

City of Tea  
Regular Meeting  
April 19, 2021

A regular meeting of the Tea City Council was held at Tea City Hall on April 19, 2021 at 7:00 p.m.

Mayor John Lawler called the meeting to order at 7:01 pm, with the following members present: Jim Erck, Sidney Munson, Casey Voelker, Chuck Ortmeier and Joe Weis. Also present: Finance Officer Dawn Murphy and City Administrator Dan Zulkosky.

**AGENDA. MOTION 21-46. MOTION** by Weis, seconded by Ortmeier to approve the April 19, 2021 agenda. All members voted AYE.

**CONSENT AGENDA. MOTION 21-47. MOTION** by Ortmeier, seconded by Erck to approve the following consent agenda items:

- 1) Approval of April 2, 2021 Minutes
- 2) Approval of April 19, 2021 Claims (claims will be listed at the end of the minutes)
- 3) Approval of the following plats Plats
  - a) [Lots 4B, 4C, 5B, 5C, Block 6, Boulder Addition, City of Tea](#)
  - b) [Lots 10 & 11, Block 5, Evertt's Place Addition, City of Tea](#)
  - c) [Lots 3 & 3A, Block 2, Bakker Landing Addition, City of Tea](#)
  - d) [Tract A & B, Fogelman's Second Addition, Lincoln County, SD](#)
  - e) [Tracts 1A & 1B, Radermacher Addition, Lincoln County, SD](#)

All members voted AYE.

**PUBLIC COMMENTS.** Paula Erich with BSA Troop 99B and 99G reviewed with the council the conservation projects that her troops are working on. They are doing a project to inform the public about emerald ash borer. They plan to tie ribbons around ash trees with information on how to prevent the disease. They also would like to plant some trees in the City.

**VARIANCE PUBLIC HEARING.** Mayor Lawler opened the public hearing for a 1.2-inch setback variance for 110/112 E. Ivy Rd and 120/122 E. Ivy Rd. (Lots 10 & 11, Block 8 Heritage Addition). The Surveyor discovered the error while collecting survey data to replat Lot 11. The foundation at 110/112 E. Ivy Rd. was rotated slightly causing the 1.2-inch error. **MOTION 21-48. MOTION** by Ortmeier, seconded by Munson to approve the 1.2-inch setback variance for Thomas Waldner, Lots 10 & 11, Block 8 Heritage Addition. All members voted AYE.

**TEA LAW ENFORCEMENT CENTER SITE PLAN.** The council reviewed the site plan for the 6,390 sq. ft. Law Enforcement Center for the City of Tea. All zoning requirements have been met. **MOTION 21-49. MOTION** by Voelker, seconded by Weis to approve the site plan for the City of Tea to construct the new Law Enforcement Center at 520 Figzel court. All members voted AYE.

**PREFERRED SIDING STORAGE BUILDING PLANS.** The council reviewed the building plans for a 5,610 sq. ft. storage building on Linda Ave. Codeworks has reviewed and approved the structural plans. **MOTION 21-50. MOTION** by Erck, seconded by Ortmeier to approve the building plans for Thomas Wipf to construct a 5,610 sq. ft. storage building on Lot 8, Block 5 Hagedorn Industrial Park Addition. All members voted AYE.

**SIOUX METRO GROWTH ALLIANCE.** Minnehaha County and Lincoln County Economic Development Associations have decided to dissolve and form one organization, the Sioux Metro Growth Alliance. **RESOLUTION 21-04-05. MOTION 21-51. MOTION** by Ortmeier, seconded by Erck to approve the following resolution. All members voted AYE. **A RESOLUTION APPROVING THE CONSOLIDATION OF THE MINNEHAHA COUNTY ECONOMIC DEVELOPMENT ASSOCIATION AND THE LINCOLN COUNTY ECONOMIC DEVELOPMENT ASSOCIATION INTO THE SIOUX METRO**

**GROWTH ALLIANCE, IN THE CITY'S CAPACITY AS A MEMBER OF THE LINCOLN COUNTY ECONOMIC DEVELOPMENT ASSOCIATION.**

WHEREAS, the City has been a member of the Lincoln County Economic Development Association, a South Dakota nonprofit corporation (the "Association"), since its formation on December 12, 1996;

