

City of Tea
Regular Meeting
March 1, 2010

A regular meeting of the Tea City Council was held at Tea City Hall on March 1, 2010 at 7:00 p.m.

Mayor Lawler called the meeting to order at 7:07 p.m. with the following members present: Sidney Munson, Herman Otten, Joe Weis & Chuck Ortmeier. Also present were Finance Officer Dawn Murphy, Planning and Zoning Administrator Kevin Nissen, Police Chief Ken Haugen, Administrative Assistant/Economic Development Director Jenni White, Utility Superintendent Thad Konrad and City Engineer Jason Kjenstad. Councilmembers Nathan Peterson and Brian Fowlds were absent.

AGENDA. MOTION 10-26. MOTION by Ortmeier, seconded by Weis to approve the March 1, 2010 agenda. All members voted AYE.

MINUTES. MOTION 10-27. MOTION by Ortmeier, seconded by Weis to approve the February 1, 2009 minutes with the correction that member Otten voted AYE on Motion 10-23. All members voted AYE.

WARRANTS. MOTION 10-28. MOTION by Otten, seconded by Peterson to approve the March warrants with the exception of the warrant to LECDA. All members voted AYE. Warrants will be published at the end of the minutes.

PUBLIC HEARING. As this was the time set, Mayor Lawler opened the public hearing for the Proposed Resolution of Necessity for the Highway 111 Reconstruction Project. Sue Ann Badure had a concern regarding possible damage to her septic system. It was the consensus of the council that if their septic system was damaged and the best solution would be to connect to the city sanitary sewer, any costs that would be the Badure's responsibility would be assessed but payments delayed for 5 years without interest. **MOTION 10-29. RESOLUTION 10-03-02.** MOTION by Otten, seconded by Weis to approve the Resolution of Necessity for the Highway 111 Improvement Project. All members voted AYE. The resolution will be published separately.

ANNEXATION. Due to the Highway 111 Project and at the city's request, Don and Sue Ann Badure and Bruce Luschen have submitted petitions to be annexed into the City. Both properties are already surrounded by the city and are adjacent to Highway 111. Mrs. Badure asked for assurance that they would not be charged annexation fees and given 5 years to connect to the City water and sewer system. **MOTION 10-30. RESOLUTION 10-03-04.** MOTION by Weis, seconded by Ortmeier to approve the following resolution. All members voted AYE. **WHEREAS** there have been petitions received seeking to include certain real property within the corporate boundaries of the City of Tea; and **WHEREAS**, the petitions have 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 petitions comply with all requirements of SDCL 9-4-1; **NOW THEREFORE, BE IT RESOLVED BY THE CITY OF TEA, SOUTH DAKOTA** that the following described properties be and the same hereby 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:

- (1) Don & Sue Ann Badure - The North 116.5 feet of the West 408 feet of the Southwest Quarter of the Southwest Quarter (SW ¼ SW ¼) of Section Twenty-Five (25), Township One Hundred (100) North, Range Fifty-One (51) West of the Fifth Principal Meridian, Lincoln County, South Dakota, according to the Government Survey Thereof;
- (2) Bruce Luschen - The West 370.67 feet of the North 132.39 feet of the West Half of the South half of the South Half of the Northwest Quarter of the Southwest Quarter (W ½, S ½, S ½, NW ¼, SW ¼) of Section 25, Township 100 North, Range 51 West of the Fifth Principal Meridian, Lincoln County, South Dakota, according to the Government Survey thereof.

BE IT FURTHER RESOLVED that no annexation fees will be charged and the properties will have 5 years to connect to the city sewer and water system. Dated this 1st day of March, 2010.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

271st DRAINAGE. The city has been trying to mediate a drainage issue between developer John Schwartzle and property owner Dave Elefson. John Schwartzle had offered to provide an 18” culvert for their driveway to try to help with the water that comes up to their house. Mr. Elefson would be responsible for the \$300-\$500 installation costs which they are not willing to pay. Mr. Schwartzle has provided dirt for a berm and his offer still stands for the next year to provide a culvert.

MOTION 10-31. MOTION by Otten, seconded by Ortmeier to go into executive session at 7:21 for personnel matters. All members voted AYE. The council came out at 7:58 p.m.

