

City of Tea  
Regular Meeting  
April 5, 2021

A regular meeting of the Tea City Council was held at Tea City Hall on April 5, 2021 at 7:00 p.m.

Mayor John Lawler called the meeting to order at 7:00 pm, with the following members present: Jim Erck, Sidney Munson, Casey Voelker, Chuck Ortmeier and Joe Weis. Also present: Finance Officer Dawn Murphy, Planning & Zoning Administrator Kevin Nissen and City Administrator Dan Zulkosky.

**AGENDA. MOTION 21-39. MOTION** by Weis, seconded by Ortmeier to approve the April 5, 2021 agenda. All members voted AYE.

**CONSENT AGENDA. MOTION 21-40. MOTION** by Munson, seconded by Erck to approve the following consent agenda items:

- 1) Approval of March 15, 2021 Minutes
- 2) Approval of March 15 Local Review Board Minutes
- 3) Approval of April 5, 2021 Claims (claims will be listed at the end of the minutes)
- 4) Approval of Police Officer Vance Siemonsma's resignation/retirement effective April 1, 2021

All members voted AYE.

There were no public comments.

**PUBLIC HEARING.** Mayor Lawler opened the public hearing for Proposed Resolution of Necessity 21-03-03, Gateway Boulevard Special Assessments. City Administrator Dan Zulkosky reviewed changes made to the proposed resolution. Property owners Gerry Goldhammer, Doug Putnam and James Moore representing KJD LLC were present to object to the special assessment.

**RESOLUTION 21-04-04. MOTION 21-41. MOTION** by Munson, seconded by Voelker to approve the Resolution of Necessity 21-04-04 Gateway Boulevard Project with the amendments as discussed and removing Jongeling Tract 4 due to it not being listed on the proposed resolution. All members voted AYE. The resolution will be published separately.

**BUILDING PERMIT.** Keven presented a building permit for a new car wash at 800 Gateway Lane. **MOTION 21-42. MOTION** by Erck, seconded by Munson to approve Building Permit #21-52 for Impact Construction/Advanced Auto Sa Car Wash to construct a car wash at 800 Gateway Lane. All members voted AYE.

**2<sup>ND</sup> READING OF ORDINANCE 285.** The council held the second reading of Ordinance 285. **MOTION 21-43. MOTION** by Voelker, seconded by Weis to approve and adopt Ordinance 285, An Ordinance of the City of Tea, SD Rezoning Ma's and Pa's Addition, Legally Known as Lots 1, 1A, 2, 2A, 3 and 3A, Block 1 Ma's and Pa's Addition in the City of Tea from Ag-Agriculture to R1-Residential District and Amending the Official Zoning Map of the City of Tea. All members voted AYE. The ordinance will be published separately.

**PAY APPLICATION. MOTION 21-44. MOTION** by Weis, seconded by Ortmeier to approve pay application #7, \$57,600.00 to Maguire Iron for the 85<sup>th</sup> St. Elevated Water Storage Tank Project. All members voted AYE.

**MOTION 21-45. MOTION** by Weis, seconded by Ortmeier to adjourn at 7:42 pm. 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 APRIL 5, 2021**

**LEGISLATIVE 4111**

Independent Publishing	Publishing	244.03
KCL	Insurance	392.01

**FINANCE 4142**

Wellmark	Insurance	11,132.98
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**PLANNING & ZONING 4650**

Code Works	Plan review	830.90
Independent Publishing	Publishing	17.26
Lincoln County Register of Deeds	Plats	249.00
Odland, Tim	Inspections	5,325.00
Robertson, Steve	Inspections	4,030.00

**LIBRARY 4550**

Verizon	Internet	40.01
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**GOVERNMENT BUILDINGS 4192**

Explorers Credit Union	Paint	2,282.92
J.H. Larson	Bulbs	223.30
Marco	Copier lease	373.03
RBS Sanitation	4/1-6/30 garbage	616.87
Truly Nolen	Remove bats from community hall	639.00
U Drive Technology	Monthly texting	50.08
Verizon	Phones	40.01
Xcel Energy	200 W. Maple	108.77
Xcel Energy	600 E. 1st St.	975.26
Xcel Energy	Maintenance building	131.98

