

BROOKINGS CITY COUNCIL
May 13, 2025

The Brookings City Council held a meeting Tuesday, May 13, 2025 at 6:00 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. City Manager Paul Briseno, City Attorney Steve Britzman and City Clerk Bonnie Foster were also present.

Oath of Office. Newly Elected and Appointed City Council Members took their Oath of Office and were presented with their Certificates of Election. Re-Elected City Council Members are: Bonny Specker (3-year City Council Term - term expires 5/1/2028), Holly Tilton Byrne (3-year City Council Term - term expires 5/1/2028). Appointed Council Member Lisa Hager (1-year City Council Term - term expires 5/1/2026).

Oath of Office. Newly Appointed City Attorney J. Vincent Jones, Woods, Fuller, Shultz, and Smith P.C., took their Oath of Office.

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: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

Consent Agenda. A motion was made by Council Member Wendell, seconded by Council Member Tilton Byrne, 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 April 22, 2025 City Council Minutes.

B. Action to cancel the May 20, 2025 City Council Study Session.

C. Action on Temporary Alcohol / Special Event Alcoholic Beverage Licenses from existing alcohol license holders: Sodexo Catering (License Holder RB-28249 and RW-28251): SDSU TL25-045. Mosaic Wine Bar (License Holder RB-27720 and RW-27721): CITY TL25-005.

D. Action on Annual On-Off Sale Malt Alcoholic Beverage License Renewals.

On-Off Sale Malt (retail): BYG Backyard Grill, 1805 6th Street; Carpy's Pub, 714 22nd Avenue South; Casey's General Store #2198, 122 6th Street West; Casino 2000, 622 25th Avenue, Suite A and B; CHS, Inc., dba Cenex Zip Trip #63, 1005 6th Street; CHS, Inc., dba Cenex Zip Trip #64, 3045 LeFevre Drive; The Children's Museum of South Dakota, 521 4th Street; Circle K, Highway 14 Bypass (Inactive); Classic Convenience, 916 6th Street; Corner Pantry #24 / MG Oil, Co., 600 6th Street; Corner Pantry #24 / MG Oil, Co., 600 6th Street, Suite B; Cubby's Sports Bar & Grill, 307 Main Avenue; Dacotah Bank Center, 824 32nd Avenue; Danger von Dempsey's, 770 22nd Avenue South; Danny's, 703 Main Avenue South; Den Wil Hospitality Group, Inc. dba The Lodge, 2515 6th Street; The Depot, 921 20th Street South; EdgeBrook Golf Course, 1415 22nd Avenue South; El Tapatio, Inc., 1816 6th Street; Eponymous Brewing Co., 126 Main Avenue South; 4 Aces Casino / SVK Properties, Inc., 141 Main Avenue South, Suite A; 4 Aces Casino / SVK Properties, Inc., 141 Main Avenue South, Suite B; 4 Aces Casino / SVK Properties, Inc., 141 Main Avenue South, Suite C; 4 Aces Casino / SVK Properties, Inc., 141 Main Avenue South, Suite D; Flavor Indian & Asian Fare, 501 Main Avenue; George's Pizza, 311 Main Avenue; Hy-Vee Fast & Fresh, 716 22nd Avenue South; Hy-Vee Food Store, 790 22nd Avenue South; Jack's Entertainment, dba Bank Saloon & Bank Vault, 327 Main Avenue; Jim's Tap, 309 Main Avenue; Kwik Star, 2016 20th Street South; The Lanes / MG Oil, Co., 722 Western Avenue, Suite B; The Lanes / MG Oil, Co., 722 Western Avenue, Suite C; Main Street Pub, 408 Main Avenue; McCrory Gardens Visitors Center/Sodexo, 6th Street & 22nd Avenue; Mosaic Wine Bar, 225 Main Avenue; Old Sanctuary, 928 4th Street; PNP Pub / Schoon's Pub, Inc., 318 2nd Street South; Ray's Corner / Icon Investments, 401 Main Avenue; Ray's Corner / Icon Investments, 401 Main Ave, Suite B; Sake One, Inc., 724 22nd Avenue South; Schoon's PNP Pub North, Schoon's Properties, Inc., 202 South Main Avenue; Schoon's PNP Pub South / Schoon's Properties, Inc., 1203 Main Avenue South; Skinner's Pub, 300 Main Avenue; South Main Casino & Pub/SVK Properties, LLC, 615 Main Avenue South, Suite A and B; Sully's Irish Pub / 3 Guys LLC, 421 Main Avenue; Tee'd Off Golf, 2508 Wilbert

