

City of Tea  
Regular Meeting  
May 3, 2010

A regular meeting of the Tea City Council was held at Tea City Hall on May 3, 2010 at 7:00 p.m.

Mayor John Lawler called the meeting to order at 7:02 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, Administrative Assistant/Economic Development Director Jenni White, Utility Superintendent Thad Konrad and City Engineer Jason Kjenstad. Member Brian Fowlds was absent.

**AGENDA. MOTION 10-75. MOTION** by Weis, seconded by Ortmeier to approve the May 3, 2010 agenda. All members voted AYE.

**APPOINTMENT OF COUNCILMEMBER WARD III. MOTION 10-76. MOTION** by Ortmeier, seconded by Munson to appoint Todd Boots as council member for Ward III until the next election. All members voted AYE. At this time, Councilmember Todd Boots took his Oath of Office.

**MINUTES. MOTION 10-77. MOTION** by Otten, seconded by Weis to approve the April 19, 2010 minutes. All members voted AYE.

**WARRANTS. MOTION 10-78. MOTION** by Ortmeier, seconded by Boots to approve the May 2010 warrants. All members voted AYE. Warrants will be listed at the end of the minutes.

At this time all old business has been addressed and Mayor Lawler and Councilmember Weis took their Oath of Office.

**APPOINTMENT OF MUNICIPAL OFFICIALS. MOTION 10-79. MOTION** by Otten, seconded by Weis to approve the appointments. All members voted AYE.

- Finance Officer – Dawn Murphy
- Utility Superintendent – Thad Konrad
- City Attorney – Meierhenry Sargent, LLP
- City Engineer – HDR Engineering
- Planning & Zoning Officer – Curley Parlet
- Planning & Zoning Administrator – Kevin Nissen
- Official Paper – Lennox Independent
- Official Depository – Valley Exchange Bank and SD Public Funds Investment Trust

**COMMITTEE APOINTMENTS. MOTION 10-80. MOTION** by Ortmeier, seconded by Weis to approve the following committee/board appointments. All members voted AYE.

- Water, Sewer & Street – Councilmember Munson
- Police – Councilmember Weis
- Fire Department – Councilmember Fowlds
- Pool, Parks, & Tea Park and Recreation Board – Councilmember Ortmeier
- Library Board – Councilmember Weis
- Library Board, Public Representative – Deanna Ernster
- HRC Board – Councilmember Otten
- TEDC Board – Councilmember Boots

**CITY COUNCIL PRESIDENT.** Councilmember Munson nominated Councilmember Otten for City Council President. Councilmember Ortmeier nominated Councilmember Weis for City Council President. Councilmember Munson withdrew his nomination of Councilmember Otten. **MOTION 10-81. MOTION** by Otten, seconded by Boots that nomination cease and cast a unanimous ballot for Councilmember Weis as City Council President. All members voted AYE.

**CITY COUNCIL VICE PRESIDENT.** Councilmember Ortmeier nominated Councilmember Otten as City Council Vice President. **MOTION 10-82. MOTION** by Munson, seconded by Weis that nomination cease and cast a unanimous ballot for Councilmember Otten as City Council Vice President. All member voted AYE.

**RENAMING HWY 111.** Marilyn Renback was present with the idea to rename Hwy 111 to Sweet Tea Boulevard. The council agreed that the highway needs to be renamed and will have ideas submitted from the public.

**AWARDING OF BRIAN ST. EXTENSION PHASE 3 & 272<sup>ND</sup> OVERLAY PROJECT.** The following bids were opened on April 29, 2010 for Brian St. Extension and 272<sup>nd</sup> overlay projects: Asphalt Surfacing Co. \$283,476.46, Friessen Construction \$273,395.98, Myrl & Roys Paving \$274,808.75, Double H Paving, Inc. \$275,577.79, SealPro's Inc. \$303,860.24, Sioux Falls Construction \$295,288.89, and Krueger Excavating \$349,191.22. Jason recommended awarding the contract to the lower bidder, Friessen Construction. **MOTION 10-83. MOTION** by Otten, seconded by Ortmeier to award the Brian St. Extension and 272<sup>nd</sup> Overlay Project to Friessen Construction in the amount of \$273,395.98 and authorize the Mayor and Finance Officer to sign the necessary documents. All members voted AYE.