**PUBLIC SAFETY 4210**

Anderson, Darla	Cleaning 3/14	50.00
Axon Enterprises	Taser pmt 4	1,120.00
Elbo Computing Resources	Computer services	338.50
Explorer Credit Union	Postage, seminars, misc	944.59
Get N Go	Fuel	1,485.80
Jack's Uniforms	Badge, Shirt	174.94
O'Reilly	Parts	36.99
Quigley, Jessica	Repair shoe	10.00
RBS Sanitation	4/1-6/30 garbage	198.50
Sioux Falls Area Humane Society	Feb services	181.08
Verizon	Phones	440.55
Xcel	Poplar Ave. siren	18.20
Xcel	Services	168.77

**HIGHWAY/STREET 4312**

Casey's	1/3 gasoline	120.11
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Concrete Materials	Asphalt	166.32
I State Truck Center	Truck door handle	14.31
Southeastern Electric	Locates	552.50
Southeastern Electric	St. lights	3,004.74
Tri State Garage	Repair garage door	150.00
Xcel Energy	7th St. lights	45.33

**PARKS/RECREATION 4501**

Dakota Supply Group	Park bulbs	288.94
Site One	Sprinkler heads	1,002.42
Verizon	Park camera	40.01
Xcel Energy	Ball Fields	747.68

**WATER 601**

Badger Meter	1/2 Beacon hosting/service agreement	945.43
Casey's	1/3 gasoline	120.11
SD One Call	1/2 locates	30.24
Southeastern Electric	Meter buildings	309.38
US Bank	SRF 1	38,593.10
Xcel Energy	Brian St. Tower	125.27
Xcel Energy	2nd St. Tower	20.53
Xcel Energy	Rural water	14.66

**SEWER 604**

Badger Meter	1/2 Beacon hosting/service agreement	945.43
Casey's	1/3 gasoline	120.16
SD One Call	1/2 locates	30.24
Southeastern Electric	Lift station	175.78
US Bank	SRF 7	14,084.64
US Bank	SRF 6	13,420.14
Verizon	Lift station phone	24.66
Xcel Energy	5th St. lift station	76.19
Xcel Energy	S. lift station	462.39
Xcel Energy	Lagoon Building	3,754.89

**201 PARK AND RECREATION FUND**

Hauff Mid America Sports	Soccer shirts	1,696.25
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**3RD PENNY PARKS/POOL 211**

Independent Publishing	Help wanted ad	85.00
Verizon	Phones	40.01
Xcel Energy	Services	129.75

**GATEWAY BLVD CAPITAL PROJECT 515**

Independent Publishing	SA Resolution	266.11
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TOTAL 114,473.05

MARCH PAYROLL

DEPARTMENT	GROSS PAY	SS/MED	RETIRMENT	TOTAL
Administrator 4122	7,719.76	590.56	463.18	8,773.50
Finance 4142	5,796.00	443.40	347.76	6,587.16
Public Safety 4210	35,416.54	2,578.36	2,711.61	40,706.51
Highway/Streets 4311	10,760.26	795.98	645.60	12,201.84
Planning & Zoning 4650	5,361.80	405.35	321.71	6,088.86
Water Distribution 4334	7,326.22	550.60	439.56	8,316.38
Water Clerk 4335	1,911.01	146.20	114.66	2,171.87
Sewer Administration 4321	7,328.40	550.82	439.74	8,318.96
Sewer Sanitary Clerk 4322	1,911.00	146.19	114.66	2,171.85
TOTAL MARCH PAYROLL	75,811.23	5,616.90	5,135.30	95,336.93

**CITY OF TEA  
RESOLUTION 21-04-04  
RESOLUTION OF NECESSITY**

WHEREAS, The City of Tea has proposed Resolution of Necessity #21-03-03 for improvements to Lincoln County Highway 106 aka Gateway Boulevard and Katie Rd; and

WHEREAS, the City of Tea has published and mailed said notices as required by South Dakota Codified Laws; and

WHEREAS, the City has considered the character of the improvements, the situation, the surrounding conditions, and whether the substantial benefits to be derived from the improvements are local or general in their nature; and

WHEREAS, the City has calculated the portion of the improvements which confers a local special benefit and the general benefit and advantage on the property of the whole community.

