

Minutes City of Tea
Regular Meeting
May 4, 2015

A regular meeting of the Tea City Council was held at Tea City Hall on May 4, 2015 at 7:00 p.m.

Mayor John Lawler called the meeting to order at 7:04 p.m. with the following members present: Sidney Munson, Brian Fowlds, Chuck Ortmeier, Joe Weis, Larry Rieck and Todd Boots. Also present: Finance Officer Dawn Murphy, Utility Superintendent Thad Konrad, Planning & Zoning Administrator Kevin Nissen, City Engineer Jason Kjenstad and Administrative Assistant/Economic Development Director Jenni White.

AGENDA. MOTION 15-73. MOTION by Fowlds, seconded by Ortmeier to approve the May 4, 2015 agenda with the addition of hiring of season employee. All members voted AYE.

MINUTES. MOTION 15-74. MOTION by Rieck, seconded by Weis to approve the April 20, 2015 minutes. All members voted AYE.

WARRANTS. MOTION 15-75. MOTION by Ortmeier, seconded by Fowlds to approve the May warrants as presented. All members voted AYE. Warrants will be listed at the end of the minutes.

VARIANCE PUBLIC HEARING. Mayor Lawler opened the public hearing for setback variance for Jeremy Dunkelberger. He would like to construct a 26' x 30' garage on his existing residence at 120 Martha St. The home is on a corner lot with 2 front yard setbacks. The primary front yard or driveway side is 25 feet. According to the Tea Zoning Ordinance, the opposite front yard setback can go down to 20 feet. The applicant would like to build into the setback 9.5 feet for a 26 foot wide garage. A single stall garage 16.5 feet wide would work with the current zoning setbacks. State law requires the owner to establish an unnecessary hardship to apply for a variance. Even though there is a need for a double garage, the Zoning Board doesn't feel it justifies a hardship since a single stall garage can be built within the required setbacks. An unnecessary hardship cannot be self-imposed. Other options were discussed. **MOTION 15-76. MOTION** by Boots, seconded by Weis to approve the setback variance for Jeremy Dunkelberger. Members Weis, Munson and Boots voted AYE. Members Rieck, Ortmeier and Fowlds voted NO. Mayor Lawler broke the tie with a NO vote. Motion failed. Mayor Lawler would like to take a look at what the garage would look like coming off of Joseph Ave.

At this time, Councilmembers Munson, Rieck and Ortmeier took their Oath of Office.

APPOINTMENT OF MUNICIPAL OFFICIALS. MOTION 15-77. MOTION by Fowlds, seconded by Rieck to approve the following appointments. All members voted AYE.

- Finance Officer – Dawn Murphy
- Utility Superintendent – Thad Konrad
- City Attorney – Meierhenry Sargent, LLP
- City Engineer – HDR Engineering
- Official Paper – Tea Weekly
- Official Depository – Valley Exchange Bank, SD Public Funds Investment Trust and Reliabank

COMMITTEE APOINTMENTS. MOTION 15-78. MOTION by Boots, seconded by Rieck to approve the following committee/board appointments. All members voted AYE.

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

- HRC Board – Councilmember Weis
- TEDC Board – Councilmember Fowlds

CITY COUNCIL PRESIDENT. Councilmember Boots nominated Councilmember Weis for City Council President. **MOTION 15-79. MOTION** by Rieck, seconded by Fowlds that nomination cease and cast a unanimous ballot for Councilmember Weis as City Council President. All members voted AYE.

CITY COUNCIL VICE PRESIDENT. Councilmember Weis nominated Councilmember Boots as City Council Vice President. **MOTION 15-80. MOTION** by Fowlds, seconded by Weis that nomination cease and cast a unanimous ballot for Councilmember Boots as City Council Vice President. All member voted AYE.

2nd READING OF ORDINANCE 225. The council held the 2nd Reading of Ordinance 225, An Ordinance Rezoning Property at the Corner of Cole Ave. and High Pointe Street, West to 468th Ave. from R-1 Residential District to R2- Residential District and Amending the Official Zoning Map of the City of Tea. This would reduce the minimum lot width from 75 to 65 feet. Kelly Nielson, the developer of the property was present to discuss his plans for the area. He would like to build single family homes, however, with building costs increasing he would like to reduce the lot size to try to keep costs down. **MOTION 15-81. MOTION** by Fowlds, seconded by Rieck to approve and adopt Ordinance 225. An Ordinance Rezoning Property at the Corner of Cole Ave. and High Pointe Street, West to 468th Ave. from R-1 Residential District to R2- Residential District and Amending the Official Zoning Map of the City of Tea. Members Weis, Boots, Rieck, Ortmeier and Munson voted AYE. Member Weis voted NO. Motion carried.

TEA AREA SCHOOL DISTRICT SITE PLAN. Kevin presented the site plan for the Tea Elementary School Addition. **MOTION 15-82. MOTION** by Boots, seconded by Fowlds to approve the site plan for the Tea Area School District Elementary Addition Project. All members voted AYE.

