

BRING YOUR DREAMS.



City of Brookings
Meeting Agenda - Final
City Council

Brookings City Council
Brookings City & County
Government Center
520 3rd St., Suite 230
Brookings, SD 57006
Phone: (605) 692-6281
Fax: (605) 692-6907

"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 14, 2021

5:00 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.

5:00 PM BUDGET STUDY SESSION

1. [ID 21-0451](#) 2022 Budget Workshop #1

Attachments:

- [Memo](#)
- [Budget Presentation](#)
- [Budget in Brief](#)
- [2022 Budget Detail](#)
- [Outside Agency Funding](#)

6:30 PM REGULAR MEETING

1. Call to Order / Pledge of Allegiance.
2. Record of Council Attendance.
3. 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, unless a member of the Council or City Manager requests an opportunity to address any given item. Items removed from the Consent Agenda will be discussed at the beginning of the formal items. Approval by the Council of the Consent Agenda items means that the recommendation of the City Manager is approved along with the terms and conditions described in the agenda supporting documentation.

3.A. Action to approve the agenda.

3.B. [ID 21-0423](#) Action to approve the August 24, 2021 City Council minutes.

Attachments: [8/24/2021 Minutes](#)

3.C. [RES 21-070](#) Action on Resolution 21-070, a Resolution declaring surplus property for the City of Brookings.

Attachments: [Resolution](#)

3.D. [ID 21-0454](#) Action to cancel the September 21, 2021 City Council Study Session.

4. Items removed from Consent Agenda.

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

5. Open Forum/Presentations/Reports:

5.A. [ID 21-0448](#) Introduction of new and/or promoted City of Brookings employees.

5.B. [ID 21-0456](#) Presentation: Vaccine Incentive Program

5.C. SDSU Student Association Report.

5.D. Open Forum.

At this time, any member of the public may request time on the agenda for an item not listed. Items are typically scheduled for the end of the meeting; however, very brief announcements or invitations will be allowed at this time.

6. Contracts/Change Orders: None

7. Ordinance First Readings: None

The title of the Ordinance is read. No vote is required on the first reading of an Ordinance. Public Comment and Council discussion is permitted. The date for the second reading is announced.

8. Public Hearings and Second Readings:

8.A. [ORD 21-031](#) Second Reading and Action on Ordinance 21-031, an Ordinance certifying the 2022 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

8/24/21 City Council read into the record

- 8.B.** [ORD 21-029](#) Second Reading and Action on Ordinance 21-029, an Ordinance Authorizing Supplemental Appropriation No. 4 to the 2021 Budget.
- Attachments:** [Memo](#)
[Ordinance](#)
[Mckinstry Improvements 2021-2022](#)
- Action: Motion to Approve, Request Public Comment, Roll Call*
- Legislative History**
- | | | |
|---------|--------------|----------------------|
| 8/24/21 | City Council | read into the record |
|---------|--------------|----------------------|
- 8.C.** [ORD 21-030](#) Public Hearing and Action on Ordinance 21-030, an Ordinance pertaining to an Application for Conditional Use Permit to establish a Mixed Business/Residential Use in a Business B-3 Heavy District on Lot 1, Block 2 in Folsom Addition, also known as 530 1st Street South and Lots 2 & 3, Block 2 in Folsom Addition, also known as 110 6th Avenue South.
- Attachments:** [Memo](#)
[Ordinance](#)
[Planning Commission Minutes](#)
[Application](#)
[Aerial Map](#)
[Site Plan](#)
- Action: Open & Close Public Hearing, Motion to Approve, Roll Call*
- Legislative History**
- | | | |
|---------|--------------|----------------------|
| 8/24/21 | City Council | read into the record |
|---------|--------------|----------------------|
- 8.D.** [ORD 21-025](#) Public Hearing and Action on Ordinance 21-025, an Ordinance Establishing Zoning Regulations for Cannabis Establishments.
- Attachments:** [Memo - Revised 08/25/2021](#)
[Ordinance - Clean Revised 08/25/2021](#)
[Ordinance - Marked Revised 08/25/2021](#)
[Legal Notice - Council Mtg. 9/14/2021](#)
[Legal Notice - Council Mtg. 7/27/2021](#)
[Legal Notice](#)
[Planning Commission Minutes](#)
- Action: Open & Close Public Hearing, Motion to Approve, Roll Call*
- Legislative History**
- | | | |
|---------|--------------|------------------------|
| 7/13/21 | City Council | read into the record |
| 7/13/21 | City Council | amended |
| 7/27/21 | City Council | approved |
| 7/27/21 | City Council | amended |
| 7/27/21 | City Council | tabled |
| 8/24/21 | City Council | removed from the table |

8/24/21 City Council amended
8/24/21 City Council approved

- 8.E.** [ID 21-0445](#) Public Hearing and Action on a Temporary Alcohol Application from Eponymous Brewing Company and Schade Winery to operate within the City of Brookings, SD, for the Disrupt HR Event to be held September 30, 2021 at Pioneer Park, 104 6th Street West.