WHEREAS, the Association has worked to create new economic opportunities and improve access to those opportunities for residents of Lincoln County (the "County");

WHEREAS, as the City, the County, and the City of Sioux Falls have grown, the Association has developed a close working relationship with the Lincoln County Economic Development Association, a South Dakota nonprofit corporation pursuing the same aims in Lincoln County (together with the Association, the "Development Associations");

WHEREAS, the Development Associations now share administrative staff personnel and run concurrent Board meetings, aligning the efforts of the two organizations;

WHEREAS, the Association's executive staff recommended to the Association's Board of Directors a Plan of Consolidation, attached hereto, under which the Development Associations would be consolidated to form a new South Dakota nonprofit corporation, the Sioux Metro Growth Alliance (the "Alliance");

WHEREAS, on February 17, 2021, the Association's Board of Directors voted to recommend the Plan of Consolidation to the Association's members, including the City;

WHEREAS, the Plan of Consolidation will allow the new Alliance to operate more efficiently to achieve the same goals that the Development Associations pursued;

WHEREAS, the Alliance, as proposed by the Plan of Consolidation, will not have members, but will instead be ultimately governed by a Board of Directors;

WHEREAS, the Association's executive staff has recommended the Alliance form an advisory committee, consisting of the Development Associations' former members, with the explicit goal of preserving venues for municipal input (an "Advisory Committee"); and

WHEREAS, pursuant to the notice of meeting attached hereto, the Association has called a meeting of the members, on May 5, 2021, for the purpose of voting on the Plan of Consolidation (the "Meeting").

NOW, THEREFORE: BE IT RESOLVED BY THE CITY OF TEA, SOUTH DAKOTA, that the Plan of Consolidation, in the form reviewed by the City, is hereby approved.

FURTHER RESOLVED, that City Administrator Dan Zulkosky is appointed as the City's proxy at the Meeting for the limited purpose of casting the City's vote, as a member in the Association, in favor of (i) adopting the Plan of Consolidation; and (ii) taking any other actions reasonably related to carrying out the consolidation of the Development Associations.

FURTHER RESOLVED, the City understands and acknowledges that it will not be a member of the Alliance and is relinquishing all rights and liabilities associated with its membership in the Association, except to the extent they survive the consolidation.

FURTHER RESOLVED, in the event and at such time as the Alliance establishes an Advisory Committee, the City is authorized to accept a position on such Advisory Committee and City Administrator Dan Zulkosky is appointed to serve as the City's representative on the Advisory Committee, subject to the terms of the Alliance's then-existing bylaws.

Dated this 19<sup>th</sup> day of April 2021

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy

**RESOLUTION OF PROPOSED RESOLUTION OF NECESSITY – GATEWAY BOULEVARD.** When the first resolution was approved one property was omitted. **RESOLUTION 21-04-06. MOTION 21-52.** by Munson, seconded by Weis to approve Resolution 21-04-06, Resolution of Proposed Resolution of Necessity for Gateway Boulevard and set May 17<sup>th</sup> at 7:05 for the public hearing on the resolution. All members voted AYE. The resolution will be published separately.

**RESOLUTION ESTABLISHING A SPEICAL TAX CLASSIFICATION. MOTION 21-53. MOTION** by Voelker, seconded by Weis to approve the following resolution. All members voted AYE.

CITY OF TEA  
RESOLUTION 21-04-07

A RESOLUTION ESTABLISHING A SPECIAL TAX CLASSIFICATION.

