

City of Tea  
Regular Meeting  
September 15, 2014

A regular meeting of the Tea City Council was held at Tea City Hall on September 15, 2014 at 7:00 p.m.

Mayor John Lawler called the meeting to order at 7:00 p.m. with the following members present: Sidney Munson, Brian Fowlds, Chuck Ortmeier, Larry Rieck, Joe Weis and Todd Boots. Also present was Finance Officer Dawn Murphy, Planning & Zoning Administrator Kevin Nissen, Administrative Assistant/Economic Development Director Jenni White, Police Chief Clark Baker and Utility Superintendent Thad Konrad. City Engineer Jason Kjenstad was absent.

**AGENDA. MOTION 14-150. MOTION** by Weis, seconded by Fowlds to approve the September 15 agenda. All members voted AYE.

**MINUTES. MOTION 14-151. MOTION** by Rieck, seconded by Fowlds to approve the September 2, 2014 minutes. All members voted AYE.

**ANNEXATION.** Kevin has received a petition from Arlyn Olsen to annex property that is adjacent to city limits. The property will be zoned Urban Service District and Rural Service District. **RESOLUTION 14-09-09. MOTION 14-152. MOTION** by Boots, seconded by Rieck to approve the following resolution. All members voted AYE. WHEREAS there has been a petition received seeking to include certain real property within the corporate boundaries of the City of Tea; and WHEREAS, the petition has been signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be annexed to the City of Tea; and WHEREAS, said petition complies with all requirements of SDCL 9-4-1; NOW THEREFORE, BE IT RESOLVED BY THE CITY OF TEA, SOUTH DAKOTA that the following described properties be and the same herby are included within the corporate limits of the City of Tea, and the boundary of the city is herby extended to include such territory as allowed by SDCL 9-4-1: Tracts 1 and 2 of Jongelings Addition in the NW1/4 of Section 25, Township 100N, Ranch 51W in Lincoln County, South Dakota. Approximately 36.77 total acres, 7.06 acres Urban Service District and 9.71 acres Rural Service District. Dated this 15<sup>th</sup> day of September, 2014.

John M. Lawler, Mayor

A TEST: Dawn R. Murphy, Finance Officer

**FANNINGS ADDITION PLAT. RESOLUTION 14-09-10. MOTION 14-153. MOTION** by Ortmeier, seconded by Weis to approve the following resolution. Members Munson, Ortmeier, Rieck, Weis and Boots voted AYE. Member Fowlds Abstained. Motion Carried. BE IT RESOLVED by the City Council of the City of Tea, South Dakota, that the plat known and described as Lot 1, Lot 2, and Lot 3 of Fanning's Addition in the Southeast Quarter of Section 35, Township 100 North, Range 51 West of the 5<sup>th</sup> Principal Meridian, Lincoln County, South Dakota, lying within the platting jurisdiction limits of the City of Tea, South Dakota, is herby approved and the City Finance Officer of the City of Tea, South Dakota, is hereby directed to endorse on such plat a copy of this resolution and certify the same thereon. Dated this 15<sup>th</sup> day of September, 2014.

John M. Lawler, Mayor

A TEST: Dawn R. Murphy, Finance Officer

**ZELMER 2<sup>ND</sup> ADDITION RE-PLAT.** Kevin presented a re-plat of Lots 9 and 10, Block 1 of Zelmer Second Addition. Lot 10 will increase in size to allow an apartment building. **RESOLUTION 14-09-11. MOTION 14-154. MOTION** by Fowlds, seconded by Rieck to approve the following resolution. All members voted AYE. BE IT RESOLVED by the City Council of the City of Tea, South Dakota, that the plat known and described as Lot 10A, Block 1 of Zelmer 2<sup>nd</sup> addition, lying within the platting

jurisdiction limits of the City of Tea, South Dakota, is hereby approved and the City Finance Officer of the City of Tea, South Dakota, is hereby directed to endorse on such plat a copy of this resolution and certify the same thereon. Dated this 15<sup>th</sup> day of September, 2014.