NOW THEREFORE BE IT RESOLVED that the City finds the following:

- The project will make the property abutting the project a better place in which to conduct business.
- The property will only be assessed the costs for the special benefit of the improvements.
- The adjacent property will receive a special benefit by changing the properties highest and best use from rural in character to urban.
- The improvement will provide easier access to the abutting properties.
- The improvements will provide a special benefit to the assessed properties by improving and enhancing the aesthetics and safety, thus enhancing the value, use, and enjoyment of the property.
- The improvements will enhance the market value of the properties abutting the improvement.
- The property abutting the improvements receive a special benefit above and beyond that benefit enjoyed by the general public.
- That the value of the special benefit equals or exceeds the special assessment
- Failure to assess property abutting the improvements would result in a windfall to the property owners.

AND WHEREAS, the City of Tea is ready to proceed with the project and again declare the necessity to make the improvements;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Tea, South Dakota, at a regular meeting thereof held in the meeting room of the City Council in the City of Tea that the convenience and necessity has risen to for the complete reconstruction of Lincoln County Highway 106 (CR106) aka Gateway Boulevard/271<sup>st</sup> Street beginning approximately 130 feet east of Heritage Parkway and continuing approximately 7,385 feet (1.4 miles) to the intersection with the Exit 73 interchange at Interstate 29 and utility improvements on 191.90 ft of Katie Rd by the following:

- Asphalt surfacing removals, widening the existing roadway to provide additional lanes, installation of utilities (water main, sanitary sewer, sanitary sewer force main casing pipe, and storm sewer), installation of curb & gutter, sidewalks & shared-use path, gravel roadway base, concrete and asphalt surfacing, traffic signals, street lighting, landscaping, and irrigation systems.

BE IT FURTHER RESOLVED that the material to be used in the project shall be according to plans and specifications prepared by engineers for the City of Tea, and on file in the office of the Municipal Finance Officer and open to public inspection and incorporated hereby.

BE IT FURTHER RESOLVED that:

- the cost of \$68.50 per foot (street \$38.50, Water \$14.00 & Sewer \$16.00) shall be assessed against all assessable lots and tracts of land fronting or abutting thereon to each of such lots or tracts listed on Exhibit A
- the cost of \$52.50 (street \$38.50, Water \$14.00) per foot shall be assessed against all assessable lots and tracts of land fronting or abutting thereon to each of such lots or tracts listed on Exhibit B
- the cost of \$107.00 (street \$77.00, Water \$14.00 & Sewer \$16.00) per foot shall be assessed against all assessable lots and tracts of land fronting or abutting thereon to each of such lots or tracts listed on Exhibit C;
- the cost of \$91.00 (Street \$77.00 and Water \$14.00) per foot shall be assessed against all assessable lots and tracts of land fronting or abutting thereon to each of such lots or tracts listed on Exhibit D;
- the cost of \$52.50 (Street \$38.50 and Water \$14.00) per foot shall be assessed against all assessable lots and tracts of land fronting or abutting thereon to each of such lots or tracts listed on Exhibit E;
- the cost of \$38.50 (street only) per foot shall be assessed against all accessible lots and tract of land fronting or abutting thereon to each of such lots or tracts listed on Exhibit F.

The total estimated cost of the Project is \$16,000,000.00 and that part thereof will be financed by special assessments. The City of Tea will pay the "over size" costs of \$14,945,000.00. The total cost shall include the contract price and all engineering, inspection, publication, fiscal, legal and all other expenses incidental thereto.

BE IT FURTHER RESOLVED that the assessments for the properties marked on Exhibits "A & B" will be divided into fifteen (15) equal annual installments, which shall be payable under Plan One, collection by the County Treasurer, as set forth in SDCL §9-43-102, et seq., and that all deferred installments shall bear interest at such rate of one (1) percent per annum.

