

**City of Nickerson
15 N. Nickerson
Nickerson, KS 67561**

**Regular City Council Meeting
Monday, January 04, 2010**

Mayor: Bill Golding

Council: Nick Neahring – President, Brian Rife, Marlene Smith, Skip Russell, Dale Brown,
Brad Berridge

Employees Present: Shari Anderson, Larry Eckhoff, Mark Gomes, Phyllis Richardson

Guests: David Richardson, Kenny Burgess, Amanda Stephenson, Robert Hiebert, Aryn Hedrick,
Steve Rivas (Gilmore Solutions), Ken Stephens (Hutchinson News)

Attorney: Mr. Henry was at the meeting.

The Pledge of Allegiance was recited.

Roll Call: Neahring, Rife, Smith, Berridge, Russell, Brown

Absent: None

The Regular City Council meeting was called to order by Mayor Golding at 7:00 p.m. on
Monday January 04, 2010 at Nickerson City Hall

Approval of Agenda, Minutes & Payables

1. **Approval of the Minutes of the December 28, 2009 FEMA Hearing/Regular Council Meeting.** Council Member Rife said that we need to change Mr. Stromberg's name to Mr. Stroberg in the Public Comment section. Shari said that Mr. Stroberg's name would be changed in the minutes. Motion made and seconded by Council Member Berridge and Council Member Neahring to approve the minutes of the January 04, 2010 Council Meeting. Motion carried by the following vote: **YES:** Neahring, Rife, Smith, Berridge, Russell, Brown **NO:** None **ABSENT:** None

2. **Approval of the Agenda with Additions.** Motion made and seconded by Council Member Rife and Council Member Berridge to approve the agenda with the following additions: would have Web Page after the CDBG Survey under Old Business, an Executive Session (financial) for 10 minutes before New Business, and under New Business Zoning Change after 2009 Audit Contract. Motion carried by the following vote: **YES:** Neahring, Berridge, Smith, Rife, Russell, Brown **NO:** None **ABSENT:** None

- 3. Approval of the January 04, 2010 Payables.** Motion made and seconded by Council Member Neahring and Council Member Rife to approve the payables. Motion carried by the following vote: **YES:** Neahring, Rife, Berridge, Smith, Russell, Brown **NO:** None **ABSENT:** None

CITY ATTORNEY – Mr. Henry informed the Council that Verizon has agreed to the modification of the Lease Agreement with the City. He recommends the Council approval of the agreement. Motion made and seconded by Council Member Russell and Council Member Rife to approve the Verizon Lease Agreement with the City. Motion carried with the following vote. **YES:** Rife, Brown, Smith, Berridge, Neahring, Russell **NO:** None **ABSENT:** None

OLD BUSINESS:

- 1. CDBG Survey** – There was discussion on when this survey needs to be sent out to our customers and giving a 10% discount off their utility bill when they turn in the survey. Council Member Berridge said that Ms. McCrory needs the survey by February. Motion made and seconded by Council Member Rife and Council Member Berridge to send the survey out this week. A letter would go out with the survey to tell the customers that when they turn in this survey, they would receive 10% off their utility bill. Motion carried with the following vote. **YES:** Rife, Brown, Smith, Berridge, Neahring, Russell **NO:** None **ABSENT:** None
- 2. Web Page** – Steve Rivas from Gilmore Solutions talked to the Council about updating the City's Web Page. He showed the City of Lyons web page and what the City's Web Page could look like. He said that it would take between 15 to 20 hours, so the cost would be around \$1,800. He told the Council that they need to decide what they want on the web page. He was thanked for coming to our meeting.

Executive Session (financial) for 10 minutes. Motion made and seconded by Council Member Rife and Council Member Berridge to recess into executive session for ten minutes. Motion carried by a show of hands. 7:44 p.m.

Mayor Golding called the meeting back to order. No action was taken. 7:54 p.m.