REVENUE BOND. Dawn briefly reviewed the budget for the Highway 111 Project. The project estimate is \$5,229,224. The projected funding will be: \$1,591,293 in Special Assessment Bonds; \$150,000 Consolidated Water Facilities Construction Program Grant; \$45,024 Annexation Fees; a \$875,000 Clean Water SRF loan; \$418,500 in General Fund Cash; \$686,598 from 2nd Penny Sales Tax cash, and \$40,830 from Water Fund Cash. This would leave approximately \$1.4 million short. Dawn recommended approving a resolution to issue up to \$1.5 million in Sales Tax Revenue Bond to cover the shortfall. This would allow for a cushion incase the bids come in higher than the estimate. The city does not have to bond the entire amount if it is not needed. **MOTION 10-32. RESOLUTION 10-03-03. MOTION** by Weis, seconded by Ortmeier to approve the Resolution Authorizing the Execution, Terms, Issuance, Sale and Payment of Sales Tax Revenue Bonds in One or More Series, in the Aggregate Principal Amount of Not To Exceed One Million, Five Hundred Thousand Dollars (\$1,500,000), plus the Costs of Issuance and the Cost Funding Reasonably Required Reserve, of the City of Tea of Lincoln County, South Dakota. All members voted AYE. The resolution will be published separately.

PARK AND RECREATION BOARD. Scott Crawford, Robert Hoffman and Rob Venhuizen asked the council to assist with paying for coach’s background checks. Last year the city paid

\$3,000 and they are asking for \$1,500 for 2010. **MOTION 10-33. MOTION** by Otten, seconded by Weis to approve up to \$1,500 for coaches background checks. All members voted AYE. The P & R board will put together a job description for the part time employee. The board has been negotiating with St. Nicholas Catholic Church to lease the land west of the Church for flag football and soccer. The city would probably be responsible for seeding and maintain the land. Once they have a lease, they will bring it to the city to approve.

LIQUOR LICENSE. There was discussion on how to issue the available on-sale liquor license. It was decided that before the license is issued some guidelines will be set. Councilmembers Weis and Munson will work on some ideas for criteria.

PARKING FINES. There was discussion on increasing the fines for illegal parking. Currently the fine is \$5.00. **MOTION 10-34. MOTION** by Otten, seconded by Weis to increase the illegal parking fine to \$15.00. All members voted AYE.

ENGINEERING. Bids will be opened on April 1 for the Highway 111 Reconstruction Project and awarded at the April 5th meeting. Weather permitting construction should begin the first part of May.

PLAT. MOTION 10-35. RESOLUTOIN 10-03-05. MOTION by Weis, seconded by Munson 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 know and described as Tract 17 of D & L Industrial Addition in the Southwest Quarter (SW ¼) of Section 24, Township 100 North, Range 51 West of the 5th P.M. to the City of Tea, Lincoln County, South Dakota, lying within the jurisdictional limits of the City of Tea, South Dakota is herby approved and the City Finance Officer of the City of Tea, South Dakota, is herby directed to endorse on such plat a copy of this resolution and certify the some thereon. Dated this 1st Day of March, 2010

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

SITE PLAN. MOTION 10-36. MOTION by Otten, seconded by Weis to approve the site plan for storage units to be constructed on Lot 6, Block 3, Kerslake Addition. All members voted AYE.

TAX DEED. Lincoln County has issued a quitclaim deed for property they had taken by tax deed. The property is 2,516 sq feet and adjacent to Kevin Drive and Highway 111. There are still drainage and road maintenance assessment owed on the property that the city will need to instruct the county to abate. **MOTION 10-37. MOTION** by Otten, seconded by Weis to accept the property and abate the remaining drainage and road maintenance assessments in the amount of \$437.81. All members voted AYE.

CANCELLATION OF 2010 MUNICIPAL ELECTION. MOTION 10-38. RESOLUTION 10-03-06. MOTION by Ortmeier, seconded by Munson to approve the following resolution. All members voted AYE. WHEREAS public notice was given for the vacancies of elective offices; and WHEREAS, the following individuals have filed certificates of nomination in the office of Finance

Officer for the following positions to be filled: John Lawler, Mayor 2-year Term and Joe Weis, Councilmember Ward II, 2-year term; and WHEREAS no certificates of nomination were filed so the incumbents will carry over for the following positions: Brian Fowlds, 2-year term, Councilmember Ward I; and Nathan Peterson, 2-year term, Councilmember Ward III; and WHEREAS each of the candidates is unopposed; NOW THEREFORE BE IT RESOLVED, that certificates of election are to be issued in the same manner as to successful candidates after an election; and BE IT FURTHER RESOVLED, that the Finance Officer is hereby directed to publish a Notice of Cancellation of Municipal Election. Dated this 1st day of March 2010.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

COMMITTEE REPORTS. Kevin has been working on the Safe Routes to School Grant; Thad is watching for potential flooding with the warm temperatures; there will be a Teapot Day and Tour DeKota meeting on March 8th at 6:30; Dawn is finishing up the annual report for approval at the March 15th meeting;

MOTION 10-39. MOTION by Weis, seconded by Ortmeier to go into executive session at 9:29 for personnel matters. The council came out of executive session at 9:45 p.m.