Court, Suite B; Wal-Mart Supercenter #1538, 2233 6th Street; Wilbert's / Den Wil Hospitality Group, Inc., 931 25th Avenue; The Wild Hare, 303 3rd Street; Wooden Legs Brewing Co., 309 5th Street, Suite 100; Yessica's Restaurant, 1300 Main Avenue South. Not renewing license: GP2, LLC, 406 Main Ave., Suite D.

E. Action on Resolution 25-040, a Resolution authorizing the Brookings Summer Arts Festival Committee to have Exclusive Use of Pioneer Park.

RESOLUTION 25-040 - 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 12-13, 2025; 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, IT IS HEREBY 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 15, 2025.

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.

F. Action on Resolution 25-046, a Resolution Awarding the Bid for Sign Truck.

RESOLUTION 25-046 - RESOLUTION AWARDING THE BID FOR A SIGN TRUCK

WHEREAS, the City of Brookings utilizes a sign truck to install and maintain streets signs throughout the City; and

WHEREAS, the City opened competitive bids for a Sign Truck on Tuesday, April 8, 2025 at 1:30 pm at Brookings City & County Government Center; and

WHEREAS, Aspen Equipment submitted the lowest responsive bid in the amount of \$312,669.00; and

WHEREAS, the 2025 adopted budget includes \$350,000 for this purchase under fund 213-431-5-970-02.

NOW, THEREFORE, BE IT RESOLVED the lowest responsive bid of \$312,669.00 from Aspen Equipment be accepted.

Introduction of new / promoted City of Brookings Employees. John Thompson, Public Works Director, introduced promoted employee Martin Wagner, Master Mechanic, and new employee Justin Vostad, Landfill Supervisor for the City of Brookings. Paul Briseno, City Manager, introduced new employee Troy Hughes, Fire Chief, for the City of Brookings.

Proclamation: Public Works Week. Mayor Niemeyer presented a proclamation declaring May 18-24, 2025 as Public Works Week. John Thompson, Public Works Director, and Public Works staff accepted the proclamation.

MAYORAL PROCLAMATION

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of the City of Brookings; and

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in the City of Brookings to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, 2025 marks the 65th annual National Public Works Week.

NOW, THEREFORE, BE IT RESOLVED, that I, Oepke G. Niemeyer, Mayor of the City of Brookings, do hereby proclaim May 18-24, 2025 as National Public Works Week, and I urge all citizens to join in activities, events, and ceremonies designed to pay tribute to our public works professionals and to recognize the substantial contributions they make to protecting our national health, safety, and advancing quality of life for all.

Proclamation: Older Americans Month. Mayor Niemeyer presented a proclamation declaring the month of May 2025 as Older Americans Month. Angi Strohfus, Senior Services Supervisor, and members of the Brookings Activity Center accepted the Proclamation.

MAYORAL PROCLAMATION

WHEREAS, May is Older Americans Month, a time for us to recognize and honor older adults and their immense influence on every facet of society; and

WHEREAS, this year's theme, "Flip the Script on Aging," focuses on transforming how society perceives, talks about, and approaches aging, encouraging individuals and communities to challenge stereotypes and dispel misconceptions; and

WHEREAS, through their wealth of life experience, older adults guide our younger generations and carry forward abundant cultural and historical knowledge; and

WHEREAS, older Americans improve our communities through intergenerational relationships, community service, civic engagement, and other activities; and

WHEREAS, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

WHEREAS, Brookings must ensure older residents have the support to stay engaged, reflecting our commitment to inclusivity and connection.

