

City of Tea  
Regular Meeting  
July 20, 2020

A regular meeting of the Tea City Council was held at Tea City Hall on July 20, 2020 at 7:00 pm.

Mayor Lawler called the meeting to order at 7:00 with the following members present: Casey Voelker (via Zoom), Joe Weis, Sidney Munson, Chuck Ortmeier, Jim Erck and Todd Boots. Also present: City Administrator Dan Zulkosky, Planning & Zoning Administrator Kevin Nissen and Finance Officer Dawn Murphy.

**CONSENT AGENDA. MOTION 20-95. MOTION** by Weis, seconded by Ortmeier to approve the following July 20, 2020 consent agenda items:

- a) Approval of the July 20, 2020 Agenda
- b) Approval of the July 6, 2020 Meeting Minutes
- c) Approval of July 20, 2020 Claims (will be listed at the end of the minutes)
- d) Plat – Tracts 33 & 34 Southwest Industrial Park Addition
- e) Plat – Lots 7-14, Block 1; Lots 7-9 Block 2; Lots 16-18, Block 3; Lots 6-8 Block 4, Highpoint Estates 3<sup>rd</sup> Addition

All members voted AYE.

There were no public comments.

**VETERANS MEMORIAL.** Dick Gors updated the council on the progress of the Veterans Memorial. The Committee has formed a 501 (c) 3 organization. The memorial will be going forward and will be located on the northwest corner of the athletic complex, where the sign currently is.

**TEA CHAMBER FOR DEVELOPMENT (TCFD).** Chellee Unruh, President of the TCFD was present to review the organizations view of the future. She stated that due to COVID-19 many of the volunteers have been to busy to be active in the group. She is asking the Council to consider hiring a full-time person just to take care of their needs.

**CONDITIONAL USE PERMIT #20-03 AMENDMENT.** When CUP #20-03 was approved at a previous meeting Kevin presented the wrong design. He presented a 40-foot high sign and the owner wanted the 60-foot sign. Brandon Maddox, owner of Silencer Central has a purchase agreement on land to the south of where the sign would be. He feels the sign will block his visibility to the interstate. Mayor Lawler asked if a compromise of having a double stacked billboard farther north in the development would be acceptable to both parties. The consensus of the council was that they would support a double stacked billboard at a different location. It will still need to go through the CUP process. **MOTION 20-96. MOTION** by Voelker, seconded by Boots to deny the 60-foot billboard and support a double stack billboard at a different location. Members Voelker, Munson, Erck, Boots and Weis voted AYE. Member Ortmeier voted NO. Motion carried.

**SECOND READING OF ORDINANCE 279.** The council held the second reading of Ordinance 279. **MOTION 20-97. MOTION** by Boots, seconded by Erck to approve and Adopt Ordinance 279, An Ordinance of the City of Tea, SD Rezoning Gateway Addition Legally Known as Lot 2, Block 3, Gateway Park Addition, City of Tea from AG-Agriculture to GB General Business Commercial District and Amending the Official Zoning Map of the City of Tea. All members voted AYE. The ordinance will be published separately.

**CONDEMNATION RESOLUTION. RESOLUTUION 20-07-12. MOTION 20-98. MOTION** by Boots, seconded by Munson to approve the Resolution Authorizing the City Attorney to Institute Proceedings for Condemnation and Immediate Possession and Right of Entry of Described Land for Highway Purposes, and if Necessary File a Declaration of Taking in Accordance with the Provisions of SDCL §9-27-1, SDCL Ch . 21-35, SDCL Ch. 31-19 And Amendments Thereto. All members voted AYE. The resolution will be published separately.

**SITE PLAN. MOTION 20-99. MOTION** by Ortmeier, seconded by Erck to approve the site plan and building permit for construction of a 14,100 sq. ft. contractor shop/storage unit building for Leyva Drywall at 27177 Linda Ave, Lot 11, Block 4 Hagedorn Industrial Park. All members voted AYE.

