

City of Tea  
Regular Meeting  
September 20, 2010

A regular meeting of the Tea City Council was held at Tea City Hall on September 20, 2010 at 7:00 p.m.

Mayor John Lawler called the meeting to order at 7:01 p.m. with the following members present: Sidney Munson, Brian Fowlds, Chuck Ortmeier, Herman Otten, Joe Weis and Todd Boots. Also present was Finance Officer Dawn Murphy, Planning & Zoning Administrator Kevin Nissen, Administrative Assistant/Economic Development Director Jenni White, Utility Superintendent Thad Konrad, Police Chief Brian Ketterhagen and City Engineer Jason Kjenstad

**AGENDA. MOTION 10-189. MOTION** by Boots, seconded by Ortmeier to approve the September 20, 2010 agenda.. All members voted AYE.

**MINUTES. MOTION 10-190. MOTION** by Fowlds, seconded by Otten to approve the September 7, 2010 minutes with the following correction: Motion 10-83 approved the remaining \$33,838 from Change Order 2 for granular material. All members voted AYE.

**PUBLIC HEARING.** As this was the time set, Mayor Lawler opened the public hearing for a variance application submitted by Phil Landreth for a detached garage located at 600 W. Charish Ave. The variance request is for a 1,200 sq. ft. detached garage located 5 feet from the west property line. Zoning requires detached garages less than 60 ft. from the property line maintain a 10 foot side yard. The planning board recommends approval of the garage but not the 5-foot side yard setback. The neighbor to the north of the proposed garage was present to oppose the 5 foot setback. **MOTION 10-191. MOTION** by Fowlds, seconded by Munson to approve the variance request for Phil Landreth to build a 1,200 sq. ft. detached garage with a 5-foot side yard setback at 600 W. Charish St. Members Fowlds, Munson, Ortmeier, Weis and Boots voted AYE. Member Otten voted NO. Motion carried.

**TEA PARK AND RECREATION.** There was continued discussion on the possibility of the Tea Park and Recreation Board becoming a 501 (c) 3. Councilmembers Ortmeier, Boots and Fowlds will work with the P & R Board to gather more details on forming the non-profit.

**HWY 111 PROJECT.** Jason gave an update on the Highway 111 Reconstruction Project. They are about 500 feet north of Kevin Dr. with sewer. They hope to pave up to Kevin Dr. next week. They are still working on redesigning the north half of the project to move the sewer line out of the road and into a private easement on the east side.

**HWY 111 IMPROVEMENT PROJECT PAY REQUEST. MOTION 10-192. MOTION** by Fowlds, seconded by Boots to approve Pay Request 10 to Friessen Construction for the Hwy 111 Improvement Project in the amount of \$124,201.00. All members voted AYE.

**ANNEXATION. RESOLUTION 10-10-19. MOTION 10-193. MOTION** by Fowlds, seconded by Boots to approve the following resolution. All members voted AYE. **WHEREAS** there has been a petition received seeking to include certain real property within the corporate boundaries of the City of Tea; and **WHEREAS**, the petition has 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 petition complies 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: Lot 10, Block 2, including adjacent right away, Howling Ridge Addition to the City of Tea, Lincoln County, South Dakota. Dated this 20<sup>th</sup> day of September, 2010.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

**HOWLING RIDGE PLAT. RESOLUTION 10-10-20. MOTION 10-194. MOTION** by Fowlds, 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 know and described as Lot 10, Block 2, Howling Ridge Addition to the City of Tea, Lincoln County, South Dakota, 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 20<sup>th</sup> day of September, 2010.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

**ORDINANCE 204.** The council held the 2<sup>nd</sup> reading of Ordinance 204. **MOTION 10-195. MOTION** by Ortmeier, seconded by Boots to approve and adopt Ordinance 204, 2011 Appropriations Ordinance. All members voted AYE. The ordinance will be published separately.

**MOTION 10-196. MOTION** by Boots, seconded by Fowlds to go into executive session for personnel matters at 8:37 p.m. All members voted AYE. Council came out of executive session at 9:00 p.m.

**MOTION 10-197. MOTION** by Fowlds, seconded by Otten to adjourn at 9:00 p.m. All members voted AYE.

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John M. Lawler, Mayor

ATTEST:

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Dawn R. Murphy, Finance Officer

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