

City of Tea
Regular Meeting
November 19, 2018

A regular meeting of the Tea City Council was held at Tea City Hall on November 19, 2018 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, Jim Erck, Chuck Ortmeier, Joe Weis, Casey Voelker and Todd Boots. Also present: Finance Officer Dawn Murphy, Planning & Zoning Administrator Kevin Nissen and City Administrator Dan Zulkosky.

PUBLIC COMMENTS. No public comments were made.

AGENDA. MOTION 18-251. MOTION by Weis, seconded by Ortmeier to approve the November 19, 2018 agenda. All members voted AYE.

MINUTES. MOTION 18-252. MOTION by Munson, seconded by Weis to approve the November 5, 2018 minutes. All members voted AYE.

WARRANTS. MOTION 18-253. MOTION by Ortmeier, seconded by Weis to approve the warrants as presented. All members voted AYE. Warrants will be listed at the end of the minutes.

O'REILLY AUTO PARTS SITE PLAN. Kevin presented and recommended approval of a site plan for a 7,225 sq. ft. building on Lot 1C, Block 1, Costello Addition. **MOTION 18-254. MOTION** by Ortmeier, seconded by Boots to approve the site plan for O'Reilly Auto Parts to construct a 7,225 sq. ft. building at 920 N. Heritage Parkway, Lot 1C, Block 1, Costello Addition. All members voted AYE.

O'REILLY AUTO PARTS BUILDING PERMIT. Kevin presented and recommended approval of the building plan and building permit for C.M. Architecture. **MOTION 18-255. MOTION** by Boots, seconded by Casey to approve the building plans and building permit #18-177 for O'Reilly Auto Parts. All members voted AYE.

PLAT. Kevin presented and recommended approval of a plat in Heritage Addition. **RESOLUTION 18-11-47. MOTION 18-256. MOTION** by Weis, seconded by Boots to approve the following resolution. All members voted AYE. Motion carried. BE IT RESOLVED by the City Council of the City of Tea, South Dakota that the plat known and described as Lots 20-22 Block 6, and Lots 1-3, Block 11, Heritage Addition, lying within the platting 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 19th day of November, 2018.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

PLAT. Kevin presented and recommended approval of a plat in Heritage Addition. **RESOLUTION 18-11-48. MOTION 18-257. MOTION** by Weis, seconded by Boots to approve the following resolution. All members voted AYE. Motion carried. BE IT RESOLVED by the City Council of the City of Tea, South Dakota that the plat known and described as Lots 7-12, Block 8, and Lots 1-6, Block 9, Heritage 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 19th day of November, 2018.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

FAREWAY STORES BUILDING PERMIT. Kevin presented and recommended approval of building permit #18-178 for a remodel of the existing Sunshine Foods store. **MOTION 18-258. MOTION** by Boots, seconded by Voelker to approve Building Permit 18-178 for a remodel of the existing Sunshine Foods store contingent upon final approval by Codeworks. All members voted AYE.

STREET VACATION PUBLIC HEARING. Mayor Lawler opened the public hearing for the vacation of Williams Street and 230' of Grummand Ave. from Mindy St. to Williams St. There were no public comments. **MOTION 18-259. RESOLUTION 18-11-49. MOTION** by Weis, seconded by Ortmeier to approve the following resolution. All

members voted AYE. **A RESOLUTION VACATING WILLIAMS ST. AND A PORTION OF GRUMMAND AVE.** WHEREAS, the Tea City Council has received a petition to vacate the following property: all of Williams Street (777.23' x 66') and a portion of Grummand Avenue from Mindy Street to Williams Street (230' x 66'), Landmark Industrial Park Addition in the SW ¼ of Section 30, Township 100 North, Range 50 West, Lincoln County; and WHEREAS, the petition meets the requirements of South Dakota laws; and WHEREAS, the facts and reasons set forth in the petition to justify such vacation are valid and such vacation would not be detrimental to the City. NOW, THEREFORE, BE IT RESOLVED by the Tea City Council that the vacation of property described above and shown in Exhibit C is hereby approved and the Finance Officer is directed to file this resolution with the Lincoln County Register of Deeds upon taking effect. Dated this 19th day of November, 2018.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy Finance

TEMPO PRELIMINARY DEVELOPMENT PLAN. Mayor Lawler opened the public hearing for the Tempo Addition Preliminary Development Plan, North of D & L Industrial Park at 7:30 p.m. Kevin presented and recommended approval of the plan. There were no public comments. **MOTION 18-260. MOTION** by Voelker, seconded by Weis to approve the Tempo Addition Preliminary Development Plan. All members voted AYE.

