

City of Tea
Regular Meeting
August 16, 2021

The regular meeting of the Tea City Council was held at Tea City Hall on August 16, 2021 at 6:30 p.m.

Mayor John Lawler called the meeting to order at 6:30 pm, with the following members present: Jim Erck, Sidney Munson, Terry Woessner, Casey Voelker and Joe Weis. Also present: Finance Officer Dawn Murphy, Planning & Zoning Officer Kevin Nissen and City Administrator Dan Zulkosky.

EXECUTIVE SESSION. MOTION 21-127. MOTION by Munson, seconded by Erck to go into executive session pursuant to SDCL 1-25-2 (3) legal/contracts. All members voted AYE. The council came out of executive session at 7:08 pm.

AGENDA. MOTION 21-128. MOTION by Weis, seconded by Woessner to approve the August 16, 2021 agenda. All members voted AYE.

PUBLIC HEARING. Mayor Lawler opened the public hearing for the Proposed Resolution of Necessity for the Hagedorn Industrial Park Improvement Project. Property owners questioned the timeline of construction and the increase cost from the initial cost estimate from 2019. The City is continuing to look at options to help with the costs of the project.
RESOLUTION 21-08-14. MOTION 21-129. MOTION by Weis, seconded by Erck to approve Resolution 21-08-14. Resolution of Necessity for Improvements to Mindy St and Monty Street in the Hagedorn Industrial Park Addition. All members voted AYE. The Resolution was published separately.

CONSENT AGENDA. MOTION 21-130. MOTION by Munson, seconded by Woessner to approve the following consent agenda items:

- 1) Approval of August 2, 2021 Minutes
- 2) Approval of the August 16, 2021 Claims (claims will be listed at the end of the minutes)

All members voted AYE.

PUBLIC HEARING. The council held the first reading of Ordinance 187. An Ordinance Creating Zoning Regulations for Cannabis Establishment. The ordinance sets the zoning regulations for the cultivation, testing, manufacturing and dispensary facilities. This ordinance pertains to both medical and recreational establishments. The second reading will be held at the September 7 meeting.

PAY APPLICATION. MOTION 21-131. MOTION by Weis, seconded by Voelker to approve Law Enforcement Center Pay Application #2, Visions Construction Group, Inc., \$49,400.00. All members voted AYE.

PAY APPLICATION. MOTION 21-132. MOTION by Munson, seconded by Woessner to approve Gateway Boulevard (CR 106) Phase 2 Improvements Pay Application 6, D & G Concrete Construction, \$941,993.32. All members voted AYE.

The council began working on the 2022 appropriations. First reading will be held at the September 7 meeting.

MOTION 21-133. MOTION by Weis, seconded by Woessner to adjourn at 8:21 pm. All members voted AYE.

John M. Lawler, Mayor

ATTEST:

Dawn R. Murphy, Finance Officer

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**CITY OF TEA
WARRANTS PAID AUGUST 16, 2021**

Vendor	Description	Amount
Aflac	Insurance	616.96
Ascap	Music license	367.00
Ace Hardware	Supplies	690.45
Anderson, Darla	Cleaning 8/1	50.00
Barnes & Noble	Books	186.40
	Law Enforcement Center	
Banner	Construction admin.	3,730.00
Century Business Products	Supplies	49.93
City of Tea	Water	5,061.75
Enviromaster Inc.	Rags	79.95
Eastern Farmers Elevator	Fuel	466.93
Ferguson	Rain jackets, supplies	337.62
Auto Dynamics	Repair 2016	29.50
Christensen, Parker	Boots	95.51
Fareway Foods	Pool & CH supplies	318.72
Get N Go	Gasoline	1,988.44
HDR Engineering	Regionalization	10,373.75
HDR Engineering	On-Call Engineering	39,848.46
	Gateway Boulevard	
HDR Engineering	Construction Admin	65,788.83
Hawkins	Pool chemicals	1,956.48
Independent Publishing	Publishing	1,410.45
Innovative Office Solutions	Boxes	119.99
Lincoln County Register of Deeds	File plats	128.00
Laleman, MaKenna	Lifeguard training	223.89
Lewis & Clark Regional Water	22,105,039 July usage	28,501.71
Myrl & Roy	Asphalt	2,234.94
	Concret for digger playground	
Menards	equipment & supplies	195.30
Mid American Energy	Services	1,190.10
Midwest Alarm	Monitoring & testing	505.50
Midco	Lift station phone	40.38
OverDrive	E-books	1,500.00
Napa Auto Trucks	Parts	7.20
Paddock Pool Equipment	Filter laterals	3,759.96
Roto Rooter	Camera truck	670.00
Sports Engine	Background checks	298.73
Southeastern Electdric	Locates	260.00
Southeastern Electdric	St. lights	2,764.24
Tiemann, Tessa	Lifeguard training	185.00
The Tessman Company	Spray	526.65
U-Drive Technology	Monthly texting	50.08
Van Tek	Speaker mic	170.50
Vast	Telephones	1,189.88

