

City of Tea  
Regular Meeting  
May 16, 2016

A regular meeting of the Tea City Council was held at Tea City Hall on May 16, 2016, 2015 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, Joe Weis, Larry Rieck and Todd Boots. Also present: Finance Officer Dawn Murphy, Utility Superintendent Thad Konrad, Planning & Zoning Administrator Kevin Nissen, Police Chief Jessica Quigley and Administrative Assistant/Economic Development Director Jenni White. City Engineer Ben Scholtz was absent.

Mayor Lawler took his is oath of office.

**AGENDA. MOTION 16-83. MOTION** by Weis, seconded by Rieck to approve the May 16, 2016 agenda. All members voted AYE.

**APPOINTMENT OF MUNICIPAL OFFICIALS. MOTION 16-84. MOTION** by Boots, seconded by Ortmeier to approve the following appointments. All members voted AYE.

- Finance Officer – Dawn Murphy
- Utility Superintendent – Thad Konrad
- Police Chief – Jessica Quigley
- City Attorney – Meierhenry Sargent, LLP
- City Engineer – HDR Engineering
- Official Paper – Tea Weekly
- Official Depository – Valley Exchange Bank, SD Public Funds Investment Trust and Reliabank

**COMMITTEE APOINTMENTS. MOTION 16-85. MOTION** by Ortmeier, seconded by Boots to approve the following committee/board appointments. All members voted AYE.

- Water, Sewer & Street – Councilmember Fowlds
- Police – Councilmember Ortmeier
- Fire Department – Councilmember Rieck
- Pool, Parks, & Tea Park and Recreation Board – Councilmember Boots
- Library Board – Councilmember Weis
- Library Board, Public Representative – Deanna Ernster
- HRC Board – Councilmember Munson
- TEDC Board – Councilmember Weis

**MINUTES. MOTION 16-86-. MOTION** by Weis, seconded by Ortmeier to approve the May 2, 2016 minutes. All members voted AYE.

**WARRANTS. MOTION 16-87. MOTION** by Rieck, seconded by Fowlds to approve the warrants as presented. All members voted AYE. Warrants will be listed at the end of the minutes.

**MICK NESSEIM** was present to discuss drainage issues he is having at his residence at 27210 468<sup>th</sup> Ave. He feels that since the Prairie Trails Development went in he has been having problems with water not draining. The City has been working with Fish and Wildlife to get permission to upsize the pipe along 468<sup>th</sup> Ave that goes to the game preserve. Thad will work on cleaning out the 5<sup>th</sup> St. culvert and will contact the township to

see if they can be of any assistance. The City will invite Mr. Nesseim to the meeting we set up with Fish and Wildlife.

**MUSEUM FOUNDATION. MOTION 16-88. MOTION** by Weis, seconded by Rieck to approve a contact with Rise Structural Associates Inc. to evaluate the foundation at the Historical Society Museum in the amount of \$1,500.00. All members voted AYE.

**SCOREBOARD PURCHASE.** Kurt Zabel has provided a cost for a new scoreboard for the field A. He has been able to secure 6 sponsors to help pay for the cost. **MOTION 16-89. MOTION** by Fowlds, seconded by Boots to approve the purchase of a new scoreboard from Daktronics and installation costs for a total cost of \$37,145.00. All members voted AYE.

**MALT BEVERAGE RENEWALS. MOTION 16-90. MOTION** by Boots, seconded by Rieck to approve the following Malt Beverage License renewals. All members voted AYE.

**PACKAGE MALT BEVERAGE**

- 1) Cubby's Inc., d/b/a Cubby's – 101 W. Main St., Byron's Addition to Tea, Lot 1 Block 2.
- 2) Olson Oil Co, d/b/a Get N Go #17 – 27159 469<sup>th</sup> Ave., Tea-Zelmer 1st Addition, E. 350' of Tract B, Block 6.

**RETAIL (ON-OFF SALE) MALT BEVERAGE**

- 1) L.B.A, Ltd., d/b/a Woodridge Casino, 615 E. Brian St., Suite A, Lot 1A, Block 9, Zelmer 1<sup>st</sup> Addition (including video lottery).
- 3) L.B.A. Ltd, d/b/a Woodridge Too, 615 E. Brian St. limited to the portion of the building labeled Suite F.

**PACKAGE (OFF SALE) MALT BEVERAGE & SD FARM WINE**

Casey's Retail Company, 800 E. Brian St.; Tea - Costello Add - Lot 2, Block 1.

**ANNEXATION.** Kevin has received a petition from Boulder Development LLC to annex property that is adjacent to the Tea Athletic Park. **RESOLUTION 16-05-07. MOTION 16-91. MOTION** by Fowlds, seconded by Weis 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 RESOVED BY THE CITY OF TEA, SOUTH DAKOTA that the Tract 4, Boulder Addition is hereby included within the corporate limits of the City of Tea, and the boundary of the City is hereby extended to include such territory as allowed by SDCL 9-4-1: T; BE IT FURTHER RESOLVED that Tract 4 is designated as a Rural Service District as defined by City of Tea Ordinance 218 . Dated this 16<sup>th</sup> day of May, 2016.

