

City of Tea
Regular Meeting
August 18, 2025

The regular meeting of the Tea City Council was held at Tea City Hall on August 18, 2025 at 6:00 pm.

Mayor Casey Voelker called the meeting to order at 6:00 pm with the following members present: Aaron Otten, James Erck, Terry Woessner, Josh Chapman and Lynn DeYoung. Also present: City Administrator Justin Weiland, Finance Officer Dawn Murphy, Community Development Director Albert Schmidt and City Engineer Ben Scholtz. Absent: Councilmember Ruby Zuraff

AGENDA. MOTION 25-101. MOTION by Otten, seconded by DeYoung to approve the August 18, 2025 Agenda. All members voted AYE.

CONSENT AGENDA. MOTION 25-102. MOTION by Woessner, seconded by Otten to approve the following consent agenda items:

1. August 4, 2025 Minutes
2. August 18, 2025 Claims (claims will be listed at the end of the minutes)
3. Replat – Lots 4A=4B & 5, Block 4, Bakker Landing 1st Addition
4. Anniversary Date :
 - 8/15 Marcus Van Lingen \$35.95 per hour
 - 8/12 Tracy Grey, \$32.56 per hour
 - 8/12 Avery Fenne

All members voted AYE.

PUBLIC COMMENTS. Delmer Otten, 620 S. Mary Drive questioned the council on why he has to mow his double frontage lot. He has not had to mow it in the past.

The Council adjourned the City Council Meeting and reconvened as the Board of Adjustments.

CUP 25-05. A Conditional Use Application has been received for contractor shops with outside storage at 2120 E Market St. There were no comments for or against the permit. Staff recommends approval with conditions. **MOTION 25-102 MOTION** by DeYoung, seconded by Chapman to approve Conditional Use Permit #25-05, with conditions, for contractor stops with outside storage at 2120 E Market Street. All members voted AYE.,

VARIANCE 25-03. The City is building an additional St. Maintenance building on the lot that the current building is located. The lot is zoned as Natural Resource Conservation and the required setback is 60-feet. The City would like to reduce the setback to 50 feet to match up with the current building. **MOTION 25-103. MOTION** by Otten, seconded by Erck to approve the 50 foot setback at 510 S. Main Ave. All members voted AYE.

The Board of Adjustment adjourned, and the City Council reconvened.

85TH ST. INTERCHANGE. Shannon Ausen, Engineering Program Manager for the City of Sioux Falls updated the Council on the 85th St. Interchange project. They plan on bidding the project on October 15.

RESOLUTION 25-08-05. MOTION 25-104. MOTION by Otten, seconded by Erck to approve the following resolution. All members voted AYE. **RESOLUTION 25-08-05. RESOLUTION ESTABLISHING JURISDICTIONAL AND GROWTH AREA BOUNDARY LINES BETWEEN THE CITY OF TEA AND THE CITY OF SIOUX FALLS.** WHEREAS, SDCL §9-12-4 allows every municipality to enter into agreements with a subdivision or unit of government from the state to carry out any authorized municipal function; and WHEREAS, the future growth and development of unincorporated areas on the outskirts of Tea and Sioux Falls are guided by the municipalities' comprehensive plans; and WHEREAS, the City of Tea and the City of Sioux Falls have recently adopted or will be adopting updates to their comprehensive plans; and WHEREAS, a joint jurisdictional boundary shall not exceed six miles from the municipal boundary and shall be delineated in a comprehensive plan, unless

otherwise agreed to by the governing body of each municipality having a planning commission; and WHEREAS, the City of Tea and the City of Sioux Falls recognize the need to provide for logical municipal boundaries and areas of municipal authority between their respective municipalities in order to plan effectively and efficiently for the growth and potential development between their communities and the conservation of available resources for their respective residents; and WHEREAS, the City of Tea and the City of Sioux Falls determined that it would be in the best interest of each municipality and its residents to enter into an agreement establishing a mutual jurisdictional boundary line for the growth areas, future annexations, and future connections to city services; NOW, THEREFORE, BE IT RESOLVED that the City of Tea and the City of Sioux Falls hereby agree that this mutual jurisdictional and growth boundary agreement be made in accordance with the following:

Section 1: The provisions of the preamble set forth above are hereby restated and incorporated herein.

Section 2: The mutual jurisdictional growth boundaries ("Subdivision Platting Boundaries") depicted on the map attached as Exhibit A is hereby approved and adopted by the City of Tea and the City of Sioux Falls (Resolution #0057 – adopted 08-12-2025) for all purposes of this agreement.

