alcohol licenses and video lottery requests, and a proposed Ordinance allowing the City to instill a limit on video lottery authorizations based on the City's population, to the City Council and members of the public.

**Consent Agenda.** A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, to approve the Consent Agenda. The motion carried by the following vote: Yes: 7 - Niemeyer, Wendell, Avery, Tilton Byrne, Specker, Doran, and Rasmussen.

**A. Action to approve the May 16 and May 23, 2023 City Council Minutes.**

**B. Action to appoint the Deputy Mayor:** Council Member Nick Wendell (term expires June 1, 2024).

**C. Action on City Council Ex-Officio Appointments:** Brookings County & City Joint Jurisdictional Committee: Mayor Oepke Niemeyer and Council Member Holly Tilton Byrne; Brookings Health System Board of Trustees: Council Members Bonny Specker and Brianna Doran; Brookings Municipal Utilities: Council Members Wayne Avery and Andrew Rasmussen; BEDC Board: Council Member Nick Wendell; BEDC Investment Committee: Mayor Oepke Niemeyer, Council Members Wayne Avery and Holly Tilton Byrne (terms expiring June 1, 2024).

**D. Action on Resolution 23-052, a Resolution declaring surplus property for the City of Brookings.**

Resolution 23-052 - Declaring Surplus Property

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

Police Dept.: 2019 Dodge Charger, VIN #2C3CDXKTXKH647624

Public Works Dept. - Street Division: The Snow Company Trailer, Serial #378348; 1994 DCT Trailer, Serial #46bfs1424R1000549; 2008 Clarke Cougar Fogger, Serial #935; 2003 Argo Amphibious Vehicle, Serial #2DG3800T63NC20415; 2007 Polaris Ranger

UTV, Serial #3N5RTE872HG959063; 2000 CMC Tandem Dump Truck, 12 cu. Yd, 47,220 GVWR, Model C7H064, Serial #1GDS7H4B1YJ511281; AaLadin Master Blaster AN402 Hotwater Pressure Washer; 6 - 2014 Motorgrader Tires, 17.5R25; 4 – Loader Tires, 23.5R25; 1997 Monroe Reversible Truck Mounted Snow Plow (12-foot wide), Model MP41R12-ISCT, Serial #92-11-1498; 1995 Monroe Reversible Truck Mounted Snow Plow (12-foot wide), Model MP41R12-ISCT, Serial #94-11-1774; Century Plasma Cutter, 20 AMP; Bobcat Angle Broom, Serial #231416344; MadVac Trash Vacuum, Model 61-D, Serial #11245; Coleman Generator, Powerbase 5000 (5000 Watt), Serial #77770457; 2006 Chevy Silverado ¾ ton pickup with extended cab, Serial #1GCHK29UX6E249030.

Brookings Public Library: Xbox 360 and accessories; Wii and accessories; 7 - WiiU Games; 2 – WiiU Games; 1 - Xbox 360 Game; Magnavox TV/VCR Combo

Human Resources Dept.: 2 side chairs, artwork

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.

**E. Action on Resolution 23-054, a Resolution authorizing the Brookings Summer Arts Festival Committee to have exclusive use of Pioneer Park from July 5-11, 2023.**

Resolution 23-054 - A Resolution authorizing the Brookings Summer Arts Festival Committee to have Exclusive Use of Pioneer Park

Whereas, the Brookings Summer Arts Festival will be held in Pioneer Park on July 8-9, 2023; and

Whereas, the Summer Arts Festival Committee has requested the exclusive use and control of Pioneer Park and its facilities for said festival, plus additional days for preparation and takedown; and

Whereas, the Summer Arts Festival Committee will provide evidence of liability insurance coverage including the City of Brookings as named insured; and

Whereas, the Summer Arts Festival Committee has agreed to accept responsibility for the conduct of the Summer Arts Festival on said premises.

Now, Therefore, Be It Hereby Resolved, that the use of Pioneer Park and its facilities as a public park shall terminate for the period of July 5 through July 11, 2023.

Be It Further Resolved, that the City Council does hereby grant the exclusive use of Pioneer Park and its facilities during the Brookings Summer Arts Festival to the Summer Arts Festival Committee.

Further, It Is Resolved, that the Summer Arts Festival Committee shall be responsible for maintaining said facilities and cleaning them and returning them to the City of Brookings in good condition following the festival.

**Introductions of new employees.** City Manager Paul Briseno introduced new employees Kristen Zimmerman, Parks, Recreation & Forestry Director, and Samantha Beckman, Assistant to the City Manager to the City Council and members of the public.

**Report: City Council Ex-Officio Reports.** Ex-Officio Reports were presented for the following: Brookings Municipal Utility Board report by Council Members Avery and Specker. Brookings Health Systems Board of Trustees report by Council Member Doran.

**Resolution 23-055.** A motion was made by Council Member Avery, seconded by Council Member Specker, that Resolution 23-055: Change Order No. 1 for 2023-04STI 22<sup>nd</sup> Avenue Phase 2 Reconstruction Project; Timmons Construction Company, be approved. The motion carried by the following vote: Yes: 7 - Niemeyer, Wendell, Avery, Tilton Byrne, Specker, Doran, and Rasmussen.

Resolution 23-055 - Resolution Authorizing Change Order No. 1, for 2023-04STI 22<sup>nd</sup> Avenue Phase 2 Reconstruction Project; Timmons Construction Company

Be It Resolved by the City Council that the following change order be allowed for 2023-04STI 22<sup>nd</sup> Avenue Phase 2 Reconstruction Project:

Construction Change Order Number 1: Adjust plan quantities to include additional work. The work added includes the additional traffic control measures, efforts required to manage and mitigate potentially PFAs contaminated water and soil, and acceleration of the project by a total of 33 calendar days. The total authorized increase in the contract for these changes is \$142,154.29.