John M. Lawler, Mayor

ATEST: Dawn R. Murphy, Finance Officer

**PLAT.** Kevin presented and recommended approval of a plat for Boulder Addition. **RESOLUTION 16-05-08. MOTOIN 16-92. 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 knows and described as Tracts 3 & 4, Boulder Addition, lying within the jurisdictional 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 16th day of May, 2016

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

**DEVELOPER ASSURANCE AGREEMENT. MOTION 16-93. MOTION** by Weis, seconded by Boots to approve the Developer Assurance Agreement between the City of Tea and Boulder Development LLC. For Tract 3 and 4, Boulder Addition. All members voted AYE. The agreement is on file at City Hall.

**URBAN & RURAL SERVICE DISTRICT ANNEXATION AGREEMENT. MOTION 16-94. MOTION** by Rieck, seconded by Fowlds to approve the Urban and Rural Service District Annexation Agreement between the City of Tea and Boulder Development LLC for Tract 4, Boulder Addition. All members voted AYE.

**PLAT.** Kevin presented and recommended approval of a plat in Bakker Subdivision. **RESOLUTION 16-05-09. MOTION 16-95. MOTION** by Ortmeier, seconded by Fowlds 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 Plat of Tract A of Bakker Subdivision, located in the South 10 Rods of Government Lot 2 in the NW Fractional ¼ and in Government Lot 2 of the SW Fractional ¼, Section 19, T100N, R50W, 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 16<sup>th</sup> day of May 2016.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

**PLAT.** Kevin presented a plat of 6B and 6C of Southwest Industrial Park Addition. There was a question on the legal description and therefore no action was taken.

**SITE PLAN.** Kevin presented and recommended approval of a site plan for Jamie Nielson. **MOTION 16-96. MOTION** by Ortmeier, seconded by Rieck to approve the site plan for Jamie Nielson, d/b/a Big Time Storage to construct a storage building on Tract A of Lot 1 Block 4, Kerslake Addition. Members Munson, Ortmeier, Boots, Rieck and Weis voted AYE. Member Fowlds abstained. Motion carried.

**SITE PLAN.** Kevin presented a site plan for a building on Tract 6C, Kerslake Industrial Park Addition. No action was taken due to a question on the legal description.

**SITE PLAN.** Kevin presented and recommended approval of a site plan for Don Cooper to construct storage buildings in the Hagedorn Industrial Park Addition. **MOTION 16-97. MOTION** by Weis, seconded by Boots to approve the site plan for Don Cooper to construct storage units on Lot 15, Block 5, Hagedorn Industrial Park Addition. All members voted AYE.

**MEL ZELMER** was present to ask for a reduction in his water bill. For about a two week period 49,000 gallons were used at his property at 1100 N. Spencer Lane. To his knowledge there was not anything leaking or a faucet left on. No action was taken.

**SIDEWALK PROJECT.** On May 5, 2016 the following bids were opened for the 2016 Sidewalk Project: Dakotaland Sod Farm, Inc., \$126,508.20; Hulstein Excavating, Inc., \$173,173.13; and Brooks Construction \$178,900.50. HDR recommends approving the low bid from Dakotaland Sod Farm. **MOTION 16-98. MOTION** by Weis, seconded by Boots to accept the Dakotaland Sod Farm Bid, \$126,508.20. All members voted AYE.

**2016 HAZARD PRE-DISASTER MITIGATION PLAN UPDATE.** Lincoln County is updating their Hazard Pre-Disaster Mitigation Plan and is asking for a letter of support from the City. **MOTION 16-99. MOTION** by Fowlds, seconded by Ortmeier to authorize the Mayor to sign a letter of support for the 2016 Hazard Pre-Disaster Mitigation Plan Update. All members voted AYE.

**SUMMER MAINTENANCE EMPLOYEE. MOTION 16-100. MOTION** by Boots, seconded by Fowlds to hire Rosario Aguilera as a summer maintenance employee at \$10.25 per hour. All members voted AYE.

**POLICE OFFICERS. MOTION 16-101. MOTION** by Ortmeier, seconded by Rieck to remove Tom Krull as a police officer and hire Mike Mitzer and Dan Fremak as part time police officers at \$16.00 per hour. All members voted AYE.

**COMMITTEE REPORTS.** The Teapot Day Car Show is going to move the athletic park complex. TEDC is hosting a community strategic planning meeting on June 2 at Tea City Hall. Mayor Lawler, Ben, Jason, Thad, Kevin and Dawn met with the new Hagedorn Road District Board and they looking at moving forward with trying to annex their development into the City. They should have more details by the end of the summer.

**EXECUTIVE SESSION. MOTION 16-102. MOTION** by Boots, seconded by Larry to go into executive session at 8:38 p.m., pursuant to SDCL 1-25-2 (3), personnel. All members voted AYE. Council came out of executive session at 8:58 p.m.

