

City of Tea  
Regular Meeting  
August 20, 2012

A regular meeting of the Tea City Council was held at Tea City Hall on August 20, 2012 at 5:30 pm.

Mayor John Lawler called the meeting to order at 5:35 pm with the following members present: Sidney Munson, Brian Fowlds, Herman Otten, Todd Boots, Joe Weis (arrived at 7:09 pm) & Chuck Ortmeier. Also present were Finance Officer Dawn Murphy, Planning and Zoning Administrator Kevin Nissen, Utility Superintendent Thad Konrad, City Engineer Jason Kjenstad, Administrative Assistant/Economic Development Director Jenni White and Police Chief Brian Ketterhagen.

**AGENDA. MOTION 12-133. MOTION** by Otten, seconded by Boots to approve the August 20, 2012 agenda. All members voted AYE.

**2013 BUDGET.** The council began working on the 2013 budget.

**PUBLIC HEARING CUP #12-03.** As this was the time set, Mayor Lawler opened the public hearing for a Group Day Care at 515 W. Apple St. Planning & Zoning approved the use with no additional requirements. There were no comments from the public. **MOTION 12-134. MOTION** by Fowlds, seconded by Boots to approve the Conditional Use Permit #12-03 for a Group Day Care for Abigail Klemisch at 515 W. Apple St., Lot 11, Block 4 Schoen's Additional. All members voted AYE.

**NEW MALT BEVERAGE & SD FARM WINE LICENSE.** As this was the time set, Mayor Lawler opened the public hearing for a new malt beverage and SD farm wine license for Casey's Retail Company. There were no comments from the public. **MOTION 12-135. MOTION** by Boots, seconded by Ortmeier to approve the New Malt Beverage & SD Farm Wine License for Casey's Retail Company, d/b/a Casey's General Store #3069, 800 E. Brian St., Lot 2, Block 1, Costello Addition. All members voted AYE.

**MINUTES. MOTION 12-136. MOTION** by Otten, seconded by Fowlds to approve the August 6, 2012 minutes. All members voted AYE.

#### **HAGEDORN INDUSTRIAL PARK PHASE 2A & 2B-DEVELOPER'S ASSURANCE**

**AGREEMENT.** Kevin presented the developers assurance agreement. At this time, 7:09 pm member Weis arrived. **MOTION 12-137. MOTION** by Ortmeier, seconded by Boots to approve the Hagedorn Industrial Park Phase 2A & 2B Developer's Assurance Agreement. Members Munson, Fowlds, Ortmeier, Boots and Otten voted AYE. Member Weis abstained. Motion carried.

**DEGEEST SITE PLAN-HAGEDORN INDUSTRIAL PARK, LOT 18.** Kevin presented the Degeest Site Plan for the Hagedorn Industrial Park, Lot 18. **MOTION 12-138. MOTION** by Otten, seconded by Weis to approve the Degeest Site Plan Hagedorn Industrial Park, Lot 18. All members voted AYE.

**SURPLUS PROPERTY. MOTION 12-139. MOTION** by Fowlds, seconded by Weis to declare the following items surplus: Trane 100,000 BTU overhead furnace, Woods rotary mower RM90-2 and a pickup topper acquired through a nuisance clean-up. All members voted AYE.

**NEXTEL ANTENA LEASE.** The City has been notified that Nextel is terminating their antenna lease. Currently they are paying \$1,500 per month, upon breaking their lease, they will pay \$10,000 and turn over the building and equipment to the City. If breaking their lease is not granted, they will only pay for two additional months of rent and will remove the equipment. **MOTION 12-140. MOTION** by Fowlds, seconded by Ortmeier to allow Nextel to terminate their antenna lease for a fee of \$10,000 and accept the building and equipment. All members voted AYE.

**RECORDING OF LAW ENFORCEMENT ACTIVITY POLICY. MOTION 12-141. MOTION** by Ortmeier, seconded by Fowlds to approve the Police Department Policy #33, Recording of Law enforcement Activity. Members Munson, Fowlds, Ortmeier, Weis and Boots voted AYE. Member Otten abstained. Motion carried.

**APPOINTMENT OF ZONING OFFICER.** There is currently an open seat on the planning and zoning board with two candidates expressing interest. Weis, Boots and Otten will meet with one of the candidates to obtain more information regarding their experience. Appointment will be at the next meeting.

**COMMITTEE REPORTS.** Brian Ketterhagen reported that a portable restroom was set on fire on the corner of Main and 3<sup>rd</sup> St. The juveniles were caught and will pay for damages. Bike Safety Course will be held on September 11. Due to the lack of involvement, the Neighborhood Watch Program is on hold for now. Thad sprayed for misquotes before Teapot Days and will do so again August 23 before the first home football game. Herman would like City associated organizations to attend council meetings on a quarterly basis to give an update. It was suggest instead of attending the council meetings, the organization could submit a report. Each council member is already assigned to the organizations and should be attending their meetings. If anyone from the council would like an update they can contact the organization or speak with the appropriate councilmember.

**2013 BUDGET.** The council continued to work on the 2013 budget. First reading will be held at the September 4, 2012 meeting.

**MOTION 12-142. MOTION** by Weis, seconded by Boots to adjourn at 10:00 p.m. All members voted AYE.

---

John M. Lawler, Mayor

ATTEST:

---

Dawn R. Murphy, Finance Officer

Published once at the approximate cost of \$\_\_\_\_\_.