**APPROVAL OF PAY REQUEST 1. MOTION 10-84. MOTION** by Boots, seconded by Weis to approve Pay Request 1 to Friessen Construction for the Highway 111 Project in the amount of \$38,564.75. All members voted AYE.

**REPLAT OF D & L INDUSTRIAL ADDITION. RESOLUTION 10-05-08. MOTION 10-85. MOTION** by Weis, seconded by Ortmeier 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 known and described as Tracts 13B, 14B, and 15B of D & L Industrial Addition in the Southwest Quarter (SW ¼) of Section 24, Township 100 North, Range 51 West of the 5<sup>th</sup> P.M., Lincoln County, South Dakota, lying within the jurisdiction 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 such plat a copy of this resolution and certify the same thereon. Dated this 3<sup>rd</sup> Day of May, 2010.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

**REPLAT OF COPPER TERRACE ADDITION. RESOLUTION 10-05-09. MOTION 10-86. MOTION** by Otten, seconded by Boots 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 known and described as Lots 1 and 2, Copper Terrace Addition, an addition to the City of Tea, Lincoln County, South Dakota, lying within the jurisdiction 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 such plat a copy of this resolution and certify the same thereon. Dated this 3<sup>rd</sup> Day of May, 2010.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

**REPLAT OF COPPER TERRACE ADDITION. MOTION 10-87. MOTION** by Ortmeier, seconded by Weis 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 known and described as Lots 1A, 1B, 1C, 1D, 2A, 2B, 2C, 2D and Lot 3 Copper Terrace Addition, an addition to the City of Tea, Lincoln County, South Dakota, lying within the jurisdiction 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 such plat a copy of this resolution and certify the same thereon. Dated this 3<sup>rd</sup> Day of May, 2010.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

**WEHDE BROTHERS CONSTRUCTION SITE PLAN. MOTION 10-88. MOTION** by Boots, seconded by Munson to approve the building site plan for Wehde Construction on Tract 14B of D & L Industrial Addition. All members voted AYE.

**ADESA SITE PLAN.** The Adesa Site plan was discussed. It was the consensus of the council that Adesa's landscaping plan needs to be submitted and finalized before expansion areas are looked at.

**WATERING RESTRICTIONS.** As a condition of the city's water purchase agreement with Lewis & Clark Regional Water System, the city must follow or exceed the City of Sioux Falls' water restrictions. **MOTION 10-89. MOTION** by Munson, seconded by Boots to approve the following water restrictions. **WHEREAS** the City of Tea receives its water from Lewis and Clark Regional Water System (LCRWS); and **WHEREAS** as a condition of LCRWS's water purchase agreement with the City of Sioux Falls they agree to enact, impose and strictly enforce restrictions on the use of water by customers served by the City of Tea at least as restricted as those imposed by the City of Sioux Falls; **THEREFORE BE IT RESOLVED** by the City of Tea, per Ordinance 138, Section 11.02, Water Provision, Subsection (j) Restricting Use, the following year-round restrictions are hereby approved. Even-numbered addresses may water on even-numbered calendar dates; Odd-numbered addresses may water on odd-numbered calendar dates; Non-Watering hours will extend every day from 12 noon to 5 PM; Hand watering of vegetation such as shrubbery, trees, ground covers, plants, vines, gardens, vegetables, and flowers is permitted any time of day. Washing vehicles at a residence is permitted any time. Use of an automatic shut off nozzle or bucket of 5 gallons or less is recommended to prevent water waste. The use of commercial vehicle wash facilities is permitted any day. Water waste is prohibited at all times. Allowing water to run into a gutter, ditch, or drain, or failing to repair a controllable leak is considered water waste; **BE IT FURTHER RESOLVED** that special permits will be issues for sod and new lawns for \$100.00 for a one-week permit and \$150.00 for a two-week permit, two week maximum and one permit per year per household; **BE IT FURTHER RESOLVED** that the Mayor and Utility Superintendent are authorized to amend these restrictions should an emergency exist; **FUTHERMORE** a \$150.00 fine will be imposed for violating these restrictions. Dated this 3<sup>rd</sup> day of May 2010.

John Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

**LEWIS & CLARK ANNUAL MEMBERSHIP MEETING. MOTION 10-90. MOTION** by Otten, seconded by Weis to nominate Sid Munson as Delegate and John Lawler as Alternate for the Lewis

and Clark Annual Membership Meeting and all future meetings of the membership. All member voted AYE.

**HIRING OF POOL/SEASONAL EMPLOYEES. MOTION 10-91. MOTION** by Ortmeier, seconded by Boots to approve the 2010 pool/seasonal employee list keeping the 2010 pool wages the same as 2009 wages and approve the part time maintenance worker at \$7.75 per hour. Members Ortmeier and Boots voted AYE. Members Otten, Munson, and Weis voted NO. Motion failed.

**MOTION 10-92. MOTION** by Weis, seconded by Munson to approve the following 2010 pool/seasonal employees and hourly wages. Members Munson, Weis, Boots and Otten voted AYE. Member Ortmeier voted NO. Motion carried.

- Leah Howes      Head Life Guard      \$11.00
- WSI LIFE GUARDS \$9.25
  - Ashlie Moore
  - Marissa Fischer
  - Chase Baker
  - Benjamin Young
  - Elizabeth Jibben
  - Shane Glasgow
  - Kristin White
  - Jessica Glissendorf
- LIFE GUARD \$8.75
  - Maggie Aldrich
  - Andy Jorgensen
  - Samantha Qualm
  - Lindsey Montileaux
  - Mallorie Heidinger
  - Michael LeVan
  - Vanessa Johanneson
- CASHIER/SLIDE ATTENDANT \$8.00
  - Megan Nissen
  - Corbin Lawler
  - Taylor Devries
  - Alicia Karn
  - Brady Fechner
- Part-time Maintenance – Kevin Howes \$7.75

**POLICE OFFICER PAY INCREASE. MOTION 10-93. MOTION** by Otten, seconded by Weis to approve the following pay increases effective February 4, 2010: Police Officer Matt Wetterling from 14.50 to 15.08 per hour and Jessica Quigley from 15.01 to 15.46 per hour. All members voted AYE.

**HEARING DATE. MOTION 10-94. MOTION** by Boots, seconded by Weis to set May 17<sup>th</sup>, 2010 as the hearing for Highway 111 Improvement Project Special Assessments. All members voted AYE.

**DIAMOND MOWERS CONTRACT. MOTION 10-95. MOTION** by Munson, seconded by Weis to approve the Diamond Mowers Sewage Delivery Contract. Members Munson, Ortmeier, Boots, and Weis voted Aye. Member Otten abstained. Motion Carried. The contract is on file at city hall and Open for public inspection.

**MOTION 10-96. MOTION** by Otten, seconded by Boots to go into executive session at 9.12 p.m. for personnel. All members voted AYE. The council came out of executive session at 9:33 pm.

**MOTION 10-97. MOTION** by Weis, seconded by Otten to adjourn at 9:34 p.m. 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 MAY 3, 2010**

**FINANCE 4142**

Aflac	Insurance	515.90
A & B Business	1/4 monthly maintenance	31.61
Brown & Saenger	1/4 supplies	101.51
HDR Engineering	Services	7,952.95
Lennox Independent	Publishing	296.03
SD Governmental Finance Officers Assoc.	2010 Finance Officer School	75.00
Wellmark Blue Cross/Blue Shield	May insurance	2,168.92

**PLANNING & ZONING 4650**

A & B Business	1/4 Maintenance Agreement	31.61
Brown & Saenger	1/4 Misc. Supplies	101.51
Kloster, Sterling	April Inspections	1,260.00

**LIBRARY 4550**

Schwebach Sharon	Reimb for supplies	93.36
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**GOVERNMENT BUILDINGS 4192**

Alltel	Cell phone	142.80
City of Tea	Maintenance building water	54.10
City of Tea	City Hall High Flow	35.70
City of Tea	City Hall FD Restrooms	46.80
City of Tea	Community Hall-200 W. Maple	30.50
Daktoa Garage Doors EnviroMaster Inc.	Repair overhead door TP	70.00

