

City of Tea  
Regular Meeting  
December 6, 2021

The regular meeting of the Tea City Council was held at Tea City Hall on December 6, 2021 at 7:00 p.m.

Mayor John Lawler called the meeting to order at 7:00 pm with the following members present: Jim Erck, Terry Woessner, Casey Voelker, Sid Munson and Joe Weis. Also present: Finance Officer Dawn Murphy, HDR Engineer Ben Scholtz, Planning & Zoning Officer Kevin Nissen and City Administrator Dan Zulkosky.

**AGENDA. MOTION 21-178. MOTION** by Woessner, seconded by Weis to approve the December 6, 2021 agenda. All members voted AYE.

**CONSENT AGENDA. MOTION 21-179. MOTION** by Munson, seconded by Weis to approve the following consent agenda items:

- 1) Approval of November 15, 2021 Minutes
- 2) Approval of December 6, 2021 Claims (claims will be listed at the end of the minutes)

All members voted AYE.

There were no public comments.

**DEVELOPER COST RECOVERY.** Herman Otten presented a resolution for the council to adopt to recover his costs for a water and sewer line that he installed for his Ma and Pa's development. The resolution would recover \$59,629.00 or \$64.81 per lineal foot from anyone that would hook up to this line. City Attorney Todd Meierhenry's opinion is that the city can not recover a private developer's costs. Other developers have asked for the City to recover their costs and have always been denied. Mr. Otten will have his attorney talk with Mr. Meierhenry.

**MCKOY AUTO PLAZA.** The council reviewed the design for a new building in the Bakker Landing Addition. Frank McKoy would like to build a 18,670 sq. ft. building that would be used for automotive businesses. The building would be on the northwest corner of Sundowner Ave and Industrial St. The building will have gables over the doors and windows and stone wainscoting on the front to enhance the aesthetics of the building. **MOTION 21-180. MOTION** by Weis, seconded by Woessner to approve the building design for a Frank Mckoy's building on Lot 7, Block 5 Bakker Landing 1<sup>st</sup> Addition. All members voted AYE.

**ORDINANCE 289.** The council held the second reading of Ordinance 289. **MOTION 21-181. MOTION** by Voelker, seconded by Erck to approve and adopt Ordinance 289, An Ordinance Creating Licensing Regulations for Medical Cannabis Establishments. All members voted AYE. The Ordinance was published separately on December 10.

**RESOLUTION 21-12-22. MOTION 21-182. MOTION** by Voelker, seconded by Woessner to approve the following resolution. All members voted AYE.

**RESOLUTION 21-12-22. A RESOLUTION TO SET FEES FOR MEDICAL MARIJUANA DISPENSARY LICENES.**

**WHEREAS** with respect to the initial application process for licensure of a medical cannabis dispensary, Ordinance Sec. 5.04(k) allows the City Council to establish by resolution a non-refundable fee to defray the costs incurred by the City for background investigations, review of the application, inspection of the proposed premises, and any other costs and labor associated with processing the application; and

**WHEREAS** Ordinance Sec. 5.04(l) allows the City Council to establish by resolution an annual fee for licensure of a medical cannabis dispensary; and

**WHEREAS** the City Council has not yet established the fees applicable to Ordinance Sections 5.04(k) and (l) and has determined that such fees must be set.

**NOW, THEREFORE, BE IT RESOLVED** by the Tea Board of City Council that the nonrefundable application fee for licensure of a medical cannabis dispensary pursuant to Ordinance Sec. 5.04(k) shall be \$1,500.00; and

**IT IS ALSO HEREBY FURTHER RESOLVED** by the Tea City Council that the annual fee for licensure of a medical cannabis dispensary pursuant to Ordinance Sec. 5.04(l) shall be \$10,000.00.

Dated this 6<sup>th</sup> day of December, 2021.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

**PAY APPLICATIONS. MOTION 21-183. MOTION** by Woessner, seconded by Munson to approve the following pay applications:

1. 85<sup>th</sup> St. Elevated Water Storage Tank, Maguire Iron, \$9,770.00
2. Tea Law Enforcement Center, Visions Construction Group, \$107,920.

All members voted AYE.

**ORDINANCE 290.** The council held the first reading of Ordinance 290. 2021 Supplemental Appropriations Ordinance. The second reading will be held at the December 20<sup>th</sup> meeting.

**MOTION 21-184. MOTION** by Voelker, seconded by Weis to adjourn at 8:19 pm. All members voted AYE.

---

John M. Lawler, Mayor

ATTEST:

---

Dawn R. Murphy, Finance Officer

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

**CITY OF TEA  
WARRANTS PAID DECEMBER 6, 2021**

Vendor	Description	Amount
Avesis	Vision insurance	185.12
Auto Dynamics	Oil changes, repair brakes	628.87
Anderson, Darla	Cleaning 11/28	50.00
Alkota	Repair power washer	258.86
Aflac	Insurance	925.44
Badger Meter	Cellular fees	699.16
Benco	Chlorine tank parts	28.38
Banyon Data	PSN support	195.00
Code Works	Site plan reviews	2,171.23
Casey's General Store	Fuel	631.66
Curtis, Spencer	Clothing allowance	100.00
Delta Dental	Insurance	283.20
Dakota Traffic Services	Paint lanes on Linda Ave.	3,057.40
Embree Development Group Inc.	Sidewalk oversizing	1,312.87
Ferguson Waterworks	Marking paint	47.88
First Rate Excavate Inc.	Repair fire hydrant	6,440.17
Hawkins	Pool chemicals	274.42
J & R Mechanical	Repair PD furnace	785.53
Independent Publishing	Publishing	208.52
Innovative Office Solutions	Misc. supplies	275.48
KJS Concrete	S. James Ave. sidewalk	44,357.00
KCL Group Benefits	Insurance	439.35
Light & Siren	Install equipment	4,520.25
Lewis & Clark	9,638,608 Nov. usage	24,376.35
Metering & Technology Solutions	Meters	8,012.86
Midco	Lift station phone	40.06
Odland, Tim	Inspections	6,045.00
Oberle, Steven	Clothing allowance	90.46
Robertson, Steve	Inspections	6,240.00
Runge Enterprise	N. Main Ave. oversizing	94,272.39
Sioux Falls Electric	Repair park lights	631.56
SD Dept of Health	Lead-copper tests	30.00
Southeastern Electric	Locates	292.50
Sioux Falls Area Humane Society	Oct. services	73.83
South Dakota One Call	Locates	327.04
The Tessman Company	Mulch	440.00
U Drive Technology	Monthly texting	50.40
Vast Broadband	Phone	118.88
Verizon	Phones	1,076.33

Xcel Energy  
Wellmark

Services  
Insurance

6,701.39  
11,132.98

---

227,827.82