NOW, THEREFORE, BE IT RESOLVED, that I, Oepke G. Niemeyer, Mayor of the City of Brookings, do hereby proclaim May 2025 as Older Americans Month, and call upon all to recognize the contributions of our older citizens and promoting programs and activities that foster connection, inclusion, and support for older adults.

Report: Ex-Officio Reports. A Brookings Municipal Utility Board report was given by Council Member Specker. A Brookings Health Systems Board of Trustees report was given by Council Member Doran.

Tax Increment Financing Agreement. A motion was made by Council Member Wendell, seconded by Council Member Doran, that the Tax Increment Financing Agreement with Sixth St. Development, LLC, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

Resolution 25-049. A motion was made by Council Member Specker, seconded by Council Member Doran, that Resolution 25-049, a Resolution Authorizing the City Manager to sign a Maintenance Agreement with Sixth Street Development, LLC, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-049 - RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A
MAINTENANCE AGREEMENT WITH SIXTH STREET DEVELOPMENT, LLC.

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

WHEREAS, the City has approved Tax Increment District #17 – Latitude 44, detailing the developer's obligations and responsibilities in exchange for receiving tax increment revenue; and

WHEREAS, the City requires the developer to sign a recordable Maintenance Agreement for associated improvements within the Tax Increment District.

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

- A. The City Manager is authorized to sign the Maintenance Agreement for Tax Increment District #17 – Latitude 44, which is to be recorded as a restrictive deed with the office of the Brookings County Register of Deeds.

FIRST READING: Ordinance 25-008. Introduction and First Reading was held on Ordinance 25-008, an Ordinance Amending Chapter 94, Article IV, Division 2, pertaining to Section 94-165 Commercial Corridor Design Review Overlay District. Public Hearing and Action: May 27, 2025.

Ordinance 24-035. A motion was made by Mayor Niemeyer, seconded by Council Member Wendell, that action to REMOVE FROM THE TABLE: Public Hearing and Action on Ordinance 24-035, an Ordinance Amending Chapter 94, Article IV, Division 2, pertaining to Section 94-163 Planned Development District ("PDD"), be removed from the table. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that the Public Hearing and Action on Ordinance 24-035, an Ordinance Amending Chapter 94, Article IV, Division 2, pertaining to Section 94-163 Planned Development District ("PDD"), be tabled to May 27, 2025. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

Ordinance 25-012. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Ordinance 25-012, an Ordinance amending Article III of Chapter 34 of the Code of Ordinances of the City of Brookings, and pertaining to the International Fire Code, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

Special Event Temporary Alcoholic Beverage License. A public hearing was held on a Special Event Temporary Alcoholic Beverage Application from the Brookings Cubs Baseball Group for the 2025 Brookings Cubs Baseball Game Season. A motion was made by Council Member Wendell, seconded by Council Member Tilton Byrne, 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.

Special Event Temporary Alcoholic Beverage License. A public hearing was held on a Special Event Temporary Alcoholic Beverage Application for the Annual Brookings Volunteer Fire Association Street Dance. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, 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.

On-Off Sale Malt License Transfer. A public hearing was held on a request to transfer an On-Off Sale Malt License, with video lottery authorization, for 2515 6th Street, from On In 2 LLC, dba Boss' Pizzeria & Sports Bar, Dallas Wilkinson, owner, to Den Wil Hospitality Group, Inc., dba The Lodge, Dennis Bielfeldt, owner. Legal description: Block 12, Telkamp Addition. A motion was made by Council Member Doran, seconded by Council Member Wendell, that the On-Off Sale Malt License transfer be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