PLAT. MOTION 18-261. MOTION by Boots, seconded by Voelker to untable Badure's Addition Revised Plat. All members voted AYE. Kevin presented and recommended approval of a revised plat in Badure's Addition. The original plat had been approved at the September 4th meeting. The revised plat includes a mutual access easement to the current driveway location. **RESOLUTION 18-11-50. MOTION 18-262. MOTION** by Boots, seconded by Ortmeier to approve the following resolution. All members voted AYE. Motion carried. BE IT RESOLVED by the City Council of the City of Tea, South Dakota that the plat known and described as Lot 3, Badure's Addition, lying within the platting 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 19th day of November, 2018.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

ALCOHOL BEVERAGE LICENSE RENEWALS. MOTION 18-263. MOTION by Weis, seconded by Erck to approve the following 2019 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', Lot 1 and all Lots 2 & 3, Block 2 & Lot 3 & North 22-ft. of Lot 4, Block 4 Peters 1st Addition
- 2) Blau-DeBoer Post #266 American Legion – 245 S. Main Ave. Byrons Addition-Lots 4, 5, & 6, Block 2
- 3) Sky Lounge,- W. 32' of Lot 1, Block 2, Fritz Addition, limited to 200 S. Main Ave.

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 1st Addition
- 2) Cubby's Inc., 101 W. Main St. Byron Addition to Tea, Lot 1, Block 2
- 3) Tea Liquor Inc., 720 E. 1st St., Lot 11, Block 1, Zelmer 2nd Addition

Retail On-Off Sale Wine (including video lottery)

- 1) MG Oil Co. d/b/a Jokerz 7, Lot 1A, Block 9, limited to Suite A, Zelmer 1st Addition

Retail On-Sale Liquor (without video lottery/including Sundays):

- 1) Squealers Smoke Shack, LLC, Lot 11B, Block 1, Zelmer 2nd Addition, limited to Suite B

Retail On-Off Sale Wine (without video lottery)

- 1) Tea Hospitality LLC, d/b/a Grandstay Hotel & Suites, 830 Gateway Lane, Lot 1, Block 1, Gateway Park Addition
- 2) Dolgen Midwest, LLC, d/b/a Dollar General, N 180' of Lot 1A, Block 1 Costello Addition

PONDEROSA PARK PRELIMINARY DEVELOPMENT PLAN. Mayor Lawler opened the public hearing for the Ponderosa Park 2nd Addition Preliminary Development Plan. Kevin presented and recommended approval of the plan. There were no public comments. **MOTION 18-264. MOTION** by Weis, seconded by Ortmeier to approve the Ponderosa Park 2nd Addition Preliminary Development Plan. All members voted AYE.

SEWER RATES. Sewer rates were last adjusted December 19, 2016. Current sewer rates are \$22 per month and the proposed increase would bring them to \$32 per month. Commercial customers would see an increase to \$3 per 1,000 gallons over 6,000. **RESOLUTION 18-11-51. MOTION 18-265. MOTION** by Voelker, seconded by Boots to approve the following resolution. All members voted AYE. WHEREAS, the Tea City Council believes that is it necessary and in the best interest of the City of Tea, in order to pay all costs for the operation, maintenance and improvements of the City's sewer system, to amend the rates for the collection and disposal of wastewater provided by the City of Tea; NOW THEREFORE, BE IT RESOLVED by the Tea City Council as follows: 1. All residential single-family customers shall pay a flat fee of \$32.00 per month. 2. All Multi-Family customers shall pay \$32.00 per living unit per month. 3. All commercial customers shall pay \$32.00 per month plus \$3.00 per 1,000 gallons over 6,000 gallons of usage. Dated this 19th day of November, 2018.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

EXECUTIVE SESSION. MOTION 18-266. MOTION by Weis, seconded by Ortmeier to go into executive session at 8:01 pm pursuant to SDCL 1-25-2 (3) Contracts. All members voted AYE. Council came out of executive session at 8:19 pm.

MOTION 18-267. MOTION by Weis, seconded by Erck to adjourn at 8:19 pm. All members voted AYE.

John M. Lawler, Mayor

ATTEST:

Dawn R. Murphy, Finance Officer

Published once at the approximate cost of \$_____.