WHEREAS, SDCL 10-6-35.4 provides the municipalities may adopt a formula pursuant to SDCL 10-6-35.2 for reduction taxation if the Board of County Commissioners has not adopted such a formula; and

WHEREAS, the City of Tea is desirous of adopting a discretionary formula for reduced taxation for certain new structures and additions to existing structures, within the corporate limits of the City of Tea,

THEREFORE BE IT RESOLVED by the Common Council of the City of Tea that pursuant to SDCL§ 10-6-35.2 that the following classifications of real property shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL 10-6-35.2:

- (1) Any new industrial or commercial structure, or any addition, renovation, or reconstruction to an existing structure, located within a designated urban renewal area as defined in SDCL 11–8–4, if the new structure, addition, renovation, or reconstruction has a full and true value of thirty thousand dollars or more;
- (2) Any new industrial structure, including a power generation facility, or an addition to an existing structure, if the new structure or addition has a full and true value of thirty thousand dollars or more;
- (3) Any new nonresidential agricultural structure, or any addition to an existing structure, if the new structure or addition has a full and true value of ten thousand dollars or more;
- (4) Any new commercial structure, or any addition to an existing structure, , if the new structure or addition has a full and true value of thirty thousand dollars or more;
- (5) Any commercial, industrial, or nonresidential agricultural property which increases more than ten thousand dollars in full and true value as a result of reconstruction or renovation of the structure.

BE IT FURTHER RESOLVED all new structures or additions classified above shall be assessed as follows for tax purposes:

- a. 20% of the assessed value for the first year;
- b. 40% of the assessed value for the second year;
- c. 60% of the assessed value for the third year;
- d. 80% of the assessed value for the fourth year;
- e. 100% of the assessed value for the fifth year and all years thereafter.

BE IT FURTHER RESOLVED that the City Council may, if requested by the owner of any of the above described

property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the City Council is not prohibited from applying the formula for subsequent new structures by that owner;

BE IT FURTHER RESOLVED, that for purpose of this Ordinance, the assessed valuation during any of the five years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction;

BE IT FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Ordinance and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and

BE IT FURTHER RESOLVED, that following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

BE IT FURTHER RESOLVED, that this resolution repeals Resolution 21-01-01 and shall continue until terminated by resolution.

Dated this 19<sup>th</sup> day of April, 2020.

John M. Lawler, Mayor

ATTEST Dawn R. Murphy, Finance Officer

**272<sup>ND</sup> AVE IMPROVEMENT PROJECT FUNDING - WATER. RESOLUTION 21-04-08. MOTION 21-54. MOTION** by Weis, seconded by Erck to approve Resolution 21-04-08. Resolution Giving Approval to Certain [Drinking Water Facilities Improvements](#); Giving Approval to the Issuance and Sale of A Revenue Bond to Finance, Directly or Indirectly, the Improvements to the Facilities; Approving the form of the Loan Agreement and the Revenue Bond and Pledging Revenues and Collateral to Secure The Payment of the Revenue Bond; and Creating Special Funds and Accounts for the Administration of Funds for Operation of the System and Retirement of the Revenue Bond – 272<sup>nd</sup> Ave. Water Improvement Project, \$790,000.00. All members voted AYE. The resolution will be published separately.

**272<sup>ND</sup> AVE IMPROVEMENT PRJOECT FUNDING – SEWER. RESOLUTION 21-04-09. MOTION 21-55. MOTION** by Erck, seconded by Weis to approve Resolution 21-04-09. Resolution Giving Approval to Certain [Sewer Facilities Improvements](#); Giving Approval to the Issuance and Sale of A Revenue Bond to Finance, Directly or Indirectly, the Improvements to the Facilities; Approving the form of the Loan Agreement and the Revenue Bond and Pledging Revenues and Collateral to Secure The Payment of the Revenue Bond; and Creating Special Funds and Accounts for the Administration of Funds for Operation of the System and Retirement of the Revenue Bond – 272<sup>nd</sup> Ave. Sewer Improvement Project, \$1,402,000. All members voted AYE. The resolution will be published separately.

**GATEWAY BOULEVARD PAY APPLICATION 2. MOTION 21-56. MOTION** by Weis, second by Voelker to approve Gateway Boulevard Pay Application 2 to D & G Construction, \$443,256.53. All members Voted AYE.

