

BROOKINGS CITY COUNCIL
January 27, 2026

The Brookings City Council held a meeting Tuesday, January 27, 2026 at 6:00 PM, at the Brookings City & County Government Center, Chambers, with the following City Council members present: Mayor Oepke Niemeyer, and Council Members Wayne Avery, Brianna Doran, Lisa Hager, Bonny Specker, Holly Tilton Byrne, and Nick Wendell. City Manager Paul Briseno, City Attorney J. Vince Jones, and City Clerk Bonnie Foster were also present.

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

Consent Agenda. A motion was made by Council Member Tilton Byrne, 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 January 13 and January 20, 2026 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 TL26-014, SDSU TL26-015, SDSU TL26-016, SDSU TL26-017, SDSU TL26-018, SDSU TL26-019, SDSU TL26-020, SDSU TL26-021.

C. Action on Resolution 26-006, a Resolution authorizing the Brookings Summer Arts Festival Committee to have Exclusive Use of Pioneer Park.

RESOLUTION 26-006 - 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 11-12, 2026; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the use of Pioneer Park and its facilities as a public park shall temporarily terminate for the period of July 7 through July 14, 2026.

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 Brookings Summer Arts Festival Committee.

FURTHER, IT IS RESOLVED, that the Brookings Summer Arts Festival Committee shall be responsible for maintaining Pioneer Park and its said facilities and for cleaning them and returning them to the City of Brookings in good condition following the festival.

D. Action on Resolution 26-005, a Resolution declaring surplus property for the City of Brookings.

RESOLUTION 26-005 - DECLARING SURPLUS PROPERTY

WHEREAS, the City of Brookings is the owner of the following described equipment formerly used at the City of Brookings: Parks Dept.: Monroe 12-foot Plow; and Monroe 14-foot Sander.

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 26-009, a Resolution in support of an Application for Financial Assistance to the South Dakota Housing and Development Authority by Mills Development Corporation, and / or its, Affiliates, Agents, or Assigns, for the Benefit of Multi-Family Development.

RESOLUTION 26-009 - RESOLUTION IN SUPPORT OF AN APPLICATION FOR FINANCIAL ASSISTANCE TO THE SOUTH DAKOTA HOUSING AND DEVELOPMENT AUTHORITY BY MILLS DEVELOPMENT CORPORATION, AND / OR ITS AFFILIATES, AGENTS, OR ASSIGNS, FOR THE BENEFIT OF MULTIFAMILY DEVELOPMENT

WHEREAS, the City of Brookings and Mills Development Corporation have determined it is necessary to proceed with improvements to the City's infrastructure, thus enabling additional multifamily housing to be constructed in the city limits of Brookings; and

WHEREAS, the City and Developer have determined financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Housing and Development Authority shall be prepared by Mills Development Corporation (Developer) for the proposed development; and

WHEREAS, the City will work with the Developer's engineer to ensure the preliminary project infrastructure plans meet the City's requirements for adequate drinking water, water treatment capacity and distribution, storm sewer, and all other necessary improvements as needed; and

WHEREAS, the City has adequate treatment facilities and water supply to accommodate the proposed development; and

WHEREAS, the City is committed to the ownership and long-term maintenance of said infrastructure upon acceptance and the conditions set forth in the certificate of completion that the said infrastructure and system shall meet the specifications, materials and equipment of the City of Brookings; and

WHEREAS, the 2022 Brookings County Housing Study identified the need for additional multifamily housing in the moderate to market price range; and

WHEREAS, the City acknowledges that there is a significant housing shortage in the City of Brookings and this proposed multifamily development will help, but not resolve the housing shortage.

NOW, THEREFORE, BE IT RESOLVED by the City of Brookings as follows:

1. The City hereby supports the submission of an Application for financial assistance by Mills Development Corporation, to the South Dakota Housing and Development Authority.
2. City officials of the City of Brookings are hereby authorized to deliver such other documents as necessary, to assist with the Application

Report: SDSU Student Association. Anna Hundt, SDSU Student's Association Government Affairs Chair, provided an update on SDSU current affairs.

FIRST READING – Ordinance 26-003. Introduction and First Reading was held on Ordinance 26-003, an Ordinance Amending Chapter 70 - Solid Waste, of the Code of Ordinances of the City of Brookings, South Dakota. Public Hearing and Action: February 10, 2026.

FIRST READING – Ordinance 26-004. Introduction and First Reading was held on Ordinance 26-004, an Ordinance to Change the Zoning Within the City of Brookings (Lot 1 of Clark 2nd Addition from an Agricultural A District to an Industrial I-1 Light District). Public Hearing and Action: February 10.

FIRST READING – Ordinance 26-005. Introduction and First Reading was held on Ordinance 26-005, an Ordinance to Change the Zoning Within the City of Brookings (Block 1 of Mills Third Addition, Excluding H1 & H2 from a Residential R-3A Apartments / Mobile Homes / Manufactured Housing District to a Business B-2 District). Public Comment: Luke Davidson. Public Hearing and Action: February 10.