**CITY OF TEA
 WARRANTS PAID NOVEMBER 19, 2018**

LEGISLATIVE 4111

Independent Publishing	Publishing	860.51
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FINANCE 4142

Marco	1/3 Maint	129.28
US Postmaster	Postage	125.00

ENGINEERING 4196

HDR	October services	17,124.16
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PLANNING & ZONING/ECONOMIC DEVELOPMENT 4650

A & B Business Solutions	Maintenance	107.26
Independent Publishing	Publishing	90.73
Lincoln County Register of Deeds	Annexation	30.00
Robertson, Steve	21 inspections	1,050.00
US Postmaster	Postage	125.00

GOVERNMENT BUILDINGS 4192

Ace Hardware	Supplies	34.53
City of Tea	City Hall High Flow	65.46
City of Tea	City Hall Low Flow	51.46
City of Tea	Community Hall-200 W. Maple	42.14
City of Tea	Maint bldg.	50.82
Innovative Office Solutions	Supplies	26.52
Midwest Alarm	Alarm monitoring	66.00
Sunshine	Supplies	10.00
Team LogicIT	Backup service	40.00
Vast	Maint. Dept. phone	122.70
Vast	City Hall Phone	404.66
Verizon	Phone	320.68

PUBLIC SAFETY 4210

Ace Hardware	Supplies	91.93
City of Tea	Water	38.32
Frantzen Reporting	Transcription fee	40.00
Get N Go Fleet Card	Fuel	1,211.34
Nar Tec	Drug tests	151.83
Sioux Falls Humane Society	October services	232.19
US Postmaster	Postage	500.00
Vast	Phone	630.92
Verizon	Phone	389.08

HIGHWAY/STREET 4312

Casey's General Store	Gasoline	48.13
Southeastern Electric	Main St. Lights	329.87
Southeastern Electric	272nd St. lights	73.11
Southeastern Electric	Gateway Ln.	28.00
Southeastern Electric	Stop light	47.73

Southeastern Electric	Heritage Pkwy	548.62
Southeastern Electric	Highpoint St./Carla	77.00
Southeastern Electric	Ivy & Main lights	118.88
Southeastern Electric	Howling Ridge	238.00
Southeastern Electric	Prairie Trails	154.00
Southeastern Electric	Nine Mile Heights	189.00
Southeastern Electric	Spencer Heights	119.00
Southeastern Electric	Highpoint	126.00
Southeastern Electric	271st & Heritage lights	147.70
Southeastern Electric	Brian St. stop light	39.62

PARKS/RECREATION 4501

City of Tea	Restroom	57.42
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PARK AND RECREATION 201

Ace Hardware	Marking paint	185.94
Hauff Mid America Sports	Flag Football scoreboards	2,080.00
Hauff Mid America Sports	Baseball pants	51.00
Hauff Mid America Sports	T-ball shirts	183.81
Hauff Mid America Sports	Flag football shirts	4,460.99
Hauff Mid America Sports	Soccer shirts	889.50

2nd PENNY SALES TAX

First National Bank	PSB Bond Payment	61,528.75
First National Bank	Heritage Blvd Bond	82,380.00

WATER 601

Ace Hardware	Supplies	55.98
Boer, Lance & Brenda	Water refund	8.54
Casey's General Store	Gasoline	48.13
Fickbohm, Cory	Water refund	30.41
Larsen, Elizabeth	Water refund	12.45
Lewis & Clark Regional Water	Bakker Addition connection legal & engineering fees	5,182.17
Maier, Lee & Amber	Water refund	31.55
Marco	1/3 Maint	129.28
Midwest Medical Transport	Water refund	15.50
Polzin,Keith & Brenda	Water refund	17.38
Southeastern Electric	Quinton St. tower	50.68
US Postmaster	Postage	975.00
Weihe, Jordan	Water refund	29.24

SEWER 604

Casey's General Store	Gasoline	48.13
HDR Engineering	93rd St. Sewer	38,773.99
Independent Publishing	93rd St. bids	50.23
Marco	1/3 Maint	129.28
SD DENR	NOI Permit	250.00
Southeastern Electric	High Pointe lift station	177.50
US Postmaster	Postage	975.00

3RD PENNY/POOL/PARK EXPENSES 211

Vast	Telephone	108.14
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217ST ST. PROJECT 514

HDR Engineering	October construction admin	20,891.44
Independent Publishing	SA Notice	11.29
Southeastern Electric	Relocate line	18,408.27

TOTAL 264,674.17

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