MOTION 10-40. MOTION by Otten, seconded by Weis to remove Ken Haugen as Police Chief, he will remain a police officer and to adjust his hourly pay from \$19.15 to \$17.46 per hour, effective immediately. All members voted AYE.

MOTION 10-41. MOTION by Otten, seconded by Ortmeier to terminate Clinton Thornton as a part time police officer. All members voted AYE.

MOTION 10-42. MOTION by Weis, seconded by Ortmeier to adjourn at 9:56 p.m. All members voted AYE.

John M. Lawler, Mayor

ATTEST:

Dawn R. Murphy, Finance Officer

**CITY OF TEA
WARRANTS PAID MARCH 1, 2010**

FINANCE 4142

A & B Business Equipment	1/5 Maintenance Agreement	35.93
Aflac	Insurance	621.98
Banyon Data System	Payroll support	192.50
Banyon Data System	1/4 fund accounting support	192.50
Brown & Saenger	1/4 Supplies	58.99
HDR	January Service	988.26
Lennox Independent	Publishing	283.75
SDPAA	Additional property coverage	348.00
Tea Area Community Fund	2010 Contribution	2,000.00
U.S. Postmaster	1/4 postage	220.00
Wellmark Blue Cross	Insurance	2,668.09

PLANNING & ZONING 4650

A & B Business Equipment	1/5 Maintenance Agreement	35.93
Banyon Data System	1/4 fund accounting support	192.50
Brown & Saenger	1/4 Misc. Supplies	58.99
Camel Press	Inspections reports	216.45
Kloster, Sterling	Feb Inspections	1,300.00
Lennox Independent	Publishing	72.72
Lincoln County Register of Deeds	File plat	15.00

U.S. Postmaster	1/4 postage	220.00
LIBRARY 4550		
Lennox Independent	Publishing	18.09
Tea Area School District	July-Dec 09 salaries	7,643.41
LIBRARY 4550		
Barnes & Nobel	Books	804.28
GOVERNMENT BUILDINGS 4192		
Alltel	Cell phone	142.44
Anderson Hearting & Air	Repair 200 W. Maple furnace	231.14
City of Tea	Water Bill- Community Building 200 W. Maple	30.50
City of Tea	Water Bill, City Hall, 600 E 1st High Flow	58.00
City of Tea	Water Bill-City Hall 600 E 1st	72.80
City of Tea	Water Bill- Maintenance Shop	46.70
Knology	City Hall	260.89
Knology	Maint. bldg.	82.80
Master Janitorial Service	Jan Cleaning	80.00
Mid American Energy	Maintenance Building	851.78
Mid American Energy	600 E. 1st St.	1,671.04
Mid American Energy	200 W. Maple	444.20
Midwest Alarm Company	3 months fire alarm monitoring	60.00
Tea True Value	Supplies	132.11
Xcel Energy	200 W. Maple	

		92.21
Xcel Energy	Maint Bldg.	222.94
Xcel Energy	600 E 1st St.	950.72
PUBLIC SAFETY 4210		
Alltel	Phones	182.53
Banyon Data	1/4 payroll support	192.50
Cenex Credit Card	Gasoline	166.24
City of Tea	Water Bill	30.50
Get N Go Fleet Card	Jan. gasoline	913.80
Green Eggs & Ram	Computer work	127.20
J & M Transmission	Check 2008 Charger battery	50.00
Knology	Phone	187.19
Law Enforcement Systems	Door hangers	87.00
Master Janitorial Services	Jan cleaning	50.00
Mid American Energy	Jan bill	399.45
Pernell's Alignment & Tire	Align 2009 Charger	66.00
Scott Bolte Sanitation	Jan garbage service	55.00
Sioux Falls Ford	Repair 2007 Charger	3,271.32
Sunshine Foods	Misc. supplies	25.22
Tea True Value	Supplies	31.41
Xcel Energy	Poplar Ave. warning siren	20.40
Xcel Energy	Feb Services	175.14