Special Event / Temporary Alcoholic Beverage Application. A public hearing was held on a Special Event / Temporary Alcoholic Beverage Application from St. Thomas More Catholic School, to operate within the City of Brookings, South Dakota, on March 21, 2026, for a St. Patrick's Day Trivia Fundraiser Event to be held at 1700 8th Street South. A motion was made by Council Member Tilton Byrne, seconded by Council Member Specker, that the Special Event / Temporary Alcoholic Beverage Application be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

Ordinance 26-001. A public hearing was held on Ordinance 26-001, an Ordinance Amending Chapter 74 - Streets, Sidewalks, and Other Public Places, of the Code of Ordinances of the City of Brookings, South Dakota. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that Ordinance 26-001 be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

Ordinance 26-002. A public hearing was held on Ordinance 26-002, an Ordinance Amending Chapter 22 - Buildings and Building Regulations of the Code of Ordinances of the City of Brookings, South Dakota. A motion was made by Council Member Tilton Byrne, seconded by Council Member Specker, that Ordinance 26-002 be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

Resolution 26-012. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Resolution 26-012, a Resolution Authorizing the Carry Forward of Outstanding Encumbrances, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 26-012 - A RESOLUTION AUTHORIZING THE CARRYFORWARD
OF OUTSTANDING ENCUMBRANCES

WHEREAS, the City of Brookings utilizes an encumbrance accounting system to reserve budget authority for purchase orders and contracts that have not yet been paid; and

WHEREAS, at the close of the fiscal year ending December 31, 2025, certain purchase orders and contracts remained open with unpaid balances; and

WHEREAS, management has reviewed all outstanding encumbrances and determined that some encumbrances should be carried forward into the subsequent fiscal year; and

WHEREAS, the governing body desires to formally authorize the disposition of these encumbrances to ensure accurate financial reporting and compliance with budgetary controls.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brookings,

South Dakota, that Encumbrances to be carried forward: Outstanding encumbrances totaling \$1,617,053.50 as of December 31, 2025 are hereby authorized to be carried forward into the fiscal year beginning January 1, 2026 for the purpose of completing the related purchases or contractual obligations. The Finance Director is authorized and directed to make the necessary accounting entries in the City's financial system to carry out this resolution. This resolution shall be effective upon its adoption.

Resolution 26-004. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that Resolution 26-004, a Resolution Amending the Consolidated Fee Schedule, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 26-004 - RESOLUTION AMENDING THE
CONSOLIDATED FEE SCHEDULE

WHEREAS, the adopted Municipal Code and City Policies make references to fees charged; and

WHEREAS, it is prudent that the fees be reviewed for cost effectiveness.

NOW, THEREFORE, BE IT RESOLVED, that the City of Brookings hereby adopts the following amendment to the Consolidated Fee Schedule

Public Works

Right-of-Way Work Permit	\$ 35.00
No permit obtained – 1st offense	\$ 250.00
No permit obtained – 2nd offense	\$ 500.00
No permit obtained – 3rd and subsequent offenses	\$1,000.00
Excavator License Fee	Waived

Community Development

Plumbing Contractor License	Remove Fee
Each annual Renewal	Remove Fee

Resolution 26-013. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Resolution 26-013, a Resolution Establishing the 2026 Fees for Parks, Recreation, Forestry, and Edgebrook Golf Course, be approved. Public Comment: Todd Sumner and Mark Stratton. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 26-013 - A RESOLUTION ESTABLISHING THE 2026 FEES FOR
PARKS, RECREATION, FORESTRY, AND EDGEBROOK GOLF COURSE

WHEREAS, the City of Brookings provides a wide range of recreational programs, services, and facilities to enhance the quality of life for residents and visitors; and

WHEREAS, it is necessary to establish fees annually to ensure the effective delivery of

these services, to promote equitable cost recovery, and to align with operational needs; and

WHEREAS, the Parks and Recreation Department and Edgebrook Golf Course have prepared a comprehensive schedule of fees for 2026 based on program evaluations, market comparisons, and policy guidance; and

WHEREAS, the City Council desires to adopt said fees.

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of Brookings, South Dakota, that:

1. The 2026 fee schedule for Parks, Recreation, Forestry, and Edgebrook Golf Course, as outlined in the attached Exhibit A, is hereby approved and adopted.
2. These fees shall become effective upon adoption and remain in effect until amended or repealed by future Council action.
3. The Parks, Recreation, and Forestry Department is authorized to publish and implement the adopted fees and to administer labor, equipment, rentals, and facility access in accordance with this resolution.
4. Fees for specific recreational programs not be listed in the Consolidated Fee Schedule due to high variable costs, and will be determined, administered, and communicated by the Parks, Recreation, and Forestry Department as necessary.

Resolution 26-014. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that Resolution 26-014, a Resolution Authorizing the Transfer of Real Property to Brookings Regional Humane Society for the Purpose of Public, Charitable, or Humanitarian Purposes, be approved. Public Comment: Brianna Johnson, Humane Society Board President. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 26-014 - A RESOLUTION AUTHORIZING THE TRANSFER OF REAL PROPERTY TO BROOKINGS REGIONAL HUMANE SOCIETY FOR THE PURPOSE OF PUBLIC, CHARITABLE, OR HUMANITARIAN PURPOSES.