Section 3: The municipalities shall honor the Subdivision Platting Boundaries in effecting future annexation of territory that is presently unincorporated. Without prior written consent of the other municipality to the contrary, the City of Tea will not annex any territory within the City of Sioux Falls' jurisdiction area, and the City of Sioux Falls will not annex any territory within the City of Tea's jurisdiction area.

In addition, upon the joint adoption of the respective governing bodies of the Subdivision Platting Boundaries, the City of Tea and the City of Sioux Falls hereby agree to waive any right to challenge or otherwise contest the validity of any annexation the other municipality has effected, is effecting, or will effect in the future for any territory located within the other municipality's jurisdiction area.

Section 4: This agreement shall become effective upon the adoption of the Subdivision Platting Boundaries, as shown in Exhibit A, by the City of Tea and the City of Sioux Falls and will remain in full force and effect until both municipalities agree to review the boundaries.

Section 5: This agreement shall be in accordance with the laws of the state of South Dakota.

Section 6: That the City of Tea shall publish this resolution without attachments after its passage. The attachments are on file and available for inspection with City Hall.

Dated this 18th Day of August 2025.

Casey Voelker, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

RESOLUTION 25-08-06. MOTION 25-105 MOTION by Otten, seconded by Erck to approve the following resolution. All members voted AYE. **RESOLUTION 25-08-06 A RESOLUTION ESTABLISHING JURISDICTIONAL AND GROWTH AREA BOUNDARY LINES BETWEEN THE CITY OF TEA AND THE CITY OF HARRISBURG.** WHEREAS, SDCL § 9-12-4 allows every municipality to enter into agreements with a subdivision or unit of government from the state to carry out any authorized municipal function; and WHEREAS, the future growth and development of unincorporated areas on the outskirts of TEA and HARRISBURG are guided by the municipalities' comprehensive plans; and WHEREAS, City of TEA and City of HARRISBURG either have recently or will be adopting updates to their comprehensive plans; and WHEREAS, a joint jurisdictional boundary shall not exceed six miles distance from the municipal boundary and shall be delineated in a comprehensive plan, unless otherwise agreed to by the governing body of each municipality having a planning commission; and WHEREAS, City of TEA and City of HARRISBURG recognize the need to provide for logical municipal boundaries and areas of municipal authority between their respective municipalities in order to plan effectively and efficiently for the growth and potential development between their communities and conservation of available resources for their respective citizens; and WHEREAS, City of TEA and City of HARRISBURG determined that it will be in the best interest of each municipality and citizens thereof to enter into an agreement establishing a mutual jurisdictional boundary line for the growth areas, comprehensive planning, and future connections to city services. NOW, THEREFORE, IT IS RESOLVED that the City of TEA and the City of HARRISBURG hereby agree that this mutual jurisdictional and growth boundary agreement be made in accordance with the following:

Section 1: The provisions of the preamble set forth above are hereby restated and incorporated herein.

Section 2: The mutual jurisdictional growth boundary line (“Subdivision Platting Boundary Line”) depicted on the map attached as Exhibit A is hereby approved and adopted by City of TEA and City of HARRISBURG for all purposes of this Agreement;

Section 3: The municipalities shall honor the Subdivision Platting Boundary Line in consideration of future growth discussion and plans. Without prior written consent of the other municipality to the contrary, City of TEA will not show growth beyond any territory within City of HARRISBURG ‘jurisdiction area and City of HARRISBURG will not show growth beyond any territory within City of TEA’s jurisdiction.

Section 4: This agreement shall become effective upon the adoption of the Subdivision Platting Boundary Line, as shown in Exhibit A, by the City of TEA and the City of HARRISBURG, and will remain in full force and effect until both municipalities agree to review the boundaries.

Section 5: This agreement shall be in accordance with the laws of the State of South Dakota.

Section 6: That the City shall publish this resolution without attachments after its passage. The attachments are on file and available for inspection with City Hall.

Adopted this 18th day of August, 2025.