HIGHWAY/STREET 4312

Avera Queen of Peace	Random drug tests	61.50
Cenex Credit Card	Gasoline	21.25
Concrete Materials	Sand	1,750.74
Dakota Auto Parts	Filters	53.14
Eastern Farmers Coop	Fuel	2,904.20
Get N Go Fleet Program	Jan Gasoline	125.94
Northern Truck Equipment	Repair Freightliner & International truck	3,786.02
Sheehan Mack	Antifreeze	113.55
Southeastern Electric	Main St. Lights	247.08
Southeastern Electric	272nd St. lights	100.78
Southeastern Electric	Stop light	86.65
Southeastern Electric Coop	2010 Spencer Heights lights	1,241.00
Southeastern Electric Coop	2010 Nine Mile Heights lights	1,971.00
Southeastern Electric Coop	2010 Prairie Trails lights	1,606.00
Southeastern Electric Coop	2010 High Point lights	876.00
Southeastern Electric Coop	2010 Howling Ridge lights	2,139.00
Tea True Value	Snow removal on foreclosures property	195.00
Tractor Salvage & Welding	Grader blades	248.00
Xcel Energy	Street Lights	2,549.99
Xcel Energy	School Crossing	9.00
Xcel Energy	School Crossing	8.57
Zabel Steel	Misc steel	

118.39

SOLID WASTE DISPOSAL 4324

Lincoln County Auditor	Transfer Station Fees	7,839.00
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PARKS/RECREATION 4501

A & B Business Equipment	1/5 Maintenance Agreement	35.93
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Tea Park and Recreation	2009 Background check reimbursement	20.00
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Xcel Energy	Batting cage	21.35
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Xcel Energy	Score Boards	8.55
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Xcel Energy	Tennis Court	8.14
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WATER 601

A & B Business Equipment	1/5 Maintenance Agreement	35.93
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Banyon Data Systems	1/4 payroll support	192.50
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Banyon Data Systems	1/2 utility billing support	385.00
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Banyon Data Systems	1/4 fund accounting support	192.50
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Brown & Saenger	1/4 supplies	58.99
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Cenex Credit Card	Gasoline	21.25
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Fastenal	Drill bit	31.58
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Get N Go Fleet Program	Jan gasoline	125.94
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Lewis & Clark Rural Water	6,463,000 Jan Usage	13,953.87
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Lewis & Clark Rural Water	Jan-Sept Dues	5,615.25
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One Call Systems	1/2 locates	5.08
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Quissell, Jon	Water deposit refund	4.00
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Raimondi, George	Water deposit refund	
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		35.00
Rural Development	Loan 91-04 Annual Payment	8,350.00
SD Assoc. of Rural Water	Jan Conference & Annual Dues	565.00
Southeastern Electric Coop	Quinton St. tower	21.38
Southeastern Electric Coop	Lewis & Clark building	211.20
U.S. Postmaster	Postage	780.00
Xcel Energy	Rural Water	43.80
Xcel Energy	S. Watertower	9.22
Xcel Energy	N. Watertower	67.29
Zabel Steel	Steel for hydrant markers	20.14

SEWER

A & B Business Equipment	1/5 Maintenance Agreement	35.93
Banyon Data Systems	1/4 payroll support	192.50
Banyon Data Systems	1/2 utility billing support	385.00
Banyon Data Systems	1/4 fund accounting support	192.50
Brown & Saenger	1/4 supplies	59.03
Cenex Credit Card	Gasoline	21.23
First National Bank	Principal & Interest SRF 4	8,901.21
First National Bank	Principal & Interest SRF 5	8,638.24
Get N Go Fleet Program	Jan gasoline	125.93
Knology	Lift Station Phone-735 E. Kevin	39.29
One Call Systems	1/2 locates	5.09
Southeastern Electric Coop	High Pointe lift station	

		71.09
U.S. Postmaster	Postage	780.00
Xcel Energy	Lagoon Building	1,274.00
Xcel Energy	5th St. Lift Station	78.53
Xcel Energy	S. lift station	271.87
Xcel Energy	N. Lift Station	55.92
3RD PENNY/PARKS & POOL 211		
Mid American Energy	Services	8.00
Xcel Energy	Pool	127.42
STORM DRAINAGE II FUND 220		
First National Bank	Principal & Interest SRF #2	13,264.44
2ND PENNY SALES TAX FUND 212		
First National Bank	Principal & Interest SRF #3	4,169.37
STORM DRAINAGE DEBT FUND 303		
First National Bank	Principal & Interest SRF #1 (FINAL PAYMENT!!)	12,634.17
TEAPOT DAY 750		
Premier Pyrotechnics Inc.	Fireworks	5,000.00
511 ATHLETIC COMPLEX CAPITAL PROJECT FUND		
CHS, Inc.	Elevator land pmt	45,000.00
Confluence	Jan/Feb Services	1,200.00
Lincoln Co. Register of Deeds	File elevator land deed	16.00
512 HWY 111 CAPITAL PROJECT FUND		
HDR Engineering	January Services	64,126.37
Lennox Independent	Publishing resolution	

