

City of Tea  
Regular Meeting  
November 7, 2016

A regular meeting of the Tea City Council was held at Tea City Hall on November 7, 2016 at 6:00 p.m.

Mayor John Lawler called the meeting to order at 5:57 p.m. with the following members present: Sidney Munson (arrived at 5:58), 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, Administrative Assistant/Economic Development Director Jenni White and City Engineer Ben Scholtz. Councilmember Brian Fowlds was absent.

**AGENDA. MOTION 16-200. MOTION** by Weis, seconded by Ortmeier to approve the November 7, 2016 agenda. All members voted AYE. At this time Councilmember Munson arrived.

**CONFLUENCE.** Jon Jacobson and Chris Shires from Confluence gave a presentation on how they could assist the city in updating the Comprehensive Plan. No decision was made.

**MINUTES. MOTION 16-201. MOTION** by Weis, seconded by Rieck to approve the October 17, 2016 minutes. All members voted AYE.

**WARRANTS. MOTION 16-202. MOTION** by Ortmeier, seconded by Boots to approve the warrants as presented. All members voted AYE. Warrants will be listed at the end of the minutes.

**ATHLETIC COMPLEX PHASE 3 PAY APPLICATION. MOTION 16-203. MOTION** by Rieck, seconded by Weis to approve Tea Athletic Complex Phase 3 Final Pay Application to Dakotaland Sod Farm Inc., c/o Northern Escrow in the amount of \$13,372.00. All members voted AYE.

**ANNEXATION.** Kevin has received a petition from Ron and Ranae Tyrell to annex their property which is adjacent to city limits. **RESOLUTION 16-11-19. MOTION 16-204. MOTION** by Boots, seconded by Ortmeier 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 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 hereby extended to include such territory as allowed by SDCL 9-4-1:Nielson Addition in the NW ¼, SW1/4 25-100-51. (Parcel #100.50.65.E100). Dated this 7<sup>th</sup> day of November, 2016.

John M. Lawler, Mayor

A TEST: Dawn R. Murphy, Finance Officer

**N. MAIN AVE. PAY APPLICATION. MOTION 16-205. MOTION** by Weis, seconded by Boots to approve Pay Request 4 (Final) to Schwartzle Construction for oversizing utilities on North Main Avenue in the amount of \$35,481.71. All members voted AYE.

**ALCOHOL BEVERAGE LICENSE RENEWALS. MOTION 16-206 ALCOHOL BEVERAGE LICENSE RENEWALS. MOTION** by Boots, seconded by Ortmeier to approve the following 2016 alcohol beverage license renewals. All members voted AYE.

**Retail On-Sale Liquor (including Sundays and Video Lottery):**

- 1) Tea Steak House, Inc. d/b/a O'Tooles Bar, 215 S. Main Ave., - Tea Byrons Addition-E-110<sup>o</sup>, Lot 1 and all Lots 2 & 3, Block 2 & Lot 3 & North 22-ft. of Lot 4, Block 4 Peters 1<sup>st</sup> Addition
- 2) Blau-DeBoer Post #266 American Legion – 245 S. Main Ave. Byrons Addition-Lots 4, 5, & 6, Block 2

- 3) Sky Lounge, LLC, 200 S. Main Ave., W 32' of Lot 1, Block 2, Fritz Addition
- Package Off-Sale Liquor**
- 1) Tea Steak House, Inc. d/b/a O'Tooles Bar, 215 S. Main Ave., - Tea Byrons Addition-E-110', Lot 1 and all Lots 2 & 3, Block 2 & Lot 3 & North 22-ft. of Lot 4, Block 4 Peters 1<sup>st</sup> Addition
- 2) Cubby's Inc., 101 W. Main St. Byron Addition to Tea, Lot 1, Block 2
- 3) Tea Liquor Inc., 720 E. 1<sup>st</sup> St., Lot 11, Block 1, Zelmer 2<sup>nd</sup> Addition
- 4) Dan Decker, d/b/a Liquor Express, Lots 3 & 4, Block 1, Hagemeyer Add., limited to the portion of the building labeled 112 E. 1<sup>st</sup> St.

**Retail On-Off Sale Wine (including video lottery)**

- 1) LBA LTD, d/b/a Wood Ridge Casino, Lot 1A, Block 9, Suite A, Zelmer 1<sup>st</sup> Addition

**DRAINAGE ASSESSMENT. MOTION 16-207. RESOLUTION 16-11-17. MOTION** by Weis, seconded by Boots, to approve the following resolution. All members voted AYE. **A RESOLUTION PROVIDING FOR CITYWIDE PROPERTY DRAINAGE FEE.** WHEREAS, the City of Tea has adopted Chapter 12 of the Revised Ordinance of the City of Tea providing for city wide property drainage fee; and WHEREAS, said Ordinance allows the annual revision of the unit finance charge by the governing body of the City of Tea, NOW, THEREFORE, BE IT RESOLVED by the Governing body of the City of Tea, South Dakota, to establish a unit financial charge of \$.00022542707. Dated this 7<sup>th</sup> day of November, 2016.

