

BROOKINGS CITY COUNCIL
December 16, 2025 (unapproved)

The Brookings City Council held a meeting Tuesday, December 16, 2025 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 Attorney J. Vince Jones, and City Clerk Bonnie Foster were also present. Absent: City Manager Paul Briseno.

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 - 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 December 9, 2025 City Council Minutes.

B. Action on Resolution 25-091, a Resolution declaring surplus property for the City of Brookings.

RESOLUTION 25-091 - DECLARING SURPLUS PROPERTY

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

Public Library: 3 - gumdrop chairs; 2 - square ottomans; 1 - circular ottoman; 1 - rug; 2 - wooden bin toppers; 2 - 4-sided book displays; 6 - short shelf ends; 38 - medium shelf ends; 20 - 4-range tops; 1 - 6-range top; 1 - 2-range top; 6 - lap desks; 2 - browsing book bins; 1 - house-shaped display shelf; and 1 - acrylic display shelf (broken)

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.

C. Action to abate property taxes in the amount of \$1,999.78 for Parcel #40999-00005-030-00, also known as 2110 22nd Avenue South, #30.

D. Action on an appointment to the Sustainability Council: Madalynn Graham (term expires 1/1/2029).

E. Action on Resolution 25-103, a Resolution Approving an Agreement with the Brookings Regional Humane Society for the Care and Disposition of Impounded Animals.

RESOLUTION 25-103 - A RESOLUTION APPROVING AN RENEWAL AGREEMENT
WITH THE BROOKINGS REGIONAL HUMANE SOCIETY FOR THE CARE AND
DISPOSITION OF IMPOUNDED ANIMALS

WHEREAS, the City of Brookings has entered into an Agreement with the Brookings Regional Humane Society for the care and disposition of Impounded Animals; and

WHEREAS, the Agreement would be effective for the 2026 Calendar Year; and

WHEREAS, this Resolution is intended to authorize the City to enter into the Agreement as described herein with the Brookings Regional Humane Society.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Brookings, South Dakota that the Agreement with the Brookings Regional Humane Society is hereby approved and the City Manager and City Clerk are authorized to execute these Agreements.

Introduction of promoted City of Brookings Employee. Troy Hughes, Fire Chief, introduced promoted City of Brookings employee Jared Runge, as the new Fire Marshall.

Resolution 25-090. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that Resolution 25-090, a Resolution Rejecting All Bids for the Edgebrook Golf Course Water-Sourcing Project, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-090 - A RESOLUTION REJECTING ALL BIDS FOR THE
EDGEBROOK GOLF COURSE WATER-SOURCING PROJECT

WHEREAS, the City of Brookings opened bids for the Edgebrook Golf Course Water-Sourcing Project on Thursday, November 6, 2025 at 1:30 pm at the Brookings City & County Government Center; and

WHEREAS, the City of Brookings received bids from five different entities; and

WHEREAS, the low bid was approximately 59% higher than the Engineer's Estimate.

NOW, THEREFORE, BE IT RESOLVED that all bids for the Edgebrook Golf Course Water-Sourcing Project be rejected.

Resolution 25-095. A motion was made by Council Member Tilton Byrne, seconded by Council Member Specker, that Resolution 25-095, a Resolution Authorizing the City of Brookings to enter into an Agreement for Edgebrook Golf Course Clubhouse Management Services, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-095 - RESOLUTION AUTHORIZING THE CITY OF BROOKINGS
TO ENTER INTO AN AGREEMENT FOR EDGEBROOK GOLF COURSE
CLUBHOUSE MANAGEMENT SERVICES

WHEREAS, the City of Brookings owns and operates the Edgebrook Golf Course as a public recreational facility serving residents, visitors, and the regional community; and

WHEREAS, the City contracts with an independent manager to operate the clubhouse, pro shop, driving range, and food and beverage services to ensure high-quality customer service, efficient daily operations, and support for tournaments, leagues, and special events; and

WHEREAS, Moen Management has successfully managed the Edgebrook Clubhouse and Driving Range through the current agreement, providing consistent service delivery, staffing oversight, and operational support; and

WHEREAS, the updated Agreement establishes a two-year term beginning January 1, 2026, and provides a clear and predictable financial structure benefiting the City's enterprise fund while sustaining customer service levels and operational continuity; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Brookings enter into the 2026–2027 Edgebrook

