

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, September 12, 2023

6:00 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.

6:00 PM STUDY SESSION: Budget Session #1

LOCATION: Community Room, Room 300

- 1. Call to Order / Pledge of Allegiance.**
- 2. Record of Council Attendance.**
- 3. Action to approve the agenda.**
- 4. [ID 23-0388](#) 2024 Budget Workshop #1**

Attachments: [Presentation](#)
[Budget Detail](#)
[Outside Agency Funding](#)

REGULAR MEETING

*LOCATION: Chambers, Room 310.
Regular Meeting will begin immediately following the Study Session.*

- 5. 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.

6. 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.

- 6.A. [ID 23-0371](#) Action to approve City Council meeting minutes.

Attachments: [8/22/2023 Minutes](#)

- 6.B. [RES 23-081](#) Action on Resolution 23-081, a Resolution authorizing the City Manager to sign an On-Sale Wine Operating Agreement renewal for Hy-Vee, Inc., dba Hy-Vee Food Store, Tom Daschel, Store Manager, 790 22nd Avenue, Brookings, South Dakota. Legal description: Lot 2, Brookings Mall Addition, Suite 790.

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

- 6.C. [ID 23-0395](#) Action on an appointment to the Brookings Disability Awareness Committee.

7. Presentations/Reports:

- 7.A. [ID 23-0396](#) Report: Annual Report on Downtown at Sundown Event.

Attachments: [Presentation](#)

- 7.B. [ID 23-0393](#) Report: SDSU Student Association.

- 7.C. [ID 23-0390](#) Reports: City Council Ex-Officio Reports

8. Contracts/Change Orders:

- 8.A. [RES 23-077](#) Action on Resolution 23-077, a Resolution Amending the Joint Cooperative Agreement for the Management of the Brookings City & County Government Center.

Attachments: [Memo](#)
[Resolution](#)
[Agreement Update - clean](#)
[Agreement Update - marked](#)

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

- 8.B.** [RES 23-076](#) Action on Resolution 23-076, a Resolution authorizing Change Order No. 1 for 2023-08STI Street Maintenance and Overlay Project; Bowes Construction Inc.

Attachments: [Memo](#)

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

- 8.C.** [RES 23-083](#) Action on Resolution 23-083, a Resolution authorizing Change Order No. 2 for 2023-04STI 22nd Avenue Phase 2 Reconstruction Project; Timmons Construction Company.

Attachments: [Memo](#)

[Resolution](#)

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

9. 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.

- 9.A.** [ORD 23-028](#) Introduction and First Reading on Ordinance 23-028, an Ordinance Amending and Restating the Swiftel Center Advisory Committee Ordinance. Second Reading and Action: September 26, 2023.

Attachments: [Memo](#)

[Ordinance - clean](#)

[Ordinance - marked](#)

[Committee Minutes 8/24/2023](#)

[Ordinance 24-06](#)

10. Public Hearings and Second Readings:

- 10.A.** [ORD 23-027](#) Second Reading and Action on Ordinance 23-027, an Ordinance certifying the 2024 City of Brookings Property Tax Levy to the Brookings County Finance Officer.

Attachments: [Memo](#)

[Ordinance](#)

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

Legislative History

8/22/23

City Council

read into the record

- 10.B.** [ORD 23-029](#) Public Hearing and Action on Ordinance 23-029, an Ordinance to permit by Conditional Use a Major Home Occupation (hair salon) on Lot 15, 10 of East Acres Second Addition, also known as 2031 Derald Drive.

Attachments: [Memo](#)
[Ordinance](#)
[Hearing - Notice City Council](#)
[Hearing Notice - Planning Commission](#)
[Planning Commission Minutes](#)
[Conditional Use Permit Application](#)
[Major Home Occupation Checklist](#)
[Location Map](#)
[Site Plan](#)

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

Legislative History

8/22/23 City Council read into the record

- 10.C.** [ORD 23-030](#) Public Hearing and Action on Ordinance 23-030, an Ordinance to Amend Chapter 94, Article I, Section 94-1 and Chapter 94, Article IV, Section 94-131, Section 94-132, Section 94-134 and Section 94-135 related to the establishment of indoor pet services as an allowable use.

Attachments: [Memo](#)
[Ordinance](#)
[Hearing Notice - City Council](#)
[Hearing Notice - Planning Commission](#)
[Planning Commission Minutes](#)

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

Legislative History

8/22/23 City Council read into the record

- 10.D.** [ID 23-0389](#) Public Hearing and Action on a Temporary Alcohol Application from Mosaic Wine Bar, to operate within the City of Brookings, South Dakota for a "Sweat, Sip, and Shop" event to be held on September 23, 2023 at The Socialight, 420 Main Avenue.

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

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

- 10.E.** [ID 23-0387](#) Public Hearing and Action on a request to update the legal description for the On-Off Sale Malt License for The Crown, dba Danger Von Dempsey's, located at 770 22nd Avenue South.

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

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

- 10.F.** [RES 23-078](#) Public Hearing and Action on Resolution 23-078, a Resolution authorizing the City Manager to enter into an On-Off Sale Wine Operating Agreement for The Crown, dba Danger von Dempsey's, Jayme Erickson, owner, 770 22nd Avenue South, Brookings, South Dakota.

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

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

- 10.G.** [ID 23-0391](#) Public Hearing and Action on a request for an On-Off Sale Malt License, with Video Lottery authorization, for Holiday Stationstores LLC, dba Circle K, located at the intersection of I-29 and Highway 14 By-Pass.

Attachments: [Memo](#)
[Legal Notice](#)
[Video Lottery - State Statues and Admin Rule](#)
[Proposed Building Plans](#)
[Location Map](#)

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

- 10.H.** [ID 23-0392](#) Public Hearing and Action on a request for a Video Lottery authorization for Holiday Stationstores LLC, dba Circle K, to be located at I-29 and Highway 14 Bypass.

Attachments: [Memo](#)
[Current Video Lottery List](#)
[Legal Notice](#)
[Video Lottery - State Statues and Admin Rule](#)
[Proposed Building Plan](#)
[Location Map](#)

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

- 10.I.** [RES 23-082](#) Public Hearing and Action on Resolution 23-082, a Resolution authorizing the City Manager to enter into an On-Off Sale Wine Operating Agreement for Holiday Stationstores LLC, dba Circle K, located at I-29 and Highway 14 By-Pass, Brookings, South Dakota.

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

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

11. Other Business:

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. 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), 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.