John Lawler, Mayor

ATTEST:

Dawn R. Murphy, Finance Officer.

**ROAD MAINTENANCE ASSESSMENT. MOTION 16-208. RESOLUTION 16-11-18. MOTION** by Weis, seconded by Boots to approve the following resolution. All members voted AYE. **A RESOLUTION PROVIDING FOR ANNUAL STREET ASSESSMENT.** WHEREAS, the City of Tea, pursuant to SDCL 9-43, may levy annually for the purpose of maintaining and repairing street surfacing or pavement; and WHEREAS, the City of Tea believes it necessary and appropriate to maintain its streets, NOW, THEREFORE, BE IT RESOLVED by the City Common Council of the City of Tea, as follows: 1. Designation of lots to be assessed. Pursuant to SDCL 9-43, all lots in the City of Tea fronting and abutting a street shall be assessed on the front foot basis; 2. Amount of Assessment. There shall be levied upon all lots fronting and abutting a street forty cents (\$.40) per front foot. Front foot means the actual front of the premises as established by the buildings thereon recorded title and use of the property regardless of the original plat; 3. Assessment. The City Finance Officer is directed to add such assessment to the general assessment against the property and certify the assessment together with the regular assessment to the county auditor to be collected as municipal taxes for general purposes. 4. Assessment subject to review. The assessment is subject to review and equalization the same as assessments or taxes for general purposes. Dated this 7<sup>th</sup> day of November, 2016.

John Lawler, Mayor

ATTEST:

Dawn R. Murphy, Finance Officer

**MOWING ASSESSMENTS. MOTION 16-209. MOTION** by Rieck, seconded by Boots to approve the following mowing/nuisance assessments. All members voted AYE.

<u>Parcel #</u>	<u>Legal Description</u>	<u>Amount</u>
240.25.02.006	Fritz Add. E 70' Lots 5 & 6 Block 2 (110 E. 3 <sup>rd</sup> )	\$ 1,100.00
240.70.06.028	Tea-Zelmer 1 <sup>st</sup> Add, Lot 28, Block 6 (700 E. Kevin)	\$ 220.00
240.70.01.008	Tea Zelmer 1 <sup>st</sup> Add., Lot 8, Block 1 (420 James Cir.)	\$ 440.00

240.43.00.007	Tea –Hilbrands Tr. 7 *ex Prairie Trails Add* (1 <sup>st</sup> & Deerview)	\$ 440.00
240.11.01.008	Tea-Howling Ridge Add., Lot 8, Block 1	\$ 220.00
240.75.02.002	Coffee Addition, Lots 6A & 6B, Block 1	\$ 220.00

**LEWIS & CLARK ARCA AMENDMENT.** Councilmember Munson presented the Lewis & Clark Agreement to Amend Section 2.3.2(a) of ARCA. It currently states a Capital Improvement Fund shall be established after completion of the construction of the system. Lewis and Clark would like to amend the agreement by taking out the “after completion of the construction of the system” and be allowed use the CIP funds at any time for the capital improvements and replacements of and to the system. **MOTION 16-210. MOTION 16-210. MOTION** by Munson, seconded by Rieck to approve the Agreement to Amend Section 2.3.2(a) of the Amended and Restated Commitment Agreement (ARCA) between the Lewis and Clark Rural Water System, Inc., and the City of Tea. All members voted AYE. The agreement is on file at City Hall.

**MISCELLANEOUS.** Employee reviews will be held done on December 5, at 6:00 pm.

**MOTION 16-211. MOTION** by Weis, seconded by Ortmeier to adjourn at 7:10 pm. All members voted AYE.

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John M. Lawler, Mayor

ATTEST:

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Dawn R. Murphy, Finance Officer

**CITY OF TEA  
 WARRANTS PAID NOVEMBER 7, 2016**

**LEGISLATIVE 4111**

Independent Publishing	Publishing	710.40
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**FINANCE 4142**

Aflac	Insurance	400.74
Brown & Saenger	1/3 supplies	89.62
Century Business Products	Maintenance	63.22
HDR Engineering	Sept services	13,295.66
KCL Group Benefits	STD & Life Insurance	279.02
U.S. Postmaster	Stamps	470.00

**PLANNING & ZONING/ECONOMIC DEVELOPMENT 4650**

Camel Press	Certificate of Occupancy decal	221.00
Independent Publishing	Publishing	174.11
Lincoln County Register of Deeds	Annexation & plats	308.00
Nissen, Kevin	Mileage	160.13

**LIBRARY 4550**

Barnes & Noble	Books	1,036.76
Demco	Bookmarks	65.70

**GOVERNMENT BUILDINGS 4192**

Ace Hardware	Misc	256.26
Mid American Energy	510 S Main	8.00
Mid American Energy	600 E. 1st St.	71.65
Mid American Energy	200 W. Maple	29.74
Olson, Joann	Cleaning	135.00
Sioux Falls Two Way Radio	Repair siren	110.00
Team Logic IT	Backup service	40.00
Verizon Wireless	Cell phones	152.76
Vern Eide Management Group	Sep texts	65.84
Xcel Energy	Maint Bldg	215.20
Xcel Energy	City Hall/Fire Dept.	950.27
Xcel Energy	200 W. Maple	101.72