Resolution 25-107. A motion was made by Council Member Wendell, seconded by Council Member Tilton Byrne, that Resolution 25-107, a Resolution authorizing Change Order No. 1 for 2025-08STI Asphalt Maintenance Project; Bowes Construction, Inc., be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-107 - RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR
PROJECT 2025-08STI: ASPHALT MAINTENANCE PROJECT

WHEREAS, the City of Brookings opened bids for the 2025-08STI Asphalt Maintenance Project on Tuesday, April 15, 2025 at 1:30 pm at the Brookings City and County Government Center; and

WHEREAS, the City of Brookings awarded Bowes Construction, Inc. the contract for 2025-08STI Asphalt Maintenance project for their low bid of \$1,954,642.15 at the April 22, 2025 City Council Meeting.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That Change Order 1 totaling \$194,628.94 for additional work be approved; and
2. The City Manager is authorized to sign the change order.

FIRST READING – Ordinance 25-046. Introduction and First Reading was held on Ordinance 25-046, an Ordinance Pertaining to a Conditional Use Permit to Establish a Concrete, Asphalt and Rock Crushing Facility in an Industrial I-1 Light District (21625 471st Avenue). Public Hearing and Action: January 13, 2026.

Ordinance 25-042. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Ordinance 25-042, an Ordinance Authorizing Budget Amendment No. 9 to the 2025 Budget, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

Resolution 25-098. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Resolution 25-098, a Resolution of Intent to Lease Real Property just west of the Brookings Regional Airport be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-098 - RESOLUTION OF INTENT TO LEASE REAL PROPERTY

WHEREAS, the City of Brookings owns 85 acres of designated hay land in Section 21-T110N-R50W, in the City of Brookings, Brookings County, South Dakota; and

WHEREAS, the City of Brookings intends to award a lease agreement with David Berndt for a period of 1-year, commencing on January 1, 2026 and ending December 31, 2026, having the option to extend this Lease for 2 additional 1-year terms in 2027 and 2028; and

WHEREAS, the lessee will pay the City \$125.50 per acre for the hay land, totaling \$10,667.50 annually, with the first half payable on July 1st of each year and the second half payable on November 1st of each year; and

WHEREAS, a Public Hearing on this Resolution was held on December 16, 2025 at 6:00 p.m. in the Chambers at the Brookings City and County Government Center and all persons were given an opportunity to be heard on the intent to lease real property.

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

- A. The City of Brookings will enter into a lease agreement with David Berndt as set forth above; and
- B. The City Manager or his designee is authorized to execute a new lease agreement in accordance with this Resolution.

Resolution 25-093. A public hearing was held on Resolution 25-093, a Resolution authorizing the City Manager to enter into a 10-year On-Sale Wine Operating Agreement with Commonwealth Gaming & Holdings, Co., Inc., dba Deuces Casino, Suite 105D. A motion was made by Council Member Wendell, seconded by Council

Member Doran, that Resolution 25-093 be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

**RESOLUTION 25-093 - ON-SALE WINE OPERATING AGREEMENT
– 10-YEAR AGREEMENT**

Commonwealth Gaming & Holdings, Co., Inc., dba Deuces Casino, Suite 105D

BE IT RESOLVED by the City of Brookings, South Dakota, that the City Council hereby approves an Operating Alcohol Management Agreement for Wine between the City of Brookings and owners Bryant Soberg and Kirby Muilenburg, Commonwealth Gaming & Holdings, Co., Inc., dba Deuces Casino, Suite 105D, for the purpose of an alcohol manager to operate the on-sale establishment or business for and on behalf of the City of Brookings at 223 6th Street, Suite 105D. Legal description: South 114 feet of the West 69.3 feet of Lot 20, and South 114 feet of Lot 21, Block 3, Henry Addition, City of Brookings, Brookings County, South Dakota.

NOW, THEREFORE, 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.