103.13

Knology	Maint bldg	84.15
Knology	City Hall	263.52
Master Janitorial	City Hall cleaning (March)	80.00
Master Janitorial	City Hall cleaning (April)	40.00
Mid American Energy	200 W. Maple	100.64
Mid American Energy	Maint bldg	233.59
Mid American Energy	PSB	535.53
Xcel Energy	PSB	717.25
Xcel Energy	200 W. Maple	69.45
Xcel Energy	Maint bldg	177.11

**PUBLIC SAFETY 4210**

Alltel	Phone	178.45
Argus Leader	Police Chief Ad	1,998.00
City of Tea	Water	30.50
Get N Go	Gasoline and Car washes	926.59
JP Custom Graphics	Decals	77.99
Knology	Phone	182.20
Mid American Energy	Services	1,558.01
Ralphs Repair	Repair 2000 Ford	61.96
Ralphs Repair	Tires for 2009	264.21
Second Chance Rescue	Board cat	30.00
Sunshine	Miscellaneous	12.75
Tea Volunteer Fire Department	2010 contribution & bunker gear	34,317.22

Xcel Energy	Services	131.21
Xcel Energy	Siren	16.00

**HIGHWAY/STREET 4312**

Cenex Petroleum, Inc	Gasoline	69.00
City of Sioux Falls Sanitary Landfill	Trash from ditches	16.20
Concrete Materials	Cold mix (St. Maint Fund 221)	47.79
Dakota Auto Parts	Filters	111.22
Dakota Traffic Services	Sign	90.00
Fink Electric	Generator plug in	239.79
Pro Build	States	6.29
Tea Steak House	Lunch for inmates	25.95
Tractor Salvage	Loader cutting edge	607.54
Xcel Energy	School Crossing	9.11
Xcel Energy	School Crossing	8.74
Xcel Energy	Street lights	2,644.06

**PARKS/RECREATION 4501**

A & B Business	1/5 copy charges	31.61
A-1 Portable Toilets	Park toilets	160.00
Country Acres Tree Farm	Trees for athletic complex	771.25
Daktronics	repair score board	890.00
Diamond Vogel	Field paint	224.00
Driveline Service Inc.	Auger u-joint	11.68
Get N Go Fleet	1/3 Gasoline	70.96

Hauff Mid America Sports	Compressor for stiper & field paint	657.75
Mac's	Hose	74.93
Sturdevant's	Mower filters	14.18
The Tessman Company	Fertilizer & chemicals	1,026.95
Xcel Energy	Score Board	30.12
Xcel Energy	Batting Cage	8.69
Xcel Energy	Tennis Court	8.20
<b>WATER 601</b>		
A & B Business	1/5 monthly copy maint.	31.61
Brown & Saenger	1/4 supplies	101.51
Cenex Petroleum, Inc	Gasoline	69.00
City of Sioux Falls	Water testing	126.54
Get N Go Fleet	1/3 Gasoline	70.96
Hult, Norm	Water deposit refund	20.78
Koch, Dan	Water deposit refund	10.37
Lewis & Clark Rural Water	6,437,128 April usage	13,915.32
Nelson, Bob & Connie	Water deposit refund	7.43
One Call Systems	1/2 locates	19.21
Xcel Energy	Rural Water	37.02
Xcel Energy	N. tower	43.05
Xcel Energy	S. tower	9.50

**SEWER 604**

A & B Business	1/5 monthly copy maint	31.61
Brown & Saenger	1/4 supplies	

101.55

Cenex Petroleum, Inc	Gasoline	69.00
Daktoa SupplyGroup	wire new pump & 12" griper plug	366.42
Get N Go Fleet	1/3 Gasoline	70.95
One Call Systems	1/2 locates	19.21
Southeastern Electric	High Pointe lift station	66.43
Tetra Tech, Inc.	Lagoon samples	151.20
Xcel Energy	S. lift station	393.13
Xcel Energy	5th St. lift station	78.62
Xcel Energy	Lagoon Building	1,339.86
Xcel Energy	N. lift station	98.03

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

Associated Supply Co.	Filter sand	653.45
Hander Inc.	Camera pool lines	726.53
MedTech	Wristbands	247.50
Mid American Energy	Pool	8.00
Sorlien Electric	Wire recirculating pump	102.15
Xcel Energy	Pool	177.18