**PUBLIC SAFETY 4210**

Ace Hardware	Misc	29.98
Cenex Credit Card	Gasoline	150.25
Frantzen Reporting	Transcription fees	181.04
Get N Go Fleet Program	Gasoline	566.08
Green Eggs and Ram	Backup service	15.39
Mid American Energy	Services	21.73

Neve's	Clothes	279.65
Quigley, Jessica	Reimburse for Halloween candy	110.69
Quigley, Jessica	Mileage and meals for conference	292.70
Ralph's Repair	Tires	786.00
U.S. Postmaster	Stamps	470.00
Verizon Wireless	Cellphone	374.07
Xcel	120 S. Main	162.73
Xcel	Siren	18.54

**FIRE DEPARTMENT**

Tea Volunteer Fire Dept.	1/2 2016 contribution	24,080.50
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**HIGHWAY/STREET 4312**

Concrete Materials	Rock for footings	139.71
Dave's Repair	Mower gear box	1,176.08
Econo Signs	Street signs	1,023.78
Get N Go Fleet Program	Gasoline	56.91
Independent Publishing	Yard waste ad	80.00
Matheson Tri-Gas Inc.	Oxygen	15.81
Myrl & Roy's	Asphalt	121.92
Southeastern Electric Coop.	Locate	26.00

**PARKS/RECREATION 4501**

All Phase Electric Inc.	Replace relay in controller	336.13
Concrete Materials	Concrete for backstops & bench pads	388.50
Confluence	Sep services	550.00
Henke Tractor Repair	Belts	310.08
Mac's	Anti freeze	53.82
Site One Landscape Supply	Irrigation parts	55.99
Xcel Energy	Ball fields	1,055.80
Zabel Steel	Anchor steel	6.39

**WATER 601**

All Phase Electric	Vac rental	1,000.00
Benco Products, Inc.	Hydrant pump	181.05
Bierschbach Equipment	Locate paint	99.60
Brown & Saenger	1/3 office supplies	89.62
Century Business Products	Maintenance	63.22
City of Sioux Falls	Bact. Samples	217.50
Dakota Supply Group	Valve boxes	497.39
Get N Go Fleet Program	Gasoline	56.91
HD Supply	Hydrant flags	562.50
Lewis & Clark	7,966,976 Oct usage	16,744.00

SD Dept of Health	DBPR Samples	181.00
Xcel Energy	Rural water	9.11
Xcel Energy	2nd St. tower	12.46
Xcel Energy	Brian St. tower	48.65

**SEWER 604**

American Engineering Testing, Inc.	Wastewater samples	386.25
Brown & Saenger	1/3 office supplies	89.66
Century Business	Maintenance	63.22

Dakota Supply Group	Omni-site upgrades	2,465.01
Get N Go Fleet Program	Gasoline	56.92

Xcel Energy	Lagoon blowers	1,826.65
Xcel Energy	W 5th St. lift station	86.07
Xcel Energy	S. Lift station	551.72

**201 Park & Recreation**

Ace Hardware	Marking paint	65.98
Conrad, Bailey	Flag football ref	100.00
Dakota Alliance	Fall soccer dues (increase in fee)	163.00

Dakota Lettering	Flag football beanies	1,800.00
Headrick, Brian	Flag football field manager	120.00
Headrick, Joey	Flag football ref	100.00
Mulder, Conner	Flag football ref	100.00
Octane Ink	Volleyball shirts	681.86
Slykhuis, Carter	Flag football ref	100.00

**2nd PENNY SALES TAX**

First National Bank	PSB Bond Payment	78,758.75
First National Bank	Heritage Blvd Bond	58,128.75

**3RD PENNEY 211**

Mid American Energy	Services	
Xcel Energy	Pool	383.62

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218,137.54

OCTOBER PAYROLL

DEPARTMENT	GROSS PAY	SS/MED	RETIRMENT	TOTAL
Finance 4142	4,930.12	377.16	295.81	5,603.09
Public Safety 4210	21,579.57	1,568.32	1,718.69	24,866.58
Highway/Streets 4311	5,632.16	407.09	337.93	6,377.18
Recreation 4501	2,640.00	201.96	158.40	3,000.36
Planning & Zoning 4650	4,224.75	316.39	253.49	4,794.63
Promoting the City 4653	2,516.61	192.54	151.01	2,860.16
Water Distribution 4334	5,632.16	407.09	337.93	6,377.18
Water Clerk 4335	419.44	32.08	25.16	476.68
Sewer Administration 4321	5,633.83	407.18	338.02	6,379.03
Sewer Sanitary Clerk 4322	419.44	32.08	25.16	476.68
TOTAL OCTOBER PAYROLL	53,628.08	3,941.89	3,641.60	61,211.57