Williams & Company	Audit final	2,860.00
Xcel Energy	St. lights	3,544.41
Marco	Copy lease	512.54
Patzwald, Desirae	WSI Training	294.95

185,181.08

JULY PAYROLL

DEPARTMENT	GROSS PAY	SS/MED	RETIRMENT	TOTAL
Legislative 4111	4,890.00	374.09		5,264.09
Executive 4121	3,000.00	229.50		3,229.50
Administrator 4122	7,719.76	590.56	463.18	8,773.50
Finance 4142	5,796.00	443.40	347.76	6,587.16
Public Safety 4210	36,253.33	2,622.17	2,747.79	41,623.29
Highway/Streets 4311	10,566.16	781.14	633.96	11,981.26
Recreation 4501	2,768.90	211.83	62.40	3,043.13
Economic Development	2,671.51	204.37	160.29	3,036.17
Planning & Zoning 4650	7,445.68	564.77	314.44	8,324.89
Pool	28,590.72	2,187.17		30,777.89
Water Distribution 4334	7,215.90	542.17	432.94	8,191.01
Water Clerk 4335	1,127.66	86.28	67.67	1,281.61
Sewer Administration 4321	7,218.05	542.39	433.11	8,193.55
Sewer Sanitary Clerk 4322	1,127.95	86.27	67.66	1,281.88
TOTAL JULY PAYROLL	126,391.62	9,466.11	5,731.20	141,588.93

**CITY OF TEA
RESOLUTION 21-08-14
RESOLUTION OF NECESSITY**

WHEREAS, The City of Tea has proposed Resolution of Necessity #21-07-13 for improvements to Mindy Street and Monty Street in the Hagedorn Industrial Park Addition, within the City of Tea, and

WHEREAS, the City of Tea has published and mailed said notices as required by South Dakota Codified Laws, and

WHEREAS, the City has considered the character of the improvements, the situation, the surrounding conditions, and whether the substantial benefits to be derived from the improvements are local or general in their nature; and

WHEREAS, the City has calculated the portion of the improvements which confers a local special benefit and the general benefit and advantage on the property.

NOW THEREFORE BE IT FUTHER RESOLVED that the City finds the following:

- The project will make the property abutting the project a better place in which to conduct business.
- The adjacent property will receive a special benefit by changing the properties highest and best use from rural in character to urban.
- The improvements will enhance the market value of the properties abutting the improvement.

AND WHEREAS, the City of Tea is ready to proceed with the project and again declare the necessity to make the improvements;

NOW THEREFORE BE IT RESOVLED by the City Council of the City of Tea, South Dakota, at a regular meeting thereof held in the meeting room of the City Council in the City of Tea that the convenience and necessity has risen for the reconstruction of Mindy Street & Monty Street by the following:

- Roadway gravel surfacing removals, asphalt milling, installation of utilities (water main, sanitary sewer, and storm culvert pipes for driveways), installation of roadside ditch concrete lined drainage channels, aggregate roadway base, concrete and asphalt surfacing, street lighting, pavement markings, street signs and temporary and permanent erosion control

BE IT FURTHER RESOLVED that the material to be used in the project shall be according to plans and specifications prepared by engineers for the City of Tea, and on file in the office of the Municipal Finance Officer and open to public inspection and incorporated hereby.

AND BE IT FURTHER RESOLVED that;

- The approximate cost of \$490.39 per foot shall be assessed against all assessable lots and tracts of land fronting or abutting thereon to each of such lots or tracts listed on Exhibit A;
- The approximate cost of \$642.40 per foot shall be assessed against all assessable lots and tracts of land fronting or abutting thereon to each of such lots or tracts listed on Exhibit B;

AND BE IT FURTHER RESOLVED that;

- the assessments for the properties marked on Exhibits "C" will be divided into **Twenty** (20) equal annual installments, which shall be payable under Plan One, collection by the County Treasurer, as set forth in SDCL §9-43-102, et seq., shall bear interest at such rate of no more than six (6) percent per annum;
- the assessments for the properties marked as Exhibits "D" shall be delayed until such time as the property is annexed within the City limits of Tea;

AND BE IT FURTHER RESOLVED that the contractors who undertake to perform the work of construction herein provided for shall be paid in the sale of Special Assessment Bonds, pre-financed by Bond Anticipation Notes.