Casey Voelker, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

RESOLUTION 25-08-07. MOTION 106. MOTION by DeYoung, seconded by Woessner to approve the following resolution. All members voted AYE. **RESOLUTION 25-08-07. RESOLUTION CONSENTING TO A TRANSFER OF CONTROL OF FRANCHISE.** WHEREAS, Clarity Telecom, LLC (“Franchisee”) currently holds a cable television franchise (“Franchise”) granted by the City of Tea (“Municipality”) authorizing Franchisee to own and operate a cable television system in the Municipality; and WHEREAS, Franchisee intends to undertake a series of internal transactions (the “*Pro Forma Asset Transfer*”) that will result in the transfer of the Cable TV system and franchise to an indirect, wholly owned subsidiary of Franchisee to be designated at closing (“Bluepeak Subsidiary”). Bluepeak Subsidiary will assume all duties, rights and responsibilities pertaining to the operation of the Cable TV System pursuant to the Franchise granted by the Municipality, which will continue unchanged in full force and effect. Bluepeak Subsidiary will be managed and operated by Franchisee in all material respects, and the *Pro Forma Asset Transfer* will not result in any change to the services, rates, terms, or conditions currently offered by Franchisee. And WHEREAS, Franchisee and Bluepeak Subsidiary, requested that Municipality consent, to the extent required, to the *Pro Forma Asset Transfer* as described in the FCC Form 394 (Application for Franchise Authority Consent to Transfer of Control of Cable Television Franchise) filed with Municipality (“394 Application”); and WHEREAS, Municipality has reviewed the 394 Application and will consent to the *Pro Forma Asset Transfer* as described in the 394 Application. NOW, THEREFORE, MUNICIPALITY RESOLVES:

1. Municipality consents to the transaction and resulting *Pro Forma Asset Transfer*.
2. Municipality confirms the Franchise is valid and in full force and effect.
3. The Clerk of Municipality is authorized to enter into, execute, and deliver on behalf of Municipality this consent, along with other documents as may be necessary evidencing this Resolution without further action by this governing body.

Adopted this 18th day of August, 2025.

Casey Voelker, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

SPECIAL ASSESSMENT ROLL HEARING. MOTION 25-107. MOTION by Erck, seconded by Otten to set the Special Assessment Roll hearing for the Hagedorn Industrial Park Project and 272nd St. AKA E. 1st St. Special Assessment Roll Public Hearing date on September 22. All members voted AYE.

FENCE ORDINANCE. Community Development Director Schmidt presented examples of fencing ordinances. The Council gave feedback and provided direction towards the creation of an amended fence zoning ordinance.

MOTION 25-108. MOTION by Chapman, seconded by DeYoung to adjourn at 7:03 pm. All members voted AYE.

Casey Voelker, Mayor

ATTEST:

Dawn R. Murphy, Finance Officer

Published once at the approximate cost of _____

**CITY OF TEA
WARRANTS PAID AUGUST 18, 2025**

Vendor	Description	Amount
Avera Occupational Medicine	Drug testing	69.50
Bluepeak	Phones	1,044.61
Builders Electric	Bore conduit	1,400.00
Butler Equipment	Parts	17.60
City of Sioux Falls	Bact. Samples	210.96
City of Tea	Water	3,909.95
Dakota Pump	Repair pump	900.00
Direct Technologies	Computer service	29.34
Dust-Tex	Rug service	38.43
Eastern Farmers Elevator	Fuel	471.98
Fareway Foods	Supplies	396.07
Ferguson	Parts	624.74
First Dakota Horticulture	Replace tree at 530 S Mary Dr	844.29
Get N Go	Fuel	1,948.79
Glass Doctor	Replace windshield	440.30
Graybar	Light fixtures	6,546.00
Hawkins	Pool chemicals	1,224.40
Hawkins	Lagoon chemicals	605.00
HDR Engineering	Transportation Plan	6,828.46
HDR Engineering	85th St.	9,814.89
Innovative	Supplies	92.91
Lacey Rentals Inc.	Toilet	180.00
Lennox Independent	Publishing	533.22
Mid American Energy	Services	439.30
Midwest Alarm	Alarm monitoring & alarm testing	538.77
MRG Hauff	Soccer shirts	1,972.00
Pheasantland	Stadium cup	12.85
Robertson, Steve	July inspections	3,120.00
SD Board of Operator Certification	Water exam	60.00
Sioux Falls Area Humane Society	July services	928.70
Sioux Sales Company	PD clothes	891.04
Siteone	Irrigation supplies	36.72
South Dakota One Call	Locates	226.24
Southeastern Electric	Services	5,383.59
Toshiba	Copy lease	198.54
Verizon	Phones	1,030.63
White, Taylor	Training expenses	508.55
Xcel Energy	Services	3,618.18

57,136.55