BE IT FURTHER RESOLVED that the assessment for the properties marked as Exhibits "C" shall be delayed, without interest, and to be paid in full at such time as the property is annexed within the City limits of Tea.

BE IT FURTHER RESOVLED that the assessments for the property marked as Exhibit D shall be delayed, without interest, and to be paid in full at such time the property is annexed into the city limits and a development plan is filed.

BE IT FURTHER RESOLVED that the assessment for the property marked as Exhibit E shall be delayed, without interest, and to be paid in full at such time as a development plan is filed.

BE IT FURTHER RESOLVED that the contractors who undertake to perform the work of construction herein provided for shall be paid in cash from City surplus, the sale of Special Assessment Bonds, Sales Tax Revenue Bonds and a Federal Highway Administration Build Grant.

Dated this 5<sup>th</sup> day of April, 2021

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John M. Lawler, Mayor

ATTEST:

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Dawn R. Murphy, Finance Officer

**EXHIBIT A (ANNEXED. STREET, WATER & SEWER \$68.50 PER FOOT)**

Donald F. Seubert and Jeanne A. Seubert, Trustees of the Donald F. Seubert Living Trust	Lot B, Town of Bucksnot in the SW1/4 of Section 24, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.
Alcoba, LLC	Lot 1C in Block 5 Kerslake 2nd Addition in the South Half of Section 24, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.
Keith R.E. Johnson & A Lane, LLC	The West 150 feet of Lot 1, Block 1 of Kerslake Second Addition in the South Half of Section 24, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.
Heirigs Properties, LLC	Tract A of Lot 1, Block 1 of Kerslake 2nd Addition in the S1/2 of Section 24, – Township 100 North, – Range 51 West of the 5th P.M., Lincoln County, South Dakota.
JB IV, LLC	The W1/2 of Lot 1A in Block 2 of Kerslake Addition in the W1/2 SE1/4 of Section 24, – Township 100 North, – Range 51 West of the 5th P.M., Lincoln County, South Dakota.
JB IV, LLC	The E1/2 of Lot 1A in Block 2 of Kerslake Addition in the W1/2 SE1/4 of Section 24, – Township 100 North, – Range 51 West of the 5th P.M., Lincoln County, South Dakota.
Eric & Jane Juhl	The West 95 feet of Lot 1 and the East One-half (E1/2) of Lot 2, Block 1, Kerslake Addition in the West One-half (W1/2) of the Southeast Quarter (SE1/4) of Section 24, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.
Eric & Jane Juhl	Lot 1, except the West 95 feet thereof, Block 1, Kerslake Addition in the West Half of the Southeast Quarter of Section 24, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.
Judith H Kuzepa and Michael Kuzepa	Kerslake Tract 1 in the W1/2 SE1/4 of Section 24, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.
Richard Peters & Roxanne Peters	Lot 2 of the Subdivision of Tract 1A, except the North 280 feet thereof, of the Southwest Industrial Park in the E1/2 SE1/4 of Section 24, – Township 100 North, – Range 51 West of the 5th P.M., Lincoln County, South Dakota.
Rima R. Hanna Trust	The South Half of Tract 1B, Southwest Industrial Park in the E1/2 SE1/4 of Section 24, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.

Janice L Margeson	Tract 11 of Southwest Industrial Park in the E1/2 SE1/4 of Section 24, – Township 100 North, – Range 51 West of the 5th P.M., Lincoln County, South Dakota.
Pearl Creek Investment, LLC	Tract 10 of Southwest Industrial Park in the E1/2 SE1/4 of Section 24, – Township 100 North, – Range 51 West of the 5th P.M., Lincoln County, South Dakota.

