



City of Brookings

Meeting Agenda

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, May 7, 2024

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 JOINT CITY COUNCIL / COUNTY COMMISSION MEETING

1. Call to Order / Pledge of Allegiance.

2. [ID 24-0247](#) Present Certificate of Election and Oath of Office to Mayor Oepke G. Niemeyer, and City Council Members Wayne Avery, and Nick Wendell.

Attachments: [Oath of Office - Oepke Niemeyer](#)
[Oath of Office - Wayne Avery](#)
[Oath of Office - Nick Wendell](#)
[Certificate of Election - Oepke Niemeyer](#)
[Certificate of Election - Wayne Avery](#)
[Certificate of Election - Nick Wendell](#)

3. Record of Attendance.

4. Action to approve the agenda.

5. JOINT CITY COUNCIL and COUNTY COMMISSION ACTION

- 5.A.** [ORD 24-004](#) Public Hearing and Action on Ordinance 24-004, an Ordinance to Rezone Outlots 6, 7, 8, 9 and 14 in the West ½ of the South ½ of the Northeast ¼ in Section 11, Township 109, Range 50, Brookings County, South Dakota from a Joint Jurisdiction Agriculture (JJ-A) District and a Joint Jurisdiction Residence (R-3A) Apartments/Mobile Homes and Manufactured Housing District to a Joint Jurisdiction Business (JJ-B3) Heavy District.

Attachments:

[Memo](#)

[Ordinance](#)

[Hearing Notice - City Council](#)

[Hearing Notice - Planning Commission](#)

[Planning Commission Minutes](#)

[Location Map](#)

[Zoning Map](#)

[Future Land Use Map](#)

[B-3 Zoning Regulations](#)

Open & Close Public Hearing

City Council Action: Motion to Approve, Roll Call

County Commission Action: Motion to Approve, Roll Call

Legislative History

4/23/24

City Council

read into the record

6. Adjourn the Joint City Council and County Commission portion of the agenda.

Action: Motion to Adjourn, Voice Vote

6:00 PM REGULAR MEETING

Will not begin this portion of the meeting prior to 6:00 p.m.

7. 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.

8. 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.

- 8.A.** [ID 24-0237](#) Action to approve City Council meeting minutes.
- Attachments:** [4/23/2024 Minutes](#)
- 8.B.** [ID 24-0198](#) Action on Annual Malt Beverage Alcohol License Renewals.
- Attachments:** [Memo](#)
[Renewals List](#)
[Video Lottery List](#)
- 8.C.** [ID 24-0227](#) Action to abate property taxes in the amount of \$868.88 for Parcel #40245-00400-008-05. Address: 516 12th Avenue, Brookings. Legal description: South 60 feet of Lots 7-8, Block 4, Hill Park Addition.
- Attachments:** [Abatement Application](#)
[Location Map](#)
- 8.D.** [ID 24-0228](#) Action to abate property taxes in the amount of \$1,373.79 for Parcel #40245-00400-007-00. Address: 1206 6th Street, Brookings. Legal description: North 130 feet of Lot 7, Block 4, Hill Park Addition.
- Attachments:** [Abatement Application](#)
[Location Map](#)
- 8.E.** [ID 24-0229](#) Action to abate property taxes in the amount of \$748.19 for Parcel #40245-00400-006-00. Address: 1210 6th Street, Brookings. Legal description: Lot 6, Block 4, Hill Park Addition.
- Attachments:** [Abatement Application](#)
[Location Map](#)
- 8.F.** [ID 24-0230](#) Action to abate property taxes in the amount of \$3,083.35 for Parcel #40245-00400-005-00. Address: 1212 6th Street, Brookings. Legal description: Lot 5, Block 4, Hill Park Addition
- Attachments:** [Abatement Application](#)
[Location Map](#)

