

**CITY OF NICKERSON
15 N. NICKERSON
NICKERSON, KS 67561**

REGULAR COUNCIL MEETING

Monday, January 7, 2013

MAYOR: Jim Gladden

COUNCIL: Brad Berridge – President, Linda Fleming, Dale Brown, Jim Koon, Skip Russell, Mike McLemore

EMPLOYEES

PRESENT: Mark Gomes, Robin Schmitt, Rick Sims,

GUESTS: Dan Schmitt

ATTORNEY: Stan Juhnke

ROLL CALL: Berridge, Russell, Koon, Brown, Fleming, McLemore

ABSENT:

The Regular City Council meeting was called to order by Mayor Gladden at 7:00 p.m. on Monday, January 7, 2013 at Nickerson City Hall.

APPROVAL OF MINUTES, AGENDA, & PAYABLES – each item limit to 15 minutes

Motion made and seconded by Council Member Berridge and Council Member Russell to approve the December 17, 2012 Minutes with the following correction. Under Officers Reports: Paragraph 6, Line 1, change “evident locker to evidence locker”. Motion carried by the following vote: **YES:** McLemore, Russell, Koon, Brown, Fleming, Berridge, **NO:** None

Motion made and seconded by Council Member Fleming and Council Member Berridge to approve the Agenda as written. Motion carried by the following vote: **YES:** Berridge, Fleming, Brown, Koon, Russell, McLemore, **NO:** None

Mayor Gladden confirmed the payable to KDHE for \$11,506.14 was for loan #2428.

Motion to approve the January 7, 2013 payables was made and seconded by Council Member McLemore and Council Member Berridge. Motion carried by the following vote: **YES:** Brown, Koon, Russell, McLemore, Berridge, Fleming, **NO:** None **ABSTAIN:**

Mayor Gladden thanked City Clerk Schmitt for the meeting outline she prepares and places in the Council packets.

CITY ATTORNEY Stan Juhnke – Absent

PUBLIC COMMENTS – None

OLD BUSINESS

Resolution 2013-01 – A resolution pertaining to the Kansas Mutual Aid Program for Utilities Agreement. Motion was made and seconded by Council Member Russell and Council Member Berridge to adopt Resolution 2013-01. Motion carried by the following vote: **YES:** Koon, Brown, Fleming, Berridge, McLemore, Russell, **NO:** None

Mayor Gladden confirmed with Superintendent Gomes and City Clerk Schmitt that they will complete the rate schedule required by the resolution.

NEW BUSINESS

Library and Recreation Commission audit exclusion discussion – Under the new guidance from KMAAG (Kansas Municipal Auditing and Accounting Guide), the Council can elect not to include the Library and Recreation Commission on the audited annual financial statements. Discussion ensued. The Council decided not to vote to exclude the Library and Recreation Commission from the financial statements; therefore, they will still be included in the audited annual financial statements.

Cell Phone Reimbursement for Office Staff – City Clerk Schmitt asked that both she and Clerk Sims be included in the cell phone reimbursement allowance that the maintenance crew receives since their cell phones are utilized to receive the forwarded after hours and weekend calls as well.

Motion was made and seconded by Council Member Brown and Council Member Russell to include City Clerk Schmitt and Utility Clerk Sims in the cell phone reimbursement allowance of \$25 per month. Motion carried by the following vote: **YES:** Koon, Brown, Fleming, Berridge, McLemore, Russell, **NO:** None

OFFICERS REPORT

Council Member McLemore asked if anyone had contacted the City Attorney about getting the paperwork started for purchasing the land from Mr. Golding for the Community Center. City Clerk Schmitt and Council member Berridge will contact attorney Stan Juhnke about the purchase.

Superintendent Gomes requested approval to get the ladder system inspected on the North Water Tower. Gomes was only able to find one company out of Kansas City that does those types of inspections and they charge \$500 for the inspection and 55 cents per mile. Council Member McLemore suggested trying Kansas Farmer Service out of Hutchinson to see if they would inspect a ladder system on a water tower.

Motion was made and seconded by Council Member Berridge and Council Member Russell to approve the inspection of the ladder system by the company chosen by Superintendent Gomes. Motion carried by the following vote: **YES:** Russell, McLemore, Berridge, Fleming, Brown, Koon, **NO:** None

Superintendent Gomes also requested approval to purchase electric heaters for pump houses 6, 7, and 8. The current heaters are very old, inefficient gas heaters and the electric heaters would be much safer and economical. The cost for the heaters would be about \$3000.

Motion was made and seconded by Council Member McLemore and Council Member Berridge for Superintendent Gomes to take the steps to change the heaters in pump houses 6, 7, and 8 to electric heaters. Motion carried by the following vote: **YES:** Fleming, Berridge, McLemore, Russell, Koon, Brown, **NO:** None

City Clerk Schmitt reminded the Council members who have not turned in their surveys for Ron Hirst, to bring them to the workshop on January 7. Clerk Schmitt also reminded the Council to attend the Police Department election workshop on Wednesday, January 09, 2013 at 7 p.m.

Mayor Gladden asked Superintendent Gomes for an update on the horse situation. Gomes explained that the horses are still in the care of the City at a vendor's property. Gomes had contacted Mrs. Sacks to return the horses to her on Friday but she was unable to take possession of them until Monday. Mrs. Sacks instructed Gomes to call her on Monday 10 a.m. to arrange for delivery of the horses but she did not answer the phone and a message was left for her to call the office. Gomes will try to call her again tomorrow. Mayor Gladden asked if Mrs. Sacks would be responsible for the bill and Gomes confirmed that she will be. Council Member Koon asked for the background information on this situation and Gomes explained that the City had received several complaints about 12 neglected horses being kept within the City limits on a property not large enough to keep horses. The City then attempted to contact her informally to resolve the issue and was unable to make contact. In the mean time, one of the horses had died, therefore the City removed the dead horse and buried it and moved the others to a location where they could be treated for illness and fed.

Mayor Gladden reported that Kenny Burgess has ordered the narrow band, base station receiver for the Tornado siren. City Clerk Schmitt confirmed the bill had come in at \$314.00.

Council discussed the damages incurred by the City due to Chief Kelsey destroying the hard drives in the Police Department laptop and pc computers. The Council directed Council Member Berridge and City Clerk Schmitt to take the issue to the City Attorney. The discussion was tabled until the City Attorney could be consulted.

Council Member Fleming asked how the Eldridge house which burned down in December would be cleaned up. Council Member McLemore stated it should be up to the insurance company and the owner of the property. Clerk Schmitt reported that one of the relatives had called the office to get information about the fire. One option may be that the City clean it up and place a lien on the property. Superintendent Gomes reported that the City has pushed the debris down so there would not be any danger of anything falling on someone.

Mayor Gladden reported that there were only two utility shut offs this month.

THERE BEING NO FURTHER BUSINESS, motion made and seconded by Council Member Brown and Council Member Fleming to adjourn at 7:31 p.m. A Motion was carried by a show of hands.

Official