Resolution 25-094. A public hearing was held on Resolution 25-094, a Resolution to Annex Block 1 Mills Third Addition in the Northwest Quarter of Section 6, Township 109 North, Range 49 West, Excluding Lots H-1 and H-2 in Brookings County, South Dakota. A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Resolution 25-094 be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

**RESOLUTION 25-094 - RESOLUTION TO ANNEX BLOCK 1 MILLS THIRD ADDITION
IN THE NORTHWEST QUARTER OF SECTION 6-T109N-R49W, EXCLUDING LOT H-
1 AND H-2 IN BROOKINGS COUNTY, SOUTH DAKOTA**

WHEREAS, the City of Brookings is authorized pursuant to South Dakota Codified Law 9-4-1 to annex contiguous territory upon receipt of a written petition, describing said territory sought to be annexed, signed by not less than three-fourths (3/4) of the legal voters and by the owner or owners of not less than three-fourths (3/4) of the value of said territory; and

WHEREAS, the City of Brookings has received a Petition for Annexation on the following described property, to wit: Block 1 Mills Third Addition in the Northwest Quarter of Section 6, Township 109 North, Range 49 West, Excluding Lot H-1 and H-2 in Brookings County, South Dakota; and

WHEREAS, the aforementioned land is contiguous to the present boundaries of the City of Brookings; and

WHEREAS, the City of Brookings has received a Petition for Annexation of Territory signed by the owners of greater than three-fourths (3/4) of the value of the aforementioned property and greater than three-fourths (3/4) of the legal voters residing in said territory; and

NOW, THEREFORE, BE IT RESOLVED by the City of Brookings, South Dakota, that the property described above is hereby annexed to the City of Brookings.

Resolution 25-097. A motion was made by Council Member Tilton Byrne, seconded by Council Member Doran, that Resolution 25-097, a Resolution Authorizing the Extension of an Agreement to Transfer Real Property to the Brookings Economic Development Corporation for Economic Development Purposes, be approved. The motion carried by the following vote: Yes: 7 - Avery, Doran, Hager, Niemeyer, Specker, Tilton Byrne, and Wendell.

RESOLUTION 25-097 - A RESOLUTION AUTHORIZING THE EXTENSION OF AN AGREEMENT TO TRANSFER REAL PROPERTY TO THE BROOKINGS ECONOMIC DEVELOPMENT CORPORATION FOR ECONOMIC DEVELOPMENT PURPOSES

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

WHEREAS, the Brookings Economic Development Corporation, Inc. desires to extend the agreement to acquire the following described property:

Approximately 13.09 acres with the exact acreage to be determined by survey and plat, generally described as: Lot Three (3) in Block Ten (10) of Freeland Addition, an Addition to the City of Brookings, County of Brookings, State of South Dakota; and

WHEREAS, the Developer's overall plan, which was stipulated to and agreed with the other Parties in the Development Agreement, was to develop a "logistics and ag innovation ecosystem upon the above-described property"; and

WHEREAS, the Parties agree that Developers did not start construction by April 1, 2025; and

WHEREAS, the Parties wish to come to an agreement concerning development of the Property; and

WHEREAS, it is in the best interests of the City of Brookings that the City provide its economic development assistance in this matter to aid and assist with the completion of the aforesaid transaction which will further economic development in the City of Brookings; and

WHEREAS, the City is authorized to enter into this transaction as an economic development activity under the laws of the State of South Dakota.

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

- A. That the City intends to enter into the Forbearance Agreement Regarding Option to Purchase; and
- B. That the Mayor, City Clerk, City Manager and City Attorney are authorized to execute the required documents in accordance with this Resolution.

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 Doran, seconded by Council Member Tilton Byrne, that this meeting be adjourned at 6:36 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 December 16, 2025 City Council Minutes.)

Brookings City Library Volunteers – Updated June 2025: Cheryl Riley, Sarah Schultz, Diane Smart, Taryn Yttrie; 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, Drew Harding, Marty Hendricks, Troy Herrig, Justin Heyer, Kevin Hilmoie, Dalton Holm, Dave Koch, Jim Kriese, Brett Lawrence, Brandon Long, Garrett Mann – New – Effective 12/17/2025, Jaque Mann, Joshua Mann, Logan Melberg, Gatlin Miller, Nick Oines, Steven Rensink, Connor Ringling, Jared Runge, Tim Rynearson, Peyton Schaeffer, 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, Tynna Bain, Matthew Bowman, Cody Burggraff, Samuel Clement, Woodrow Dahl, Travis Erickson, Matthew Filed, Nathan Harrington, Nathan Hilbrands, Dillon Howe, Matthew Hupf, Cameron Jones, Brandon Karels, Connor Landberg, Bo McCloud, Chad Nicola, Cody Miller, Lisa Robinson, Seth Saylor, Joseph Schumacher, Christina Silva, Andrew Wright, Nicole Yseth