NEW BUSINESS:

- 1. CMB License for Dixie's Deli Bar and Grill** – Robert Hiebert came to the Council to ask they approve a CMB License for his new eating establishment. It would be open as a family establishment. The deli bar and grill hopefully, after renovations are done, would open in February. It would be open: Monday – Thursday 11 a.m. to 10 p.m., Friday – Saturday 11 a.m. to 12 p.m. (midnight), and would be closed on Sunday. Motion made and seconded by Council Member Berridge and Council Member Russell to approve the CMB License for Dixie's Deli Bar and Grill. Motion carried with the following vote. **YES:** Smith, Berridge, Neahring, Russell, Rife, Brown **NO:** None **ABSENT:** None

2. **2009 Audit Contract** – The Council discussed the audit contract. Motion made and seconded by Council Member Brown and Council Member Neahrng to approve the 2009 Audit Contract contingent on the audit being done in February. Motion carried with the following vote. **YES:** Russell, Rife, Brown, Smith, Berridge, Neahrng. **NO:** None **ABSENT:** None

3. **Zoning Change** – The Council did not talk about the change.

OFFICERS REPORT

Council Member Rife – He wanted to say that he was impressed with Steve Rivas from Gilmore Solutions on the city's web page. He said that we should proceed with updating the web page with Gilmore Solutions. Motion made and seconded by Council Member Russell and Council Member Brown to contact Gilmore Solutions to help with updating the web page and to have two contact individuals: Shari Anderson (primary) and Brian Rife (secondary). Motion carried with the following vote. **YES:** Berridge, Neahrng, Russell, Rife, Brown, Smith **NO:** None **ABSENT:** None

He also wants to have a workshop on the 2009 transfers and encumbrances. It was decided to have this workshop on January 13, 2010 at 7 p.m. right here at City Hall.

Council Member Brown – He wanted to know how many applications there are for the position of Police Chief. The Mayor said there are six applications and if they meet the minimum qualifications, the city will be doing background checks on these applicants. Council Member Brown wanted the Council to be more involved with the hiring process. The Mayor said that they would be able to see all of these applications. Council Member Smith asked why we are looking to replace the Chief when he has not given the Council a day of his retirement. The Mayor said that he would retire when they approve of his replacement. At that point, the Chief wanted to say something to the Council. He said that “Everything I have done has been in the best interest of the City of Nickerson and last May a majority of this council decided to regress rather than progress or maintain. He said that he decided it was time to move forward and that he was resigning effective immediately. At that moment Council Member Brown made a motion and Council Member Smith seconded it to accept his resignation. Motion carried with the following vote: **YES:** Neahrng, Russell, Rife, Brown, Smith, Berridge **NO:** None **ABSENT:** None

Motion was then made by Council Member Russell and Council Member Neahrng to appoint April Addis as acting Chief of Police. Motion carried with the following vote: **YES:** Neahrng, Russell, Rife, Berridge **NO:** Brown, Smith **ABSENT:** None

He then brought up 100 S Nickerson Street, because nothing is being done about the upkeep of this property. Mark Gomes will inspect and contact the owners about what they plan on doing with the property.

He wanted to know if the city could go to have all the governing body voted on at large instead of only in their Wards. Mr. Henry said that there are legal statutes that need to be addressed to change the method of voting on our elected officials. Mr. Henry will look into this matter and get back with the Council.

Mark Gomes, Maintenance – He told the Council that there was a meeting on the dewatering problem with the lagoon project. He would talk to the Council about the solution at the next meeting.

Shari Anderson, Administration – She passed out to the Council a bid that would be sent to insurance companies on January 19, 2010. She asked them to look it over and if they want any changes to contact her by January 13, 2010.

Bill Golding, Mayor – He informed the Council of the following December overtime: police department had ten hours and maintenance had two hours. He wanted to wish Michael Kelsey a happy birthday on the eighth. He called Daniel Burns and told him that the City was not interested with him filming at the cemetery. He passed out changes in the Personnel Manual that he wanted the Council to approve. The Council talked about the wording under Section 3: Merit Salary Increases. They are uncomfortable with the phrase “and shall be considered automatic”. Motion made and seconded by Council Member Brown and Council Member Berridge to approve the changes and omitting of the phrase “and shall be considered automatic. Motion carried with the following vote: **YES:** Berridge, Smith, Brown, Rife, Russell, Neahrng **NO:** None **ABSENT:** None

There being no further business, motion made and seconded by Council Member Smith and Council Member Berridge to adjourn at 8:45 p.m. A Motion was carried by a show of hands.

Official