John M. Lawler, Mayor

A TEST: Dawn R. Murphy, Finance Officer

**SPENCER HEIGHTS ADDITION RE-PLAT.** Kevin presented a re-plat of Lots 6 and 7, Block 6 of Spencer Heights Addition. The lots will be resized to allow for 3-plex units. The issue of parking was discussed. The units will have double garages which allows for appropriate parking for the units, however it does not allow for additional parking for visitors since there is no on street parking with Tanner Ct. being a private drive. **MOTION 14-155. MOTION** by Fowlds, seconded by Boots to approve the re-plat of lots 6A and 7A, Block 6 of Spencer Heights Addition. Fowlds withdrew his motion. **RESOLUTION 14-09-12. MOTION 14-156. MOTION** by Fowlds, seconded by Boots to approve the following resolution contingent upon the site plan coming to the City Council showing additional parking. All members voted AYE. **BE IT RESOLVED** by the City Council of the City of Tea, South Dakota, that the plat known and described as Lot 6A and 7A, Block 6 of Spencer Heights Addition, lying within the platting jurisdiction limits of the City of Tea, South Dakota, is hereby approved and the City Finance Officer of the City of Tea, South Dakota, is hereby directed to endorse on such plat a copy of this resolution and certify the same thereon. Dated this 15<sup>th</sup> day of September, 2014.

John M. Lawler, Mayor

A TEST: Dawn R. Murphy, Finance Officer

**CARL W. SOUKUP ADDITION.** Kevin presented information regarding the Carl W. Soukup Addition. DTS purchased lots 6 & 7. There is also interest from a different party to purchase another lot. The street within the development has a rollover curb. We are using this development has a trial with the rollover curb to see if we will allow it within future developments. Soukup's Developer Agreement was reviewed. No action was taken.

**BUILDING PLAN REVIEW AGREEMENT.** Apartments with 5 to 16 units do not need stamped architect drawings however there are additional fire codes that are required. With the additional codes, it is best to have someone review the these plans to ensure buildings are under the proper code. David St. Pierre, a certified plans examiner from Code Works is able to review plans for apartments ranging from 5 to 16 units and commercial projects as needed. The additional fee for the review will be added to the building permit cost. **MOTION 14-157. MOTION** by Boots, seconded by Rieck to accept the contact with David St. Pierre of Code Works to review un-stamped architect drawings for at a rate of 15% of the building permit cost and commercial projects at a rate of 20% of the building permit cost and the Mayor to execute the appropriate documents. All members voted AYE.

**MAIN AVE. EXTENSION AGREEMENT.** The Main Ave. Extension Agreement between the City of Tea, Schwartzle Construction and the Estate of Arthur Lammers was reviewed. A few minor changes will be made.

**2<sup>ND</sup> READING OF ORDINANCE 224, 2015 APPROPRIATION BUDGET.** The 2015 budget was reviewed. **MOTION 14-158. MOTION** by Ortmeier, seconded by Fowlds to approve Ordinance 224, 2015 Appropriation Budget. All members voted AYE.

**ELEVATOR OFFICE/TRADE PROPOSAL.** Empire HVAC as submitted a proposal to provide service to various City buildings in exchange for the elevator office building. **MOTION 14-159. MOTION** by Weis, seconded by Boots to approve the trading of the elevator office building if removed

by October 15, 2014 in return for Empire HVAC providing the following: Empire HVAC will provide the labor only for all maintenance and repair of listed HVAC equipment on city owned properties. This labor will be used for quarterly equipment maintenance, break down emergency service and whole item repairs like compressor change outs. The maintenance will not just consist of filter changes but chemical cleaning of condenser coils as well as evaporator cleaning where needed, balance refrigerant charges, clean and adjust burner functions, check for gas leaks and monitor efficiencies on both the gas and electrical sides of equipment. Locations will include the City Hall building, fire station, museum, and City Maintenance building. No parts are included and will be billed at time of need and will be marked up at a 20% margin. This contract will be for a 1 year period and can be renewed after written consent. All members voted AYE.

**COMMITTEE REPORTS.** Clark reported the AED was used successfully, a stolen car was found, they are working on removing the semi-trailer from the grass by Heritage Parkway, they are trying to chase the geese away from the newly seeded grass area. They do have permission from Game Fish and Parks to shoot the geese if the blanks are not effective and will make sure it's done at appropriate times not to disturb people. It was mentioned to watch north Heritage Parkway for speeding. Lawler reported that the elevator will be burned down on October 26<sup>th</sup>. The area fire departments are using this as a regional training event with Lincoln and Minnehaha County Emergency Management involved. The overhead power lines to the east of the elevator will be buried before the burn takes place.

**MOTION 14-160. MOTION** by Ortmeier, seconded by Fowlds to adjourn at 8:09 p.m. All members voted AYE.

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John M. Lawler, Mayor

ATTEST:

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Dawn R. Murphy, Finance Officer

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