- 8.G.** [ID 24-0231](#) Action to abate property taxes in the amount of \$2,183.73 for Parcel #40245-00400-002-00. Address: 515 13th Avenue, Brookings. Legal description: South 85 feet of Lot 1 and 2, Block 4, Hill Park Addition.
- Attachments:** [Abatement Application](#)
[Location Map](#)
- 8.H.** [ID 24-0232](#) Action to abate property taxes in the amount of \$1,131.03 for Parcel #40245-00400-008-00. Address: 1202 6th Street, Brookings. Legal description: North 130 feet of Lot 8, Block 4, Hill Park Addition.
- Attachments:** [Abatement Application](#)
[Location Map](#)
- 8.I.** [ID 24-0233](#) Action to abate property taxes in the amount of \$2,065.25 for Parcel #40245-00400-001-00. Address: 1224 6th Street, Brookings. Legal description: North 105 feet of Lots 1 and 2, Block 4, except Lot H-1 Thereof, Hill Park Addition.
- Attachments:** [Abatement Application](#)
[Location Map](#)
- 8.J.** [ID 24-0234](#) Action to abate property taxes in the amount of \$3,592.74 for Parcel #40245-00400-003-00. Address: 1218 6th Street, Brookings. Legal description: Lots 3 and 4, Block 4, Hill Park Addition.
- Attachments:** [Abatement Application](#)
[Location Map](#)
- 8.K.** [ID 24-0246](#) Action on Brookings Municipal Utility Board appointment.
- 8.L.** [RES 24-049](#) Action on Resolution 24-049, a Resolution in Support of an Application for Financial Assistance to the South Dakota Housing and Development Authority by CD Properties, LLC, and / or its Affiliates, Agents, or Assigns, for the Benefit of Multifamily Development.
- Attachments:** [Memo](#)
[Resolution](#)
[BEDC Letter of Support](#)
[Location Map](#)

- 8.M.** [RES 24-050](#) Action on Resolution 24-050, a Resolution in Support of an Application for Financial Assistance to the South Dakota Housing and Development Authority by JDS Investments, LLC, and / or its Affiliates, Agents, or Assigns, for the Benefit of Multifamily Development.

Attachments: [Memo](#)
[Resolution](#)
[BEDC Letter of Support](#)
[Location Map](#)

9. Presentations/Reports:

- 9.A.** [ID 24-0217](#) Proclamation: Global Accessibility Awareness Month

Attachments: [Proclamation](#)

- 9.B.** [ID 24-0226](#) Proclamation: City Clerk Week

Attachments: [Proclamation](#)

- 9.C.** [ID 24-0215](#) Proclamation: Public Works Week

Attachments: [Proclamation](#)

- 9.D.** [ID 24-0216](#) Report: 2024 Spring Bulky Item Pickup

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

- 9.E.** [ID 24-0239](#) Reports: City Council Ex-Officio Reports

10. Contracts/Change Orders:

- 10.A.** [RES 24-048](#) Action on Resolution 24-048, a Resolution Authorizing the Brookings Mayor to enter into an Agreement for Financial Assistance between the City of Brookings / Brookings Municipal Utilities and South Dakota Department of Agriculture and Natural Resources.

Attachments: [Memo](#)
[Resolution](#)
[BMU Resolution](#)
[City Letter of Support](#)
[SDDANR Funding Program letter 4/4/2024](#)

Action: Motion, Request Public Comment, Roll Call

- 10.B.** [RES 24-031](#) Action on Resolution 24-031, a Resolution authorizing Change Order #1 for the Hillcrest Park Pickleball Courts Project.

Attachments:[Memo](#)[Resolution](#)[City of Brookings - Pickleball Courts Project RFP1 Revised](#)[2023-055 City of Brookings Pickleball Courts Project FINAL PLANS CONFORI](#)[City of Brookings-CCO1 Timmons Signed 05.01.2024](#)*Action: Motion, Request Public Comment, Roll Call*

- 10.C.** [RES 24-045](#) Action on Resolution 24-045, a Resolution Awarding Bids on 2024-07STI, Freight On Board Asphalt Material.

Attachments:[Memo](#)[Resolution](#)*Action: Motion, Request Public Comment, Roll Call*

- 10.D.** [RES 24-046](#) Action on Resolution 24-046, a Resolution Awarding Bids on Project 2024-08STI Street Maintenance and Overlay Project.

Attachments:[Memo](#)[Resolution](#)[Map](#)*Action: Motion, Request Public Comment, Roll Call***11. 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.

12. Public Hearings and Second Readings:

- 12.A.** [ORD 24-011](#) Second Reading and Action on Ordinance 24-011, Amendment No. 2 to the 2024 Budget.

