

**Brookings City Council**  
**September 2, 2020**

The Brookings City Council held a special meeting on Tuesday, September 2, 2020 at 7:00 PM, at City Hall with the following City Council members present: Mayor Keith Corbett and Council Members Holly Tilton Byrne, Leah Brink, Patty Bacon, Joey Collins, Nick Wendell, and Ope Niemeyer. City Attorney Steve Britzman, City Manager Paul Briseno, and City Clerk Bonnie Foster was also present.

**7:00 PM SPECIAL MEETING**

**Agenda.** A motion was made by Council Member Wendell, seconded by Council Member Niemeyer, that the agenda be approved. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, and Collins.

**Ordinance 20-017.** A second reading was held on Ordinance 20-017, an Ordinance Amending Ordinance 20-010 to Extend the Provisions Regarding a Public Health Crisis and to Revise Certain Measures which have been deemed necessary to slow the Community Spread of Coronavirus (COVID-19) in the City of Brookings, South Dakota. A motion was made by Council Member Wendell, seconded by Council Member Niemeyer that Ordinance 20-017 be approved. Public Comment: Kevin Grunewaldt, Jael Thorpe, Noah Clare, Dr. Natalie Thiex, Luke Thompson, Matt Zancanella, Kristen Brandt, Patty Dexter, Carla Dieter, Noelle Kusek, Lily Hessing, Grant Chaney, Jared Gass, Reed Mahlke, Elizabeth Wika, SDSU President Barry Dunn, Isaiah Crevier, TJ Jacolbe, Kyra Worm, Dr. Rebecca VanDeKop, Sarah Wilson, Jeffrey Gates, Teresa Haldeman, Randy Johnson, Dora Mills, Nancy Flynn, Tim Jensen, Lyle Boltjes, Gretchen Liable, Jason Bowes, Rick Wilde, Jade Withers, Teresa Broadsend, Kelley Wininger, Dianne Nagy, Lauren Shearer, Todd Andrews, Brian VanLiere, Rebecca Barber, Jennifer Wingate, Shelly Anderson, Kirk Mansheim, Jennifer Anderson, Kelly Crevier, Amy VandeWeerd, Donna Andrews, Michelle Powers, Elizabeth Pallares, Justin Palmer, and Cassidy Bridges. The motion carried by the following vote: Yes: 6 - Corbett, Niemeyer, Brink, Bacon, Wendell, and Tilton Byrne; No: 1 – Collins.

**FIRST READING - Ordinance 20-019.** A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell that Ordinance 20-019, an Ordinance to revise certain measures which have been deemed necessary to slow the Community Spread of Coronavirus (COVID-19) in the City of Brookings, South Dakota, be approved.

A motion was made by Council Member Wendell, seconded by Council Member Bacon, to amend Ordinance 20-019 by removing amendments 7a) Social Gatherings Restricted. All indoor and outdoor social gatherings of more than 10 people within residential dwelling units and the lots they are located upon are prohibited. Social gatherings are groups of individuals who are not members of the same residential dwelling unit, congregated together both within a dwelling and upon the real property a residential dwelling unit is located upon, for a common or coordinated social, community

or leisure purpose, even if social distancing can be maintained. This prohibition includes planned and spontaneous gatherings as well as public and private gatherings within residential dwellings in the City of Brookings and the real property they are located upon. Gatherings of more than 10 persons who are related by blood or law (as defined in §94-1 of the Brookings Code of Ordinances) shall be permitted notwithstanding this provision., and 2(c)(i) Hours of Alcoholic Beverage Sales and Consumption During Pandemic. No on-sale or off-sale alcoholic beverage licensee may sell, serve, or allow to be consumed on the premises covered by the license, any alcoholic beverages between the hours of 10:00 p.m. and 7:00 a.m. on Thursday, Friday and Saturday. This requirement does not require the licensee to close, but rather prohibits the sale of alcoholic beverages after 10:00 p.m. on Thursday, Friday and Saturday. Public Comment: Rick Wilde, Nick Schmeichel, and Ben Crevier. The motion carried by the following vote: Yes: 7 - Corbett, Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, and Collins.

A motion was made by Council Member Collins, seconded by Council Member Brink, to amend Ordinance 20-019 by removing amendments 2(x). Masks Required at City-Sanctioned Events. Masks which cover a person's nose and mouth are required for all persons attending or working at events which require a City permit when a minimum six-foot distance cannot be maintained or achieved., and 12. Face Masks/Face Coverings Required. Within the City of Brookings, all persons except those under the age of five (5) and those with a medical condition, mental health condition, or disability that makes it unreasonable for the individual to maintain a face covering, must wear a face mask / face covering in indoor businesses and indoor public places where six (6) foot social distancing cannot be achieved or maintained. A "face covering" or "mask" must be worn to cover the nose and mouth completely, and can include a paper or disposable face mask, a cloth mask, a scarf, a bandanna, or neck gaiter. Public Comment: Nick Schmeichel, Michelle Delaney, Kelly Crevier, and Kelley Wininger. The motion failed by the following vote: Yes: 2 - Brink, and Collins; No: 5 - Corbett, Niemeyer, Bacon, Wendell, and Tilton Byrne.

No vote was taken on the original motion.

**Resolution 20-072.** A motion was made by Council Member Tilton Byrne, seconded by Council Member Wendell, that Resolution 20-072, an Emergency Resolution of the City Council of the City of Brookings, South Dakota, to address a public health crisis, be approved as revised. A revision to the Resolution was to strike the same language as was stricken from Ordinance 20-019: "to remove Section 7a) Social Gatherings Restricted. All indoor and outdoor social gatherings of more than 10 people within residential dwelling units and the lots they are located upon are prohibited. Social gatherings are groups of individuals who are not members of the same residential dwelling unit, congregated together both within a dwelling and upon the real property a residential dwelling unit is located upon, for a common or coordinated social, community or leisure purpose, even if social distancing can be maintained. This prohibition includes planned and spontaneous gatherings as well as public and private gatherings within residential dwellings in the City of Brookings and the real property they are located

upon. Gatherings of more than 10 persons who are related by blood or law (as defined in §94-1 of the Brookings Code of Ordinances) shall be permitted notwithstanding this provision.; and to also remove Section 2(c)(i), Hours of Alcoholic Beverage Sales and Consumption During Pandemic. No on-sale or off-sale alcoholic beverage licensee may sell, serve, or allow to be consumed on the premises covered by the license, any alcoholic beverages between the hours of 10:00 p.m. and 7:00 a.m. on Thursday, Friday and Saturday. This requirement does not require the licensee to close, but rather prohibits the sale of alcoholic beverages after 10:00 p.m. on Thursday, Friday and Saturday.” Public Comment: Mary Kapka, Rick Wilde, Bradley Walker, Matthew Worm, Craig Eisenbrand, Kevin Grunewaldt, Jason Harms, Daniel Moriarty, Kelley Winingar, Aaron Mason, Stephanie Christie, Dianne Nagy, Rebecca Barber, Kelly Crevier, Kirk Mansheim, and Jennifer Anderson. The motion failed by the following vote: No: 7 - Corbett, Niemeyer, Brink, Bacon, Wendell, Tilton Byrne, and Collins.

**Adjourn.** A motion was made by Council Member Niemeyer, seconded by Council Member Brink, that this meeting be adjourned at 10:26 p.m. The motion carried by a unanimous vote.

CITY OF BROOKINGS

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Keith W. Corbett, Mayor

ATTEST:

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Bonnie Foster, City Clerk