**MOTION 21-57. MOTION** by Weis, seconded by Ortmeier to adjourn at 7:53 pm. All member voted AYE.

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John M. Lawler, Mayor

ATTEST:

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Dawn R. Murphy, Finance Officer

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**CITY OF TEA  
 WARRANTS PAID APRIL 19, 2021**

	<b>FINANCE 4142</b>	
Avesis	Vision insurance	158.36
	<b>LIBRARY 4550</b>	
Vast	Internet	40.01
	<b>ENGINEERING 4196</b>	
HDR Engineering	General	1,544.38
HDR Engineering	P & Z	2,122.50
HDR Engineering	Streets	238.75
HDR Engineering	TAP Grant	642.50
	Hagedorn Industrial Park Infrastructure	
HDR Engineering	Reconstruction	7,348.21
HDR Engineering	272nd St. Extension	10,913.55
HDR Engineering	GIS	1,091.25
HDR Engineering	Environmental	980.00
	<b>GOVERNMENT BUILDINGS 4192</b>	
City of Tea	Maintenance building water	82.80
City of Tea	City Hall	143.90
City of Tea	Community Hall-200 W. Maple	62.30
Fareway	Supplies	153.54
Gordon Flesch Company	Toner	2,183.00
Innovative	Supplies	171.69
Mid American Energy	200 W. Maple	233.50
Mid American Energy	Maint bldg.	344.20
Mid American Energy	PSB	642.55
Olson, Joann	Cleaning Jan, Feb, Mar	225.00
Vast	Maint. Bldg	119.20
Vast	City Hall Phone	458.55
Verizon	Phones	262.40
	<b>PUBLIC SAFETY 4210</b>	
Anderson, Darla	Cleaning 4/11 & 3/28	100.00
Auto Dynamics Inc.	Oil changes	255.14
Banner	Professional services	23,800.13
City of Tea	Water	62.30
Division of Motor Vehicles	Plates for trailer	28.20
Get N Go Fleet	Gasoline	1,599.89
Graham	Tires	584.00
Lincoln County	Second quarter E-911 services	3,806.00
Mid American Energy	Services	188.21
Midwest Alarm Company	Monitoring	87.00
Red D Haul	Transport new Explorer	180.00
Tri-State Garage Door	Repair garage door	408.00
Vast	Phone	573.44
Verizon	phones	440.40

**HIGHWAY/STREET 4312**

Division of Motor Vehicles	Plates for freightliner	23.20
Eastern Farmers Elevator	Fuel	587.66
LG Everist, LLC	Rock for James Ave. pipe	215.16
Lincoln County Treasurer	Drainage & road maintenance	8,531.36
Mac's Hardware	Shop supplies	392.80
Matheson Trigas	Argon	62.52
O'Reilly	Supplies	968.01
Pfeifer Implement	Plow attachment	208.67
Southeastern Electric	Locates	585.00
Southeastern Electric	St. lights	2,947.65
Xcel Energy	Street lights	3,549.39

**PARKS/RECREATION 4501**

Dakota Supply Group	Park light ballasts	198.43
Enviromaster	Toilet paper	154.90
Vast	Park camera	40.02

**WATER 601**

City of Sioux Falls	Bact. Samples	261.00
HDR Engineering	Facility plan	50.99
HDR Engineering	85th St. tower	4,830.71
Lewis & Clark Regional Water Site One	9,271,405 March usage	20,673.20
Southeastern Electric	Sprinkler head	61.13
	Quinton St. tower & meter shack	248.43

**SEWER 604**

American Engineering Testing	Lagoon samples	335.00
City of Sioux Falls	2020 SDC fees	331,150.00
HDR Engineering	Regionalization/sewer basin	32,568.86
HDR Engineering	Facility plan	41.25
Southeastern Electric	High Pointe lift station	192.38
Verizon	Lift station phone	24.66

**201 PARK AND RECREATION FUND**

Hauff Mid America Sports	Soccer shirts	1,696.25
I-29 League	League dues	1,200.00
Sports Engine	Background screenings	434.52

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

Mid American Energy	Services	15.00
Vast	Services	39.21
Verizon	Internet	40.01

**GATEWAY BLVD CAPITAL PROJECT 515**

Rima R. Hanna Trust	Relocation compensation	5,201.20
American Engineering Testing	Gateway Boulevard testing	275.00
Auto Den	Relocation compensation	100.00
HDR Engineering	Services	24,294.15

Meierhenry Sargent	Services	450.00
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TOTAL	504,922.57
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