**MOTION 16-103. MOTION** by Weis, seconded by Boots to adjourn at 8:39 p.m. All members voted AYE.

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John M. Lawler, Mayor

ATTEST:

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Dawn R. Murphy, Finance Officer

Published once at the approximate cost of \$\_\_\_\_\_.

**CITY OF TEA  
 WARRANTS PAID MAY 16, 2016**

	<b>LEGISLATIVE 4111</b>	
Independent Publishing	Publishing	210.17
	<b>FINANCE 4142</b>	
Brown & Saenger	1/3 office supplies	113.08
Century Business Products	1/3 monthly maintenance & imaging units	530.90
HDR Engineering	April services	15,159.32
Meierhenry Sargent	7/2/14-3/22/16 services	715.50
Petty Cash	Postage, mileage	154.34
SD Governmental Finance Officer Association	Conference	75.00
SD Governmental Human Resource Association	Conference	50.00
US Postmaster	Postage	122.50
Wellmark Blue Cross/Blue Shield	May insurance	3,871.54
	<b>ELECTION 4130</b>	
Independent Publishing	Election notice	72.57
Petty Cash	Election worker lunch, mileage	36.83
	<b>LIBRARY 4550</b>	
Barnes & Noble	Books	792.41
	<b>PLANNING &amp; ZONING/ECONOMIC DEVELOPMENT 4650</b>	
HBA of the Sioux Empire	2016 Dues	500.00
Independent Publishing	Publishing	36.79
Lincoln County Register of Deeds	File plat	30.00
Petty Cash	Postage	56.06
US Postmaster	Postage	122.50
	<b>GOVERNMENT BUILDINGS 4192</b>	
City of Tea	Maintenance building water	48.74
City of Tea	City Hall High Flow	44.44
City of Tea	Community Hall-200 W. Maple	36.24
City of Tea	City Hall Low Flow	54.96
Mid American Energy	200 W. Maple	73.06
Mid American Energy	Maint bldg.	104.81
Mid American Energy	PSB	182.68
Midwest Alarm	Monitoring	66.00
Team Logic IT	May backup	40.00

Vast	Maint. Dept. phone	111.91
Vast	City Hall Phone	338.10
Verizon	Cell phone	186.00

**PUBLIC SAFETY 4210**

Casey's General Store	Gasoline	29.85
City of Tea	Water	32.50
Independent Publishing	Officer ad	16.00
Mid American Energy	Services	66.30
Neve's	Pants	103.98
Petty Cash	Postage	16.41
Quigley, Jessica	Reimburse for travel expenses	477.94
SDASRO	SRO Conference	50.00
Vast	Phone	560.20
Verizon	Phone	278.96

**HIGHWAY/STREET 4312**

Casey's General Stores Inc.	Gasoline	15.48
Chad Schulte Handyman	Mow 110 E. 3rd	193.80
City of Tea	Heritage pkwy south water	31.22
Independent Publishing	Sidewalk bids	119.20
Southeastern Electric	Main St. Lights	256.33
Southeastern Electric	272nd St. lights	82.22
Southeastern Electric	Stop light	136.00
Southeastern Electric	Heritage Blvd	361.53
Southeastern Electric	Ivy & Main lights	106.68
Southeastern Electric	Brian St. stop light	34.87
Xcel Energy	Street lights	3,504.88

**PARKS/RECREATION 4501**

City of Tea	Concession building	48.74
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**WATER 601**

Brown & Saenger	1/3 office supplies	113.08
Brown, Barry & Heidi	Water refund	15.50
Campbell, Tyler & Tausha	Water refund	23.68
Casey's General Stores	Gasoline	15.48
Century Business Products	1/3 monthly maintenance & imaging units	530.90
Down to Earth Boutique	Water refund	35.06
Duffy, Troy	Water refund	26.33
Harris, Carol	Water refund	28.50
Hofstee, Nick & Laura	Water refund	2.11
Kittles, Jason	Water refund	32.83
Lewis & Clark	6,980,480 April Usage	16,744.00
Petty Cash	Postage water samples	40.85

SD One Call	1/2 locates	106.96
Sky Investments	Water refund	26.58
Southeastern Electric	Quinton St. tower	41.75
US Postmaster	Postage	822.50

**SEWER 604**

Brown & Saenger	1/3 office supplies	113.11
Casey's General Stores	Gasoline	15.50
Century Business Products	1/3 monthly maintenance & imaging units	530.92
SD One Call	1/2 locates	106.96
Southeastern Electric	High Pointe lift station	122.58
US Postmaster	Postage	822.50

**SPECIAL PARK FUND 201**

American Fence	Privacy slats for fence	1,179.62
Dakota Lettering	Soccer balls	271.84
Petty Cash	Postage	15.24

**3RD PENNY/POOL/PARK EXPENSES 211**

Mid American Energy	Pool	15.00
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TOTAL	52,258.92
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