TEA AREA SCHOOL DISTRICT BUILDING PLANS AND PERMIT. Kevin presented and recommended approval of the building plans for the Tea Area School District Elementary Addition Project. There was discussion on what building permit charges the district should pay. **MOTION 15-83. MOTION** by Ortmeier, seconded by Weis to waive the building permit fee and the District the invoice price for the building plan review. All members voted AYE.

HOWLING RIDGE PLATTING AGREEMENT. There was discussion on the proposed platting agreement with John Schwartzle regarding double frontage lots. The agreement states that Mr. Schwartzle will inform all future home owners that there is a potential assessment for the construction of Quinton St. **MOTION 15-84. MOTION** by Weis, seconded by Rieck to approve the platting agreement between the City of Tea and John Schwartzle. Members Weis, Rieck, Boots, Ortmeier and Munson voted AYE. Member Fowlds voted NO. Motion carried.

HOWLING RIDGE ADDITION PLATS. Kevin presented and recommended approval of four Howling Ridge Plats. **MOTION 15-85. RESOLUTION 15-05-04. 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 Lot 33, Block 1; Lots 1 & 31, Block 2; and Lot 1, Block 5 Howling Ridge Addition, lying within the platting 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 on such plat a copy of this resolution and certify the same thereon. Dated this 4th day of May 2015. **MOTION 15-86. RESOLUTION 15-05-05. MOTION** by Rieck, 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 Lot 11, Block 5 Howling Ridge Addition, lying within the platting 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 on such plat a copy of this resolution and certify the same thereon. Dated this 4th day of May 2015. **MOTION 15-87. RESOLUTION 15-05-06. MOTION** 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 Tract 4, Howling Ridge Addition, lying within the platting 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 on such plat a copy of this resolution and certify the same thereon. Dated this 4th day of May 2015. **MOTION 15-88. RESOLUTION 15-05-07. MOTION** by Weis, seconded by Rieck 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 Track 5, Howling Ridge Addition, lying within the platting 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 on such plat a copy of this resolution and certify the same thereon. Dated this 4th day of May 2015.

SPENCER HEIGHTS PLAT. Kevin presented and recommended approval of a plat in Spencer Heights Addition. **MOTION 15-89. RESOLUTION 15-05-08. MOTION** by Fowlds, seconded by Rieck 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 6B, 6D, 7B and 7D, Block 6, Spencer Heights Addition, 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 on such plat a copy of this resolution and certify the same thereon. Dated this 4th day of May 2015. **MOTION 15-90. MOTION** by Fowlds, seconded by Boots that the plat of Lots 6B, 6D, 7B and 7D, Block 6, Spencer Heights Addition is not to be filed until it shows the parking easement on Lot 6B as shown on the approved site plan. All members voted AYE.

ATHLETIC COMPLEX PHASE 3 PAY APPLICATION. MOTION 15-91. MOTION by Fowlds, seconded by Ortmeier to approve Tea Athletic Complex Phase 3 Pay Application 2, to Dakotaland Sod Farm Inc. c/o Northern Escrow in the amount of \$185,000. All members voted AYE.

POLICE DEPARTMENT PAY INCREASE. MOTION 15-92. MOTION by Weis, seconded by Ortmeier to approve the following hourly pay increases: Jessica Quigley from \$18.84 to \$19.00; Martin Waller, from \$15.50 to \$16.50; Steven Lowry from \$16.76 to \$17.00; Brock Nelson from \$17.16 to \$18.50. All members voted AYE.

SEASON EMPLOYEE. MOTION 15-93. MOTION by Fowlds, seconded by Rieck to hire Taylor Roemen as a seasonal maintenance employee at \$10.00 per hour. All members voted AYE.

MOTION 15-94. MOTION by Weis, seconded by Ortmeier to adjourn at 8:34 p.m. All members voted AYE.

John M. Lawler, Mayor

ATTEST:

Dawn R. Murphy, Finance Officer

**CITY OF TEA
 WARRANTS PAID MAY 4, 2015**

FINANCE 4142

Aflac	Insurance	283.02
Brown & Saenger	1/3 office supplies	93.32
Century Business Products	1/3 monthly maintenance	140.30
HDR Engineering	Services (Mar)	21,802.27
KCL Group Benefits	Insurance	276.68
Wellmark Blue Cross/Blue Shield	May insurance	4,317.77

PLANNING & ZONING/ECONOMIC DEVELOPMENT 4650

A & B Business Solutions	Copier maintenance	76.43
Code Works	St. Nicholas Church plans	759.10
HBA	2015 membership	500.00
Lincoln County Register of Deeds	File plats	122.00
Odland, Tim	April Inspections	1,200.00