**FIRST READING – Ordinance 23-019.** Introduction and first reading was held on Ordinance 23-019, an Ordinance Authorizing Amendment No. 5 to the 2023 Budget. Second Reading and Action: June 27, 2023.

**Temporary Alcohol Application.** A public hearing was held on a Temporary Alcohol Application for the Brookings Volunteer Fire Association Street Dance to be held in the 300 Block of Main Avenue on July 29, 2023. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that the Temporary Alcohol Application be approved. The motion carried by the following vote: Yes: 7 - Niemeyer, Wendell, Avery, Tilton Byrne, Specker, Doran, and Rasmussen.

**Resolution 23-053.** A motion was made by Council Member Avery, seconded by Council Member Specker, that Resolution 23-053, a Resolution Transferring City Manager Contingency Funds and Budget Authority between City Departments, be approved. The motion carried by the following vote: Yes: 7 - Niemeyer, Wendell, Avery, Tilton Byrne, Specker, Doran, and Rasmussen.

Resolution 23-053 - A Resolution Transferring City Manager Contingency Funds and Budget Authority between City Departments

Whereas, the City of Brookings hereby transfers City Manager's contingency funds to fund unplanned operational obligations of the municipality and transfers budget authority between departments to account for changes in expenditure management. This resolution is for the purpose of completing a transfer of contingency funds to the following accounts:

455 Library		
101-455-5-101-01 Temporary Pay		\$21,696
430 Public works		
101-430-5-422-07 Contracted Services		\$14,820
418 Community Development		
101-418-5-422-07 Contracted Services		\$13,333
	Total Transfers	\$49,849

The Financing Sources for this transfer are from the following accounts:

101-417-5-101-01 Temporary Pay	\$21,696.00
101-405-5-856-99 Contingency Fund	\$28,153.00
Total Sources of Funding	\$49,849.00

Whereas, this resolution is deemed necessary for the immediate preservation of the public peace, health, safety and support of the City, and shall become effective upon publication.

**City Council Member introduction of topics for future discussion.** A motion was made by Council Member Wendell, seconded by Council Member Tilton Byrne, that the proposed Video Lottery Ordinance be brought to the City Council for consideration at a future meeting. The motion carried by the following vote: Yes: 7 - Niemeyer, Wendell, Avery, Tilton Byrne, Specker, Doran, and Rasmussen.

**Executive Session.** A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, to enter into Executive Session at 6:23 p.m., pursuant to SDCL 1-25-2.3, consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. Present: Tim Reed, Brookings Economic Development Corporation Executive Director, City Council, City Manager, Deputy City Manager, City Clerk, and City Attorney. The motion carried by a unanimous vote. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, to exit Executive Session at 7:50 p.m. The motion carried by a unanimous vote.

**Adjourn.** A motion was made by Council Member Wendell, seconded by Council Member Tilton Byrne, that this meeting be adjourned at 7:51 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS, SD

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Oepke G. Niemeyer, Mayor

ATTEST:

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Bonnie Foster, City Clerk

**City of Brookings Volunteer List – as per Resolution 16-025**

(Addendum to the June 13, 2023 City Council Minutes.)

**Brookings City Library Volunteers:** Cheryl Riley, Sarah Schultz; **Brookings City Fire Department Volunteers:** Major Anderson, Preston Anderson – new – effective 05/02/23, John Austin, Kevin Banken, Alex Berkness, Pete Bolzer, Cory Braun, Derek Brown, Dan Bruna, Nick Casstevens, Tom Coughlin, Mandi Cramer, Roger DeBates, Scott Hallan, Jacob Hanson, Bill Hardin, Troy Herrig, Kevin Hilmoie, Dalton Holm, Ryan Keenan, Dave Koch, Dan Kriese, Jim Kriese, Brett Lawrence, Brandon Long, Jaque Mann, Joshua Mann, Timothy Morgan, Nick Oines, Steven Rensink, Connor Ringling, Jared Runge, Tim Rynearson, Rob Schuneman, Jeremy Scott, Jesse Seas, Joseph Sheeley, Lucas Speakman, Shannon Stuefen, Curt Teal, Anthony Teesdale, Nathan Vandersnick, Joshua Van Diepen, Adam Vaux; **Brookings City Police Department Reserve Unit:** Mark Anawski, Justin Borns, Andrew Erickson, Zach Erickson, Josh Henslin, Matthew Luebbert, Jaque Mann, Joshua Mann, Cora Olson, Gerrit Williams-Ponto, Ben Quam, Lisa Waltermann; **Brookings City Park & Recreation Volunteers:** Jason Bain, Andrew Carlson, Staci Carlson, Eric Creswell, Vicki Creswell, Brandi Dorn – new – effective 05/17/2023, Terri Deming – new – effective 05/31/2023, Travis Erickson, Darrell Hallan – new – effective 06/06/2023, Nathan Hilbrands, Brandon Karels – new – effective 06/06/23, Amy Klinkhammer, Tayler Kneip, Jeff Kruel – new – effective 06/06/23, Elizabeth McClemans, Taylor Nickerson, Natasha Raguse, Aaron Richardson – new – effective 05/17/2023, Edward Salazar – new – effective 05/31/23, Samuel Schaapveld – new – effective 06/06/23, Christopher Scholl – new – effective 06/06/23, Joseph Schumacher, Carly Shutt, Lowell Shutt, Christina Silva, Kristen Uilk, Timothy Veldkamp – new – effective 06/06/23, Nicole Yseth, Terri Deming, Taylor Kneip, Edward Salazar.