

BRING YOUR DREAMS.



City of Brookings
Meeting Agenda - Final-revised
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, January 24, 2023

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 REGULAR MEETING

- 1. Call to Order / Pledge of Allegiance.**
- 2. Record of Council Attendance.**
- 3. Action to approve the agenda.**
- 4. Open Forum.**

At this time, any member of the public may make a brief announcement or invitation, or request time on the agenda for an item not listed. Items to be added to the agenda will be scheduled at the end of the meeting. Individuals will state their name and city of residence for the record. Public Comment is limited to a maximum of three minutes per person. The comments and views expressed by the public are those of the speakers and do not necessarily reflect the views or positions of the City of Brookings or City Council.

5. 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.

- 5.A. [ID 23-0027](#)** Action to approve City Council meeting minutes.

Attachments: [1/10/2023 CC Minutes](#)

6. Presentations/Reports:

- 6.A. [ID 23-0042](#) Presentation: Annual Dr. Martin Luther King, Jr. Day Awards by the Brookings Human Rights Commission.

Attachments: [K-1 Winners.pdf](#)
 [2-3 Winners.pdf](#)
 [4-5 Winners.pdf](#)
 [ADVANCE Winners.pdf](#)
 [MLK Essay Sanhita Tummala.docx](#)
 [MLK Essay Sinan Briddick.docx](#)
 [MLK Essay-Finn Bartlett.docx](#)

- 6.B. [ID 23-0033](#) Report: SDSU Student Association.

- 6.C. [ID 23-0040](#) Presentation: City of Brookings Economic Development Master Plan.

Attachments: [Memo](#)
 [Master Plan](#)

- 6.D. [RES 23-012](#) Action on Resolution 23-012, a Resolution Adopting the Brookings Community Economic Development Master Plan

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

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

7. Contracts/Change Orders:

- 7.A. [RES 23-007](#) Action on Resolution 23-007, a Resolution Approving an Agreement with the Brookings Regional Humane Society for the Care and Disposition of Impounded Animals.

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

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

8. 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.

- 8.A. [ORD 23-002](#) Introduction and First Reading on Ordinance 23-002, an Ordinance

Authorizing Budget Amendment No. 1 to the 2023 Budget. Second Reading: February 14, 2023.

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

9. Public Hearings and Second Readings:

- 9.A. [ORD 23-001](#) Second Reading and Action on Ordinance 23-001, an Ordinance amending the Term of Office and the Organization of the Planning Commission.

Attachments: [Memo](#)
 [Ordinance - clean](#)
 [Ordinance - marked](#)
 [Notice](#)

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

Legislative History

1/10/23 City Council read into the record

- 9.B. [RES 23-005](#) Public Hearing and Action on Resolution 23-005, a Resolution authorizing the City Manager to sign an On-Off Sale Wine Operating Agreement for Commonwealth Gaming & Holdings, Co., dba Deuces Casino, Bryant Soberg and Kirby Muilenburg, owners, 223 6th Street, Suite 105E, Brookings, South Dakota, legal description: South 114' of the West 69.3' of Lot 20, and the South 114' of Lot 21, Block 21, Block 3, Henry's Addition, Suite 105E.

Attachments: [Memo](#)
 [Resolution](#)
 [Legal Notice](#)
 [Operating Agreement](#)
 [Map](#)

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

- 9.C. [ID 23-0036](#) Public Hearing and Action on a request for an On-Off Sale Malt License, with Video Lottery, for Commonwealth Gaming & Holding Corp, dba Deuces Casino, Suite 105E, Bryant Soberg and Kirby Muilenburg, owners, 223 6th Street, Suite 105E, legal description: S114' of W 69.3' of Lot 20 and S114' of Lot 21, Block 3, Henry Addition, Suite 105E. Pending occupancy permit issuance and final inspection per the Community Development Dept.

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

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

9.D. [ID 23-0035](#)

Public Hearing and Action on a request for Video Lottery for Commonwealth Gaming & Holding Corp, dba Deuces Casino, Bryant Soberg and Kirby Muilenburg, owners, 223 6th Street, Suite 105E, legal description: S114' of W 69.3' of Lot 20 and S114' of Lot 21, Block 3, Henry Addition, Suite 105E. Pending occupancy 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 Statutes and Admin Rule](#)[Legal Notice](#)[Location Map](#)[Proposed Building Plan](#)[Current Video Lottery List](#)

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

10. Other Business:**10.A. [RES 23-008](#)**

Action on Resolution 23-008, a Resolution Amending the Consolidated Fee Schedule.

Attachments:[Memo](#)[Resolution](#)[Fee Schedule - clean](#)[Fee Schedule - marked](#)

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

11. [ID 23-0034](#)

City of Brookings Progress Report.

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 23-0044](#)** Executive Session, pursuant to SDCL 1-25-2.1 for 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; 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.

Action: Motion to enter into Executive Session, Voice Vote

Action: Motion to exit Executive Session, Voice Vote

14. 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. Individuals will give their name and city of residence for the record. Public Comment may be submitted prior to the meeting by the following means: 1) Email comments to the City Clerk (cityclerk@cityofbrookings-sd.gov), 2) participate remotely, or 3) via eComment (<https://cityofbrookings.legistar.com/Calendar.aspx>). Comments provided will become part of the official record and subject to review by all parties and the public. The comments and views expressed by the public are those of the speakers and do not necessarily reflect the views or positions of the City of Brookings or City Council.

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 the City ADA Coordinator at (605) 692-6281 at least three (3) business days in advance of the meeting.