**2ND PENNY SALES TAX FUND 212**

First National Bank	Sales Tax Revenue Bond Series 2005 (PSB)	25,370.00
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**512 HWY 111 CAPITAL PROJECT FUND**

HDR Engineering	March Services	11,030.25
Lennox Independent	Publishing resolution & bid notice	754.83
Lincoln County Register of Deeds	File easements & annexations	70.00

Meierhenry Sargent	Bond services for CW Revenue Bond	8,450.00
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**750 TEAPOT DAYS FUND**

Dakota Lettering	Teapot Days shirts	952.00
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Just Jewelry	Vendor refund	40.00
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Sherry's Creation	Vendor refund	40.00
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128,923.97

**PAYROLL PAID 4/06/10 (PP 07)**

**FINANCE 4142**

Dawn Murphy	80 hours / 5OT	1,842.75
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Valley Exchange Bank	Payroll taxes	3,820.53
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SD Retirement	Retirement	2,166.20
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**PLANNING & ZONING**

Jenni White	1/3 80 hours	405.87
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Kevin Nissen	80 hours	1,624.00
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**PUBLIC SAFETY 4210**

Brian Tvedt	80 hours / 8.5 OT	1,619.42
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Jessica Gillis	80 hours / 7 OT	1,358.41
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Kenneth Haugen	78.25 hours / .75 OT	1,385.89
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Roger Knutson	48 hours	624.00
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Matt Wetterling	80 hours / 6 OT	1,290.50
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**HIGHWAY/STREET 4312**

Thad Konrad	1/3 80 hour	561.60
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Lenny Przybys	1/3 80 hours / 5.5 OT	551.56
Steven Oberle	1/3 80 hours / 4 OT	435.45
Sean Glasgow	1/3 80 hours / 4OT	394.17

**WATER 601**

Jenni White	1/3 80 hours	405.87
Thad Konrad	1/3 80 hour	561.60
Lenny Przybys	1/3 80 hours / 5.5 OT	551.56
Steven Oberle	1/3 80 hours / 4 OT	435.45
Sean Glasgow	1/3 80 hours / 4OT	394.17

**SEWER**

Jenni White	1/3 80 hours	405.86
Thad Konrad	1/3 80 hour	561.60
Lenny Przybys	1/3 80 hours / 5.5 OT	551.57
Steven Oberle	1/3 80 hours / 4 OT	435.44
Sean Glasgow	1/3 80 hours / 4OT	394.16

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22,777.63

**PAYROLL PAID 4/20/10 (PP 08)**

**FINANCE 4142**

Dawn Murphy	80 hours	1,684.80
Valley Exchange Bank	Payroll taxes	3,730.50
SD Retirement	Retirement	2,144.18

**PLANNING & ZONING**

Jenni White	1/3 80 hours / 2OT
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421.09

Kevin Nissen 80 hours 1,624.00

**PUBLIC SAFETY 4210**

Brian Tvedt 80 hours / 15.75 OT 1,809.29

Jessica Gillis 80 hours 1,200.80

Kenneth Haugen 80 hours / 2.75 OT 1,468.82

Roger Knutson 40.5 hours 526.50

Matt Wetterling 80 hours / 4 OT 1,247.00

**HIGHWAY/STREET 4312**

Thad Konrad 1/3 80 hour 561.60

Lenny Przybys 1/3 80 hours / 2.5 OT 523.44

Steven Oberle 1/3 80 hours / 4 OT 435.45

Sean Glasgow 1/3 80 hours 366.67

**WATER 601**

Jenni White 1/3 80 hours / 2OT 421.09

Thad Konrad 1/3 80 hour 561.60

Lenny Przybys 1/3 80 hours / 2.5 OT 523.44

Steven Oberle 1/3 80 hours / 4 OT 435.45

Sean Glasgow 1/3 80 hours 366.67

**SEWER**

Jenni White 1/3 80 hours / 2OT 421.09

Thad Konrad 1/3 80 hour 561.60

Lenny Przybys 1/3 80 hours / 2.5 OT 523.44

Steven Oberle 1/3 80 hours / 4 OT 435.45

Sean Glasgow

1/3 80 hours

366.67

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22,360.60

APPROVED MAY 3, 2010

174,062.20