Dated this 16th day of August, 2021

John M. Lawler, Mayor

ATTEST:

Dawn R. Murphy, Finance Officer

EXHIBIT A (Approximately \$490.39 per foot)		
	OWNER	LEGAL DESCRIPTION
1.	Robert Scherer	Hagedorn Industrial Park, SE ¼ - Lot 2, Block 1
2.	Robert Scherer	Hagedorn Industrial Park, SE ¼ - Lot 3, Block 1
3.	Richard & Pamela Howe	Hagedorn Industrial Park SE ¼ - Lot 4, Block 1
4.	LD Development LLC	Hagedorn Industrial Park SE ¼ - Lot 5, Block 1
5.	LD Development LLC	Hagedorn Industrial Park SE ¼ - Lot 6, Block 1
6.	Wildfeuer Living Trust	Hagedorn Industrial Park SE ¼ - Lot 7, Block 1
7.	Fredup Holding LLC	Hagedorn Industrial Park SE ¼ - Lot 8, Block 1
8.	Fredup Holding LLC	Hagedorn Industrial Park SE ¼ - Lot 9, Block 1
9.	Breske & Schuver LLC	Hagedorn Industrial Park SE ¼ - Lot 10, Block 1
10.	Kiropa Properties	Hagedorn Industrial Park SE ¼ - Lot 11, Block 1
11.	Leon Beckman, Trust	Hagedorn Industrial Park SE ¼ - Lots 3 & 5, Block 3
12.	Leon Beckman, Trust	Hagedorn Industrial Park SE ¼ - Lot 7, Block 3
13.	Cleberg Properties, LLC	Hagedorn Industrial Park SE ¼ - Lot 1, Block 3
14.	Parker LLC	Hagedorn Industrial Park SE ¼ - Lot 7, Block 2
15.	Salada Blue Investments, LLC	Hagedorn Industrial Park SE ¼ - Lot 6, Block 2
16.	Dorothy Hamran	Hagedorn Industrial Park SE ¼ - Lot 5, Block 2
17.	JMJ Properties, LLC	Hagedorn Industrial Park SE ¼ - Lot 4, Block 2
18.	JS Crossroads Properties LLC	Hagedorn Industrial Park SE ¼ - Lot 3, Block 2
19.	Lewis & Clark Rural Water System	Hagedorn Industrial Park SE ¼ - Lot 11, Block 2
20.	Smitty's Holdings, LLC	Hagedorn Industrial Park SE ¼ - Lot 10, Block 2
21.	James Waddell	Hagedorn Industrial Park SE ¼ - Lot 9, Block 2
22.	South Lake Capital MGMT LLC	Hagedorn Industrial Park SE ¼ - Lot 8, Block 2
23.	Rymax Rentals	Hagedorn Industrial Park SE ¼ - Lot 2, Block 3
24.	K & L Management Inc.	Hagedorn Industrial Park SE ¼ - Lot 4, Block 3
25.	Tomasz & Cynthia Stys	Hagedorn Industrial Park SE ¼ - Lot 6A, Block 3
26.	James Wipf	Hagedorn Industrial Park SE ¼ - Lot 6B, Block 3
27.	Driscoll Const. Properties, LLC	Hagedorn Industrial Park SE ¼ - Lot 8, Block 3
28.	Samuel Properties LLC	Hagedorn Industrial Park SE ¼ - Lot 4, Block 4
29.	Alex Klocker	Hagedorn Industrial Park SE ¼ - Lot 3, Block 4
30.	Donald & Shirley Kuhle	Hagedorn Industrial Park SE ¼ - Lot 2, Block 4
31.	Leon & Brenda Olson	Hagedorn Industrial Park SE ¼ - Lot 1, Block 4
32.	Rail to Road Inc.	Hagedorn Industrial Park SE ¼ - Lot 7, Block 5
33.	Donald Kuhle	Hagedorn Industrial Park SE ¼ - Lot 6, Block 5
34.	OHA Companies, LLC	Hagedorn Industrial Park SE ¼ - Lot 5, Block 5
35.	Tea for Two LLC	Hagedorn Industrial Park SE ¼ - Lot 4, Block 5
36.	Harvard Integrations	Hagedorn Industrial Park SE ¼ - Lot 3, Block 5
37.	Shoppes on Ten of Moorhead	Hagedorn Industrial Park SE ¼ - Lot 12, Block 2
38.	Daylight Investments III, LLC	Hagedorn Industrial Park SE ¼ - Lot 1, Block 1 (Ex. Lot H-1)
39.	Shoppes on Ten of Moorhead	Hagedorn Industrial Park SE ¼ - Lots 1, 2, 13 & 14 (Ex. Lot H-1), Block 2 (Mindy St.)

EXHIBIT B (Approximately \$642.40 per foot)		
1.	Harvard Integrations	Hagedorn Industrial Park SE ¼ - Lots 1, 2, 12 & 19, (Ex. Lot H-1) Block 5
2.	Shoppes on Ten of Moorhead	Hagedorn Industrial Park SE ¼ - Lots 1, 2, 13 & 14 (Ex. Lot H-1), Block 2 (Monty St.)