**BUILDING PLANS. MOTION 20-100. MOTION** by Boots, seconded by Ortmeier to approve the interior build out plans and permit for DeGeest Steel Works, at 27190 470<sup>th</sup> Ave. All members voted AYE.

**SITE PLAN. MOTION 20-101. MOTION** by Munson, seconded by Boots to approve the site plan for J & R Mechanical to construct a 4,800 sq. ft. office/service building at 110 W. 2<sup>nd</sup> St. All members voted AYE.

**HDR AGREEMENT. MOTION 20-102. MOTION** by Ortmeier, seconded by Weis to approve the Amendment to Agreement for Engineering Services for the Gateway Boulevard (CR106) Phase 2 Improvements Project, adding \$156,112.55 to the contract, for a new contract amount of \$1,209,691.95. All members voted AYE.

**MOTION 20-103. MOTION** by Boots, seconded by Ortmeier to go into executive session at 8:47 pm, pursuant to SDCL 1-25-2 (3) legal. All members voted AYE. The council came out of executive session at 9:09 pm.

**MOTION 20-104. MOTION** by Ortmeier, seconded by Munson to adjourn at 9:09 pm. All members voted AYE.

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John M. Lawler, Mayor

ATTEST:

\_\_\_\_\_  
Dawn R. Murphy, Finance Officer

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**CITY OF TEA  
 WARRANTS PAID JULY 20, 2020**

**LEGISLATIVE 4111**

Independent Publishing	Publishing	341.09
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**FINANCE 4142**

Aflac	Insurance	616.96
Gordon Flesch Company	1/3 toner	365.66
Marco	1/3 copy lease	113.30

**ENGINEERING 4196**

HDR Engineering	General	4,362.50
HDR Engineering	Land development	4,907.50
HDR Engineering	Drainage	4,122.50
HDR Engineering	Streets	3,775.74
HDR Engineering	TAP	288.75
HDR Engineering	LRTP	495.00
HDR Engineering	Hagedorn Industrial Park	2,668.75
HDR Engineering	E. 1st St. Extension	19,346.05
HDR Engineering	GIS mapping	1,027.50

**PLANNING & ZONING/ECONOMIC DEVELOPMENT 4650**

Explorers Credit Union	Postage	20.10
HDR Engineering	Reviews	6,998.75
Independent Publishing	Publishing	76.35
Odland, Timothy	Inspections	5,200.00
Robertson, Steve	Inspections	1,200.00

**LIBRARY 4550**

Barnes & Nobel	Books	382.81
Vast	Internet	40.01

**GOVERNMENT BUILDINGS 4192**

Ace Hardware	Supplies	540.59
Anderson, Darla	Cleaning	100.00
City of Tea	Maintenance building water	82.80
City of Tea	City Hall High Flow	298.60
City of Tea	City Hall Low Flow	588.40
City of Tea	Community Hall-200 W. Maple	54.50
Custom Eyez Signs	Repair digital sign	2,369.90
Explorers Credit Union	Vacuum cleaner & supplies	609.48
Fareway	Supplies	114.21
Innovative Office Solutions	Supplies	37.66
Mid American Energy	510 S. Main	8.00

Mid American Energy	200 W. Maple St.	9.11
Mid American Energy	600 E. 1st St.	61.31
Vast	Maintenance building phone	118.42
Vast	City Hall	457.11
Verizon	Phones	275.33

**PUBLIC SAFETY 4210**

Ace Hardware	Supplies	23.45
City of Tea	Water	58.40
Explorers Credit Union	Adobe	191.57
Get N Go	Fuel	1,216.82
Leads Online	Subscription	1,068.00
Mid American Energy	Services	11.70
Midwest Alarm	Alarm Monitoring	87.00
Sioux Falls Area Humane Society	June services	286.29
Verizon	Phones	410.31
Watch Guard Video	Parts	34.50