BE IT RESOLVED by the City Council of the City of Brookings, South Dakota, as follows:

WHEREAS, the Brookings Regional Humane Society desires to acquire the following described property owned by the City of Brookings for the purpose of constructing a new animal welfare facility to serve the community: approximately 2.5 acres, generally described as, Lot 3B, Block 2 in the Telkamp Industrial Addition to the City of Brookings, Brookings County, South Dakota, thereof, and

WHEREAS, the requested property consists of approximately 2.5 acres of City-owned land located on Prince Drive, generally described as the southern portion of the City's approximately five-acre parcel zoned I-1, with the final legal description to be determined by survey; and

WHEREAS, the Brookings Regional Humane Society is a nonprofit corporation organized for public, charitable, or humanitarian purposes within the City of Brookings, South Dakota; and

WHEREAS, SDCL § 6-13-1 authorizes municipalities to declare municipal property surplus property; and

WHEREAS, South Dakota Codified Law § 6-5-2 authorizes municipalities to convey surplus real property to nonprofit organizations for public, charitable, or humanitarian purposes; and

WHEREAS, SDCL § 6-13-2 requires municipalities to obtain an appraisal of surplus property, which may be done by appointing three real property owners of the City to appraise the value of such property; and

WHEREAS, it is in the best interests of the City of Brookings to support the continued provision of animal welfare services through the conveyance of said property at no cost, subject to appropriate conditions to protect the City's interests;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Brookings, South Dakota, as follows:

- A. That the City of Brookings determines that the above-described property is no longer necessary, useful, or suitable for the purpose for which it was acquired, and thus the City determines this to be surplus property; and
- B. That the City of Brookings convey title, at no cost, to approximately 2.5 acres of City-owned property on Prince Drive to the Brookings Regional Humane Society for public, charitable, or humanitarian purposes, subject to an option to purchase allowing the City to purchase the property from the Brookings Regional Humane Society for \$1.00 if construction of the facility is not completed within ten (10) years of the execution of the conveyance agreement; and
- C. That the City of Brookings appoints Wade Price of Best Choice Real Estate, Kelan Bludorn of Best Choice Real Estate, and Ryan Krogman of Krogman & Company Real Estate as the three real property owners to appraise the value of the above-described property, and to file a report of the appraisal with the Clerk.
- D. That the Mayor, City Clerk, City Manager, and City Attorney are authorized to execute all documents and contracts necessary to effectuate the conveyance in accordance with this Resolution.

Resolution 26-008. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that Resolution 26-008, a Resolution selecting the Dacotah Bank Center or Wiese Property as the Site for the Future Brookings Police Department Facility, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 26-008 - A RESOLUTION SELECTING PROPERTY AS THE SITE FOR

THE FUTURE BROOKINGS POLICE DEPARTMENT FACILITY.

BE IT RESOLVED by the City Council of the City of Brookings, South Dakota, as follows:

WHEREAS, the City of Brookings has identified the need for a new Brookings Police Department facility to address space constraints, operational inefficiencies, and long-term public safety needs; and

WHEREAS, City staff conducted a comprehensive evaluation of 22 potential sites for the facility, including consideration of site size, infrastructure availability, access, risk avoidance, future expansion capacity, neighborhood impacts, and fiscal responsibility; and

WHEREAS, the City held public engagement meetings and study sessions to receive community input and review additional analysis informed by feedback; and

WHEREAS, community input included concerns related to traffic congestion, neighborhood and park impacts, long-term growth needs, proximity to schools, and the operational function of a police facility, all of which were considered and incorporated into the site re-evaluation process; and

WHEREAS, the City Council reviewed the refined analysis and evaluation criteria at the January 20th Study Session; and

WHEREAS, the Dacotah Bank Center, located east of Interstate 29 and east of the Marketplace Development, is City-owned land which meets the required site criteria, supports future expansion, minimizes development risk, and provides meaningful cost savings to the City by avoiding land acquisition costs; and

WHEREAS, selection of the Dacotah Bank Center property aligns with the City's goals related to fiscal responsibility, public safety, long-term sustainability, and efficient delivery of services.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Brookings, South Dakota, as follows:

- A. That the City Council formally selects the Dacotah Bank Center property, located east of Interstate 29 and east of the Marketplace Development, as the site for the future Brookings Police Department facility; or
- B. That City staff are directed to proceed with planning, design, and related actions necessary to advance development of the Brookings Police Department facility on the property selected, consistent with Council direction and future approvals.

Progress Report. Samantha Beckman, Assistant to the City Manager, provided a progress report highlighting the City's initiatives and projects.

Adjourn. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that this meeting be adjourned at 7:24 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS, SD

Oepke G. Niemeyer, Mayor

ATTEST:

Bonnie Foster, City Clerk