EXHIBIT C (20 Annual Installments/6% Interest)		
	OWNER	LEGAL DESCRIPTION
1.	Robert Scherer	Hagedorn Industrial Park, SE ¼ - Lot 2, Block 1
2.	Robert Scherer	Hagedorn Industrial Park, SE ¼ - Lot 3, Block 1
3.	Richard & Pamela Howe	Hagedorn Industrial Park SE ¼ - Lot 4, Block 1
4.	LD Development LLC	Hagedorn Industrial Park SE ¼ - Lot 5, Block 1
5.	LD Development LLC	Hagedorn Industrial Park SE ¼ - Lot 6, Block 1
6.	Wildfeuer Living Trust	Hagedorn Industrial Park SE ¼ - Lot 7, Block 1
7.	Fredup Holding LLC	Hagedorn Industrial Park SE ¼ - Lot 8, Block 1
8.	Fredup Holding LLC	Hagedorn Industrial Park SE ¼ - Lot 9, Block 1
9.	Breske & Schuver LLC	Hagedorn Industrial Park SE ¼ - Lot 10, Block 1
10.	Kiropa Properties	Hagedorn Industrial Park SE ¼ - Lot 11, Block 1
11.	Leon Beckman, Trust	Hagedorn Industrial Park SE ¼ - Lots 3 & 5, Block 3
12.	Leon Beckman, Trust	Hagedorn Industrial Park SE ¼ - Lot 7, Block 3
13.	Cleberg Properties, LLC	Hagedorn Industrial Park SE ¼ - Lot 1, Block 3
14.	Parker LLC	Hagedorn Industrial Park SE ¼ - Lot 7, Block 2
15.	Salada Blue Investments, LLC	Hagedorn Industrial Park SE ¼ - Lot 6, Block 2
16.	Dorothy Hamran	Hagedorn Industrial Park SE ¼ - Lot 5, Block 2
17.	JMJ Properties, LLC	Hagedorn Industrial Park SE ¼ - Lot 4, Block 2
18.	JS Crossroads Properties LLC	Hagedorn Industrial Park SE ¼ - Lot 3, Block 2
19.	Lewis & Clark Rural Water System	Hagedorn Industrial Park SE ¼ - Lot 11, Block 2
20.	Smitty's Holdings, LLC	Hagedorn Industrial Park SE ¼ - Lot 10, Block 2
21.	James Waddell	Hagedorn Industrial Park SE ¼ - Lot 9, Block 2
22.	South Lake Capital MGMT LLC	Hagedorn Industrial Park SE ¼ - Lot 8, Block 2
23.	Rymax Rentals	Hagedorn Industrial Park SE ¼ - Lot 2, Block 3
24.	K & L Management Inc.	Hagedorn Industrial Park SE ¼ - Lot 4, Block 3
25.	Tomasz & Cynthia Stys	Hagedorn Industrial Park SE ¼ - Lot 6A, Block 3
26.	James Wipf	Hagedorn Industrial Park SE ¼ - Lot 6B, Block 3
27.	Driscoll Const. Properties, LLC	Hagedorn Industrial Park SE ¼ - Lot 8, Block 3
28.	Samuel Properties LLC	Hagedorn Industrial Park SE ¼ - Lot 4, Block 4
29.	Alex Klocker	Hagedorn Industrial Park SE ¼ - Lot 3, Block 4
30.	Donald & Shirley Kuhle	Hagedorn Industrial Park SE ¼ - Lot 2, Block 4
31.	Leon & Brenda Olson	Hagedorn Industrial Park SE ¼ - Lot 1, Block 4
32.	Rail to Road Inc.	Hagedorn Industrial Park SE ¼ - Lot 7, Block 5
33.	Donald Kuhle	Hagedorn Industrial Park SE ¼ - Lot 6, Block 5
34.	OHA Companies, LLC	Hagedorn Industrial Park SE ¼ - Lot 5, Block 5
35.	Tea for Two LLC	Hagedorn Industrial Park SE ¼ - Lot 4, Block 5

EXHIBIT D (Delayed Assessment Until Annexed)		
1.	Harvard Integrations	Hagedorn Industrial Park SE ¼ - Lots 1, 2, 12 & 19, (Ex. Lot H-1) Block 5
2.	Shoppes on Ten of Moorhead	Hagedorn Industrial Park SE ¼ - Lots 1, 2, 13 & 14 (Ex. Lot H-1), Block 2
3.	Harvard Integrations	Hagedorn Industrial Park SE ¼ - Lot 3, Block 5
4.	Shoppes on Ten of Moorhead	Hagedorn Industrial Park SE ¼ - Lot 12, Block 2
5.	Daylight Investments III, LLC	Hagedorn Industrial Park SE ¼ - Lot 1, Block 1 (Ex. Lot H-1)

Published once at the approximate cost of _____.