**HIGHWAY/STREET 4312**

Action Electric	Repair ped crossings	165.31
Bierschbach	Saw blades, brush cutter	919.00
Casey's	Fuel	117.57
City of Tea	Heritage pkwy	348.50
Eastern Farmers Coop	Fuel	390.49
Independent Publishing	Bid notice	38.87
Kibble Equipment	Hitch link	71.31
O'Reilly	Supplies	176.09
Southeastern Electric	Repair street lights & locate	36.50
Southeastern Electric	Street lights	3,070.64
United Concrete	Curb & gutter repair	350.25
Vast	Phones	569.37
Xcel Energy	Street lights	3,502.71

**PARKS/RECREATION 4501**

Ace Hardware	Supplies	104.22
City of Tea	Baseball fields	1,215.80
City of Tea	Restroom	58.40
City of Tea	Flex fields	1,087.10
Explorers Credit Union	Gates for restroom windows	230.68
Midwest Turf	Deck tires	287.43
The Tessman Co.	Fertilizer	710.80
Verizon	Park camera	40.01

**WATER 601**

Casey's	Fuel	117.57
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City of Sioux Falls	Bact. Samples	261.00
Explorers Credit Union	Postage	175.00
Gordon Flesch Company	1/3 toner	365.67
HDR Engineering	85th St. Tower	20,537.93
HDR Engineering	Various	2,281.62
Hornstra, Amy	Water refund	23.84
Independent Publishing	Publishing	250.95
Krutsch, Rachel	Water refund	50.00
Kuzeppa, Mike	Water refund	23.84
Lewis & Clark	17,566,745 June usage	24,918.61
Marco	1/3 copy lease	113.29
Newman, Shannon	Water refund	11.59
SD One Call	Locates	147.28
Southeastern Electric	Towers	215.10

**SEWER 604**

Casey's	Fuel	117.58
Explorers Credit Union	Postage	175.00
Gordon Flesch Company	1/3 toner	365.67
HDR Engineering	Regionalization	5,208.35
HDR Engineering	93rd St. Sewer	1,230.00
Independent Publishing	Publishing	279.88
Malloy Electric	Vibration test on blowers	342.60
Marco	1/3 copy lease	113.29
SD One Call	Locates	147.28
Southeastern Electric	High Point lift station	158.22

**SPECIAL PARK FUND 201**

Ace Hardware	Supplies	34.99
Babb,Nathan	Umpire	120.00
Bialas, Gavin	Umpire	270.00
Explorers Credit Union	Baseballs	89.33
Ganschow, Sydney	SB Umpire	40.00
Gors, Cassidy	SB Umpire	15.00
Hansen, Addisyn	SB Umpire	30.00
Hansen, Kjerstin	SB Umpire	40.00
Hansen, Matt	SB Umpire	35.00
Jensen, Cameron	Umpire	150.00
Jibben, Lindsey	SB Umpire	50.00
Ljunggren, Troy	Umpire	130.00
McGregor, Carter	Umpire	90.00
Portner, Dawson	Umpire	510.00
Portner, Jeff	Reimburse for umpire pay & tournament registrations	1,497.02
Schupner, Bryn	SB Umpire	25.00
Slykhuis, Maddix	Umpire	60.00
Sports Engine	Background checks	484.50

Welch, Trevor	Umpire	120.00
<b>3RD PENNY/POOL/PARK EXPENSES 211</b>		
Ace Hardware	Supplies	34.99
Mid American Energy	Services	15.00
Vast	Phone	38.43
Verizon	Internet	40.01
<b>GATEWAY BLVD CAPITAL PROJECT 515</b>		
HDR Engineering	Gateway Blvd	101,540.02
Independent Publishing	Publishing	46.48
Meierhenry Sargent	Services	4,400.92
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		246,491.68

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**CITY OF TEA  
RESOLUTION 20-07-12**

**A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS FOR CONDEMNATION AND IMMEDIATE POSSESSION AND RIGHT OF ENTRY OF DESCRIBED LAND FOR HIGHWAY PURPOSES, AND IF NECESSARY FILE A DECLARATION OF TAKING IN ACCORDANCE WITH THE PROVISIONS OF SDCL §9-27-1, SDCL CH . 21-35, SDCL CH. 31-19 AND AMENDMENTS THERETO.**

**BE IT RESOLVED BY THE CITY OF TEA COMMON COUNCIL AS FOLLOWS:**

WHEREAS, the City of Tea, South Dakota, has set up for reconstruction, relocation, alteration, and widening of Gateway Boulevard (CR 106), the Phase 2 Improvements, the same being a City street in the City of Tea, South Dakota.