Attachments:[Memo](#)[Ordinance](#)[First Reading - Memo](#)[First Reading - Ordinance](#)*Action: Motion, Request Public Comment, Roll Call***Legislative History**

4/23/24	City Council	read into the record
4/23/24	City Council	approved

- 12.B.** [ORD 24-012](#) Second Reading and Action on Ordinance 24-012, Amendment No. 3 to the 2024 Budget.

Attachments: [Memo](#)
[Ordinance](#)
[First Reading - Memo](#)
[First Reading - Ordinance](#)
[RESPEC Fee Amendment](#)

Action: Motion, Request Public Comment, Roll Call

- 12.C.** [ORD 24-013](#) Second Reading and Action on Ordinance 24-013, Amendment No. 4 to the 2024 Budget.

Attachments: [Memo](#)
[Ordinance](#)
[National Civic League Cover Letter](#)
[Charter Proposal - \\$85,000](#)
[Charter Proposal - \\$72,863](#)
[NCL Experience Examples](#)
[Brookings City Charter](#)
[Model City Charter 9th Edition](#)
[Guide to Charter Commissions](#)
[First Reading - Memo](#)
[First Reading - Ordinance](#)

Action: Motion, Request Public Comment, Roll Call

- 12.D.** [ORD 24-014](#) Second Reading and Action on Ordinance 24-014, Amendment No. 5 to the 2024 Budget.

Attachments: [Memo](#)
[Ordinance](#)
[First Reading - Memo](#)
[First Reading - Ordinance](#)

Action: Motion, Request Public Comment, Roll Call

- 12.E.** [ID 24-0207](#) Public Hearing and Action 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 20, 2024.

Attachments: [Memo](#)
[Legal Notice](#)

Action: Motion, Open & Close Public Hearing, Roll Call

- 12.F.** [ID 24-0208](#) Public Hearing and Action on a request for an On-Off Sale Malt License, for Jacks Entertainment, dba Bank Vault and Bank Saloon, located at 327 Main Avenue.

Attachments: [Memo](#)
[Legal Notice](#)
[City Code and SDCL References](#)
[Location Map](#)

Action: Motion, Open & Close Public Hearing, Roll Call

- 12.G.** [RES 24-042](#) Public Hearing and Action on Resolution 24-042, a Resolution authorizing the City Manager to enter into an On-Off Sale Wine Operating Agreement for Jacks Entertainment, dba Bank Saloon and Bank Vault, Todd Voss and Bob Winter, owners, 327 Main Avenue, Brookings, South Dakota.

Attachments: [Memo](#)
[Resolution](#)
[Operating Agreement](#)
[Legal Notice](#)
[Location Map](#)
[SDCL and City Code](#)

Action: Motion, Open & Close Public Hearing, Roll Call

13. Other Business:

- 13.A.** [RES 24-047](#) Action on Resolution 24-047, a Resolution establishing the fees for the issuance of On-Sale Liquor and Full-Service Restaurant On-Sale Liquor Licenses in the City of Brookings.

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

Action: Motion, Request Public Comment, Roll Call

- 13.B.** [RES 24-043](#) Action on Resolution 24-043, a Resolution Authorizing the City Manager to Sign and Submit an Agreement for Funding from the Transportation Alternatives Grant Program for the Construction of Pedestrian Improvements on Medary Avenue in the City of Brookings.

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

Action: Motion, Request Public Comment, Roll Call

- 13.C.** [RES 24-044](#) Action on Resolution 24-044, a Resolution Authorizing the City Manager to Sign and Submit an Agreement for State Department of Transportation Funding for a Brookings Transportation Planning Study.

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

Action: Motion, Request Public Comment, Roll Call

14. 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.

15. Executive Session

- 15.A.** [ID 24-0255](#) Executive Session, pursuant to 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 Executive Session, Voice Vote

Action: Motion to exit Executive Session, Voice Vote

16. Adjourn.

*Brookings City Council: Oepke G.Niemeyer, Mayor; Nick Wendell, Deputy Mayor
Council Members Wayne Avery, Holly Tilton Byrne, Bonny Specker, Brianna Doran, Andrew Rasmussen*

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), or 2) participate remotely. 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 20 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.