GOVERNMENT BUILDINGS 4192

City of Tea	Maintenance building water	48.70
City of Tea	City Hall High Flow	39.40
City of Tea	City Hall FD Restrooms	82.20
City of Tea	Community Hall-200 W. Maple	32.50
Maximum Promotions	Flags	306.00
Mid American Energy	200 W. Maple	137.90
Mid American Energy	Maint bldg	163.42
Mid American Energy	PSB	287.02
Roter Rooter	Unplug community hall	335.00
Verizon	Cell phone	152.04
Xcel Energy	PSB	1,007.16
Xcel Energy	200 W. Maple	108.32
Xcel Energy	Maint bldg	197.98

PUBLIC SAFETY 4210

Argus Leader Media	Chief ad	460.90
City of Tea	Water	36.20
Federal Express	Shipping	11.33
Get N Go	Gasoline	583.48
Golter, Michael	April cleaning	100.00
Green Eggs & Ram	Backup	29.58
Lamb Moto Co.	Interceptor	28,282.00
Mid American Energy	Services	128.10
Midwest Alarm Company	Monitoring	84.00
Neve's	Badge, stinger led, shirt	266.39
Pernell's Alignment & Tire	Repair Charger	75.00
Ralph's Repair	Oil change	40.00
Ralph's Repair	Backup batteries for sirens	1,259.40

Sioux Empire Automotive	Repair tire sensor for 2009	42.20
Sioux Falls Two Way Radio	Repair siren	225.97
Verizon	Phone	228.05
Xcel Energy	Services	194.15
Xcel Energy	Siren	20.21

HIGHWAY/STREET 4312

Casey's General Stores Inc.	Gasoline	10.88
Eastern Farmers Elevator	Fuel	287.05
Get N Go Fleet Program	Gasoline	36.48
Pernell's Alignment	Tires	692.00
Xcel Energy	Street lights	4,003.60

PARKS/RECREATION 4501

Confluence	Services	4,774.00
Excel Energy	Ball field lights	294.35
Lacey Rentals	Toilets	180.00
Midwest Turf & Irrigation	Mower filters & blades	191.85
The Tessman Co	Fertilizer & lake chemicals	3,712.10

WATER 601

Brown & Saenger	1/3 office supplies	93.32
Casey's General Stores	Gasoline	10.88
Century Business Products	1/3 monthly maintenance	140.30
City of Sioux Falls	Bacteria tests	217.50
Get N Go Fleet	1/3 Gasoline	36.46
HD Supply	Pipe to move hydrant	108.60
SD One Call	1/2 locates	42.18
Xcel Energy	Rural Water	10.73
Xcel Energy	Brian St. Tower	86.36
Xcel Energy	2nd St. Tower	13.85

SEWER 604

American Engineering Testing	Lagoon samples	153.75
Brown & Saenger	1/3 office supplies	93.34
Casey's General Stores	Gasoline	10.90
Century Business Products	1/3 monthly maintenance	40.28
Get N Go Fleet	1/3 Gasoline	36.46
SD One Call	1/2 locates	42.18
Xcel Energy	S. lift station	392.81
Xcel Energy	5th St. lift station	70.06
Xcel Energy	Lagoon Building	1,756.12

SPECIAL PARK FUND 201

Independent Publishing	Easter egg hunt ad	60.00
Lacey Rentals, Inc.	Baseball fields	90.00
Minuteman Press	Sponsor banner	114.48

3RD PENNY/POOL/PARK EXPENSES 211

Durable Steel Installation, LLC	Fix pool roof	2,857.15
Mid American Energy	Pool	8.87
Xcel Energy	Pool	182.39

2ND PENNY SALES TAX FUND 212

First National Bank	Sales Tax Revenue Bond Series 2013 (PSB)	13,827.50
First National Bank	Sales Tax Revenue Bond Series 2010 (HWY 111)	19,178.75

118,393.02

APRIL PAYROLL				
	GROSS			
DEPARTMENT	PAY	SS/MED	RETIRMENT	TOTAL
Legislative 4111	4,950.00	378.68		5,328.68
Executive 4121	3,000.00	229.50		3,229.50
Finance 4142	4,124.80	315.54	247.48	4,687.82
Public Safety 4210	17,758.19	1,322.02	1,420.67	20,500.88
Highway/Streets 4311	4,570.83	322.37	274.23	5,167.43
Recreation 4501	1,369.34	99.85	82.16	1,551.35
Planning & Zoning 4650	4,360.36	326.75	261.62	4,948.73
Promoting the City 4653	2,357.54	180.36	141.44	2,679.34
Water Distribution 4334	4,570.83	322.37	274.23	5,167.43
Water Clerk 4335	392.93	30.06	23.58	446.57
Sewer Administration 4321	4,572.17	322.47	274.37	5,169.01
Sewer Sanitary Clerk 4322	392.93	30.06	23.58	446.57
TOTAL APRIL PAYROLL	47,469.92	3,880.03	3,023.36	59,323.31

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