AND, WHEREAS, the construction of said project as planned will require the acquiring of additional land for right-of-way and temporary easement, either by purchase or condemnation.

AND, WHEREAS, the City of Tea has been unable to acquire the following described right-of-way and temporary easement necessary for the construction of said project by purchase or agreement with the owners to-wit:

Description of the land to be acquired for right-of-way:

Lot H1 in Tract 4 of Jongeling's Addition in the NW¼ of Section 25, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota. Said Lot H1 containing 2,456 sq. ft. or 0.056 acres, more or less.

Lot H1 in the South Half (S1/2) of Tract 1B, Southwest Industrial Park in the East Half of the Southeast Quarter (E1/2SE1/4) of Section 24, Township 100 North, Range 51 West of the 5<sup>th</sup> P.M., Lincoln County, South Dakota, according to the recorded plat thereof. Said Lot H1 containing 6765 sq. ft. or 0.16 acres, more or less.

Lot H1 in Tract 36, except Lot A in Sky Haven Heights Addition in the NW1/4 of Section 30, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota. Said Lot H1 containing 15,142 sq. ft. or 0.35 acres, more or less.

Lot H1 in the West 1,557 feet of the NE1/4 of Section 25, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota. Said Lot H1 containing 1,713 sq. ft. or 0.04 acres, more or less.

Also elimination of access to:

Ingress and egress to Lincoln County, Township, and/or City Roadway 106 at Station 63+05 Lt. from the real property lying immediately along, adjacent, described as Lot B, Town of Bucksnot (unincorporated town) in the Southwest Quarter (SW1/4) of Section 24, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota, according to the recorded plat thereof.

Also a temporary easement in:

Tract 1 of Income Addition in the NW¼ of Section 25, Township 100 North, Range 51 West of

the 5th P.M., Lincoln County, South Dakota.

Lot B, Town of Bucksnot (unincorporated town) in the Southwest Quarter (SW1/4) of Section 24, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota, according to the recorded plat thereof.

The South Half of Tract 1B, Southwest Industrial Park in the E1/2 SE1/4 of Section 24, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.

And also permanent/temporary easement in:

Lot 1 of Income Addition in the NW1/4 of Section 25, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.

Tract 4 of Jongeling's Addition in the NW1/4 of Section 25, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.

Tract 36, except Lot A in Sky Haven Heights Addition in the NW1/4 of Section 30, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota, according to the recorded plat thereof.

The West 1,557 feet of the NE1/4 of Section 25, Township 100 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota.

IT IS HEREBY DECLARED NECESSARY to obtain said right-of-way by condemnation, and the City of Tea does hereby authorize and request the City Attorney of Tea to institute proceedings for condemnation and immediate possession and right of entry of said above described land for highway purposes, including, if necessary, filing a Declaration of Taking in accordance with the provisions of SDCL §9-27-1, SDCL Ch. 21-35, SDCL Ch. 31-19 and amendments thereto.

IT IS HEREBY FURTHER DECLARED NECESSARY to obtain by condemnation, right-of-way, temporary construction easements and permanent easements. The City of Tea Common Council does hereby authorize and request the City Attorney of Tea to institute proceedings for condemnation and immediate possession and right of entry of said above described land for highway purposes, and if necessary file a Declaration of Taking in accordance with the provisions of SDCL §9-27-1, SDCL Ch. 21-35, SDCL Ch. 31-19 and amendments thereto.

Dated this 20<sup>th</sup> day of July, 2020

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John M. Lawler, Mayor

ATTEST:

\_\_\_\_\_  
Dawn R. Murphy, Finance Officer

Members voting in favor: Munson, Ortmeier, Erck, Boots, Weis & Voelker

Members voting against: NONE

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