Resolution 25-048. A public hearing was held on Resolution 25-048, a Resolution authorizing the City Manager to enter into a Full Service On-Sale Restaurant Liquor Operating Agreement for 2515 6th Street, Den Wil Hospitality Group, Inc., dba The Lodge, Dennis Bielfeldt, owner. Legal description: Block 12, Telkamp Addition. A motion was made by Council Member Wendell, seconded by Council Member Tilton Byrne, that Resolution 25-048 be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-048 - FULL SERVICE ON-SALE RESTAURANT LIQUOR
OPERATING AGREEMENT – 10-YEAR AGREEMENT, DEN WIL HOSPITALITY
GROUP, INC., DBA THE LODGE

BE IT RESOLVED by the City of Brookings, South Dakota, that the City Council hereby approves an Operating Alcohol Management Agreement for Full-Service On-Sale Restaurant Liquor between the City of Brookings and Dennis Bielfeldt, owners, Den Wil Hospitality Group, Inc., dba The Lodge, for the purpose of a alcohol manager to operate the On-Sale Establishment or business for and on behalf of the City of Brookings at 2515 6th Street.

BE IT FURTHER RESOLVED that the City Manager be authorized to execute the Agreement on behalf of the City, which shall be for a period of 10 years, with a 5-year mid-term renewal.

On-Off Sale Malt License Renewals, for establishments with alcohol compliance check failures. A public hearing was held on Annual Malt Alcoholic Beverage License Renewals for establishments which have failed an alcohol compliance check within the past 12 months: BP of Brookings, 2420 6th Street; Brookings Softball Association, 2800 22nd Avenue South; Casey's General Store, #1694, 620 8th Street South; Casey's General Store, #2419, 534 22nd Avenue South; Deuces Casino, 233 6th Street; and Guadalajara's Mexican Restaurant, 1715 6th Street, Suite F. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that the Annual Malt Alcoholic Beverage License renewals be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

Economic Merger Implementation Plan. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that the Economic Merger Implementation Plan be approved. Public Comment: Doug Austreim. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

Adjourn. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that this meeting be adjourned at 7:44 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS, SD

Oepke G. Niemeyer, Mayor

ATTEST:

Bonnie Foster, City Clerk

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

(Addendum to the May 13, 2025 City Council Minutes.)

Brookings City Library Volunteers – Updated April 2025: Cheryl Riley, Sarah Schultz, Diane Smart.
Brookings City Fire Department Volunteers: Major Anderson, Preston Anderson, John Austin, Kevin Banken, Alex Berkness, Pete Bolzer, Derek Brown, Dan Bruna, Nick Casstevens, Tom Coughlin, Mandi Cramer, Roger DeBates, Austin Gieseke, Scott Hallan, Bill Hardin, Marty Hendricks – New – Effective 03/19/2025, Troy Herrig, Justin Heyer, Kevin Hilmoe, Dalton Holm, Dave Koch, Jim Kriese, Brett Lawrence, Brandon Long, Jaque Mann, Joshua Mann, Logan Melberg, Gatlin Miller, 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, Adam Vaux, Nicholas Voichahoske. Brookings City Park & Recreation Volunteers: Matthew Albritton, Tyanna Bain – New – Effective 5/1/2025, Matthew Bowman – New – Effective 5/9/2025, Cody Burggraff – New – Effective 5/6/2025, Samuel Clement, Woodrow Dahl – New – Effective 04/09/2025, Travis Erickson, Matthew Filed, Nathan Harrington – New – Effective 5/19/2025, Nathan Hilbrands, Dillon Howe, Matthew Hupf, Cameron Jones – New – Effective 5/1/2025, Brandon Karels, Connor Landberg – New – Effective 5/1/2025, Bo McCloud, Chad Nicola, Cody Miller – New – Effective 4/28/2025, Lisa Robinson – New – Effective 5/9/2025, Seth Saylor, Joseph Schumacher, Christina Silva, Andrew Wright, Nicole Yseth.