		56.28
Murphy, Dawn, Petty Cash	Certified mail	127.42
Sunshine Foods	Beverages for landowner meetings	38.81
U.S. Postmaster	Certified mail	127.42

255,542.29

PAYROLL PAID 2/09/10 (PP 03)

FINANCE 4142

Dawn Murphy	80 hours / 10 OT	2,000.70
Valley Exchange Bank	Payroll taxes	4,220.77
SD Retirement	Retirement	2,335.74

PLANNING & ZONING

Jenni White	1/3 80 hours / 1 OT	413.48
Kevin Nissen	80 hours / .5 OT	1,639.23

PUBLIC SAFETY 4210

Brian Tvedt	80 hours / 5 OT	1,527.75
Jessica Gillis	80 hours	1,200.80
Kenneth Haugen	80 hours	1,532.00
Roger Knutson	47 hours	611.00
Curtis Rabenberg	80 hours	1,120.00
Clinton Thornton	47 hours	611.00
Matt Wetterling	80 hours / .5 OT	1,170.88

HIGHWAY/STREET 4312

Thad Konrad	1/3 80 hour / 7.5 OT	640.58
Lenny Przybys	1/3 79.5 hours / .5 OT	501.56
Steven Oberle	1/3 80 hours / 6.5 OT	454.43
Sean Glasgow	1/3 80 hours / 6.5 OT	411.35

WATER 601

Jenni White	1/3 80 hours / 1 OT	413.48
Thad Konrad	1/3 80 hour / 7.5 OT	640.58
Lenny Przybys	1/3 79.5 hours / .5 OT	501.56
Steven Oberle	1/3 80 hours / 6.5 OT	454.43
Sean Glasgow	1/3 80 hours / 6.5 OT	411.35

SEWER

Jenni White	1/3 80 hours / 1 OT	413.48
Thad Konrad	1/3 80 hour / 7.5 OT	640.58
Lenny Przybys	1/3 79.5 hours / .5 OT	501.56
Steven Oberle	1/3 80 hours / 6.5 OT	454.43
Sean Glasgow	1/3 80 hours / 6.5 OT	411.35

25,234.08

PAYROLL PAID 2/23/10 (PP 04)

FINANCE 4142

Dawn Murphy	80 hours / 2.5 OT	1,763.78
Valley Exchange Bank	Payroll taxes	4,630.90

SD Retirement	Retirement	2,541.26
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PLANNING & ZONING

Jenni White	1/3 80 hours / 2.5 OT	424.89
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Kevin Nissen	80 hours / 3.5 OT	1,730.58
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PUBLIC SAFETY 4210

Brian Tvedt	80 hours / 11.5 OT	1,697.99
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Jessica Gillis	80 hours / 9 OT	1,403.44
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Kenneth Haugen	89.75 hours	1,718.71
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Roger Knutson	64 hours	832.00
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Curtis Rabenberg	80 hours	1,120.00
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Travis Johns	10 hours	130.00
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Clinton Thornton	21 hours	273.00
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Matt Wetterling	80 hours / 1 OT	1,181.75
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HIGHWAY/STREET 4312

Thad Konrad	1/3 80 hour / 15 OT	719.55
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Lenny Przybys	1/3 80 hours / 16.5 OT	654.69
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Steven Oberle	1/3 80 hours / 5 OT	443.04
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Sean Glasgow	1/3 80 hours / 9 OT	428.54
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WATER 601

Jenni White	1/3 80 hours / 2.5 OT	424.89
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Thad Konrad	1/3 80 hour / 15 OT	719.55
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Lenny Przybys	1/3 80 hours / 16.5 OT	654.69
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Steven Oberle	1/3 80 hours / 5 OT	443.04
Sean Glasgow	1/3 80 hours / 9 OT	428.54

SEWER

Jenni White	1/3 80 hours / 2.5 OT	424.89
Thad Konrad	1/3 80 hour / 15 OT	719.55
Lenny Przybys	1/3 80 hours / 16.5 OT	654.69
Steven Oberle	1/3 80 hours / 5 OT	443.04
Sean Glasgow	1/3 80 hours / 9 OT	428.54

27,035.56

TOTAL PAID MARCH 1, 2010 307,811.93