**EXHIBIT B (ANNEXED, STREET & WATER \$52.50 PER FOOT)**

Patrick Sweetman	Muellers Tract 1 in the NE1/4 of Section 25, – Township 100 North, – Range 51 West of the 5th P.M., Lincoln County, South Dakota.
Nielson Development, LLC	An unplatted portion of the NW1/4 of Section 25, – Township 100 North, – Range 51 West of the 5th P.M., Lincoln County, South Dakota. Said Lot H1 containing **9180 sq. ft., more or less.
Sundowner Investments, L.L.C.	Tract 2 of Bakker Landing 1st Addition in Government Lots 1 and 2 of the Northwest Quarter and in Government Lots 1 and 2 in the Southwest Quarter of Section 19, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota.

**EXHIBIT C (NOT ANNEXED, STREET, WATER, SEWER, DELAYED \$107.00 PER FOOT)**

Douglas A. Putnam	Lot 1 of Income Addition in the NW1/4 of Section 25, – Township 100 North, – Range 51 West of the 5th Principal Meridian, Lincoln County, South Dakota.
Gerry Goldammer	Tract 1 of Income Addition in the NW1/4 of Section 25, – Township 100 North, – Range 51 West of the 5th PM, Lincoln County, South Dakota.
Ennis Lund	The W1/2 of Lot 2, Block 1, Kerslake Addition in the W1/2 of SE1/4 of Section 24, – Township 100 North, – Range 51 West of the 5th P.M., Lincoln County, South Dakota.
KJD, LLC	Tract 36, except Lot A in Sky Haven Heights Addition in the NW1/4 of Section 30, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota.
G.P. Enterprises, Inc.	Lot 1 of Tract 18 in Sky Haven Heights in the NW1/4 of Section 30, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota.
G.P. Enterprises, Inc.	Lot 2, except Lot H2 in Lot 2, of Tract 18 of Sky Haven Heights in the Northwest Quarter of Section 30, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota.



G.P. Enterprises, Inc.	Lot 17A and 17B of the Subdivision of Tract 17 of Sky Haven Heights in the NW1/4 of Section 30, – Township 100 North, – Range 50 West of the 5th P.M., Lincoln County, South Dakota.
David Welch & Kimberly Welch	Lot A, Town of Bucksnot in the SW1/4 of Section 24, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.
Lincoln County	Airport Tract 1A of Sky Haven Heights in the NW1/4 of Section 30, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota.

**EXHIBIT D (NOT ANNEXED, STREET, WATER, DELAYED \$91.00 PER FOOT )**

Ricky Mueller	The West 1,557 feet of the NE1/4 of Section 25, – Township 100 North, – Range 51 West of the 5th P.M., Lincoln County, South Dakota.
Gerry Goldammer	Jongeling Tract 4 NW1/4 of Section 25, – Township 100 North, – Range 51 West of the 5th Principal Meridian, Lincoln County, South Dakota. *except Lot H1*

**EXHIBIT E (ANNEXED STREET AND WATER/DELAYED \$52.50 PER FOOT)**

Ronald Mueller	East 1,083 feet of the NE1/4 of Section 25, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota except Mueller Tract 1 thereof.
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**EXHIBIT F (ANNEXED STREET ONLY \$38.50 PER FOOT)**

OCH Leasing, L.L.C.	Lot 5, Block 1 of Gateway Park Addition to the City of Tea, Lincoln County, South Dakota.
Tea Hospitality, L.L.C.	Lot 1, Block 1 of Gateway Park Addition to the City of Tea, Lincoln County, South Dakota.
Olsen Commercial Holdings, L.L.C.	Tract 1 of Jongeling’s Addition, except Lot 1 and 5 in Gateway Park Addition in the Northwest Quarter of Section 25, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.
East River Electric Power Cooperative, Inc.	The Westerly 50 Feet of BNSF Railway Company's (fka Great Northern Railway Company) 100 Foot Wide Sioux Falls to Irene, South Dakota Branch Line Right Of Way, now discontinued, located upon, over and across the SW 1/4 of Section 24, Township 100 North Range 51 West & Lot 12 in Block 5 of Kerslake’s 2nd Addition in the S1/2 of Section 24, T100N, R51W of the 5th P.M., Lincoln County, South Dakota.