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

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

- 8.F.** [ID 21-0441](#) Public Hearing and Action on a request to transfer an On-Off Sale Malt License from KAMUSI, LLC, dba Agua Fresh, Sinan Taskin and Bilal Akalin, owners, to DALAK, LLC, dba Agua Fresh, Bilal Akalin, owner, 420 Main Avenue. Legal description: the South 2,000 square feet of Lot 11A, Block 7, Original Plat Addition.

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

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

- 8.G.** [RES 21-071](#) Public Hearing and Action on Resolution 21-071, a Resolution authorizing the City Manager to sign a Wine Operating Agreement for DALAK, LLC, dba Agua Fresh, 420 Main Avenue. Legal description: the South 2,000 square feet of Lot 11A, Block 7, Original Plat Addition.

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

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

- 8.H.** [ID 21-0437](#) Public Hearing and Action on a request for an On-Off Sale Malt License, with Video Lottery, for Commonwealth Gaming & Holdings Corp, dba Deuces Casino, Bryant Soberg and Kirby Muilenburg, owners, 223 6th Street, Suite 105D, legal description: S114' of W69.3' of Lot 20 and S114' of Lot 21, Block 3, Henry Addition, Suite 105D. Pending occupancy permit issuance and final inspection per the Community Development Dept.

Attachments: [Memo](#)
[City Attorney Opinion on AR 48.02.11.02](#)
[Legal Notice](#)
[Location Map](#)
[Proposed Building Plan](#)

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

- 8.I. [ID 21-0438](#) Public Hearing and Action on a request for Video Lottery for Commonwealth Gaming & Holding Corp, dba Deuces Casino, Suite 105D, Bryant Soberg and Kirby Muilenburg, owners, 223 6th Street, Suite 105D, legal description: S114' of W 69.3' of Lot 20 and S114' of Lot 21, Block 3, Henry Addition, Suite 105D. Pending occupancy permit issuance and final inspection per the Community Development Dept.

Attachments: [Memo](#)
[City Attorney Memo on Video Lottery - 2018.05.02](#)
[City Attorney Opinion on AR 48.02.11.02](#)
[Video Lottery - State Statues and Admin Rule](#)
[Legal Notice](#)
[Location Map](#)
[Proposed Building Plan](#)
[Current Video Lottery List](#)

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

9. Other Business:

- 9.A. [RES 21-073](#) Action on Resolution 21-073, a Resolution Approving the Purchase of a 2022 Caterpillar Compactor through Sourcewell Contract #032119-CAT.

Attachments: [Memo](#)
[Resolution](#)
[Cost Estimate](#)
[Sourcewell - Proof of Publication](#)
[Sourcewell - Proposal Evaluation](#)
[Sourcewell - Contract Acceptance](#)
[Appendix - About Sourcewell](#)

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

10. City Council member introduction of topics for future discussion.

Any Council Member may request discussion of any issue at a future meeting only. Items cannot be added for action at this meeting. A motion and second is required stating the issue, requested outcome, and time. A majority vote is required.

11. Adjourn.

*Brookings City Council: Oepke Niemeyer, Mayor; Nick Wendell, Deputy Mayor
Council Members Wayne Avery, Patty Bacon, Leah Brink, Joey Collins, Holly Tilton Byrne,*

Council Staff:

Paul M. Briseno, City Manager Steven Britzman, City Attorney Bonnie Foster, City Clerk

View the City Council Meeting Live on the City Government Access Channel 9.

Rebroadcast Schedule: Wednesday 1:00pm/Thursday 7:00pm/Friday 9:00pm/Saturday 1:00pm

The complete City Council agenda packet is available on the city website: www.cityofbrookings.org

Assisted Listening Systems (ALS) are available upon request by contacting (605) 692-6281. If you require additional assistance, alternative formats, and/or accessible locations consistent with the Americans with Disabilities Act, please contact Susan Rotert, City Human Resources Director and ADA Coordinator at (605) 692-6281 at least three working days prior to the meeting.

Public Comment can be submitted: 1) via eComment on InSite (<https://cityofbrookings.legistar.com/Calendar.aspx>), 2) Email your comments the City Clerk (bfoster@cityofbrookings-sd.gov), or 3) participate via Zoom (contact the City Clerk for login access bfoster@cityofbrookings-sd.gov). Thank you.