

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

REGULAR COUNCIL MEETING

Monday, February 20, 2017

MAYOR: Jim Gladden

COUNCIL: Jon Rohling – President, Brad Berridge, Trent Gilbert, Angela Richard, Jane Jenkins, Angela Cottrell

ATTORNEY: Stan Juhnke

ROLL CALL: Berridge, Gilbert, Richard, Jenkins,

ABSENT: Rohling, Cottrell

The Regular City Council meeting was called to order by Mayor Gladden at 7:00 p.m. on Monday, February 20, 2017 at Nickerson City Hall.

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

Motion made and seconded by Council Member Jenkins and Council Member Gilbert to approve the January 16, 2017 Meeting Minutes. Motion carried by the following vote: **YES:** Gilbert, Richard, Jenkins, Berridge **NO:** None

Motion made and seconded by Council Member Richard and Council Member Berridge to approve the Agenda as written. Motion carried by the following vote: **YES:** Berridge, Jenkins, Richard, Gilbert, **NO:** None

Motion was made and seconded by Council Member Jenkins and Council Member Richard to approve the February 20, 2017 Payables. Motion carried by the following vote: **YES:** Richard, Gilbert, Jenkins, **NO:** None **ABSTAIN:** Berridge,

CITY ATTORNEY

PUBLIC COMMENTS – Amy Jones, Nickerson Elementary School Principal, presented a map and information about the Panther Prowl 5K run scheduled for March 18th at 9a.m. Some street closures may be needed. The City employees will review the route and place warning signs and/or closures as needed.

Sid Arpin with BG Consultants asked if the Council would be interested applying for a CDBG grant for City improvements such as city facilities, water or sewer

system improvements, and streets. If the City is interested, he would like to make a presentation for a project. Any application that is done will require a preliminary engineering report that identifies the need in that area. The grant funds from the State have been increased from \$400,000 to \$500,000. The program kicks off in April for the workshops and information on the grants. Applications are due sometime in October. Mayor Gladden stated he would visit with the City Superintendent and let Sid know if the Council decides to pursue a project.

OLD BUSINESS

Jakob Tuxhorn, Eagle Scout Project – Jakob Tuxhorn, who installed the disc golf course at the City park for his Eagle Scout project, was awarded his Eagle Scout award on February 15, 2017. Council congratulated him on his wonderful accomplishment. Jakob presented the warranty paperwork on the disc golf course, the extra money he collected for the project which the City will use for maintenance of the disc golf course, and a set of discs for the City to loan out or hang up on a wall.

NEW BUSINESS

Street Closing Request – Council discussed the street closure request for the Panther Prowl 5K run.

Motion was made and seconded by Council Member Gilbert and Council Member Berridge to authorize the City employees to review the route of the 5K run and the event schedule for ball games and to close streets and put up warning signage as needed. Motion carried by the following vote: **YES:** Gilbert, Richard, Jenkins, Berridge, **NO: Abstain:**

Pitt Bull & Rottweiler Ordinance Discussion – Clerk Schmitt explained that the City has a vicious dog ordinance in place which covers all breeds of dogs and how the ordinances prohibiting Pitt Bull and Rottweiler dogs in the City can be a liability for the City since proving the breed of a dog, especially mixed breed dogs, can be almost impossible. A letter from Ark Veterinary Services also explains how difficult it is to prove the breed of a dog. If a dog is vicious, no matter the breed, then it will be handled according to City Code; therefore, the ordinances pertaining specifically to Pitt Bulls and Rottweilers are not necessary. The Pitt Bull and Rottweiler articles of the City Code have also been used by citizens who have lived near a Pitt Bull or Rottweiler for months or years and never reported it to the City until they have a disagreement with the dog owner over something that has nothing to do with the dog and then they report the dog and want it removed. The City then must go and remove a dog for no other reason than its breed. Council Member Jenkins voiced concern about dogs running at large and the leash laws not being enforced. Jenkins also wants an action plan in place so the citizens know what to do after 5 p.m. Clerk

Schmitt said she would make sure that every complaint that is filed with the City is followed up on and that sometimes a dog that is running at large is very difficult and sometimes impossible to catch. Even so, the owners can still be brought to court for allowing their dog to run loose. Clerk Schmitt said it would help if citizens would take pictures with their cell phones of the dogs running at large since the dogs are so hard to catch. Council Member Berridge stated that the City has been fortunate that the American Kennel Club hasn't come down on the City because of the ordinances prohibiting these dogs. Clerk Schmitt stated that no matter what the Council decides, she and the City employees will enforce the City Code the best they can.

Ordinance 2017-01 and Ordinance 2017-02 – These ordinances remove from the City Code the articles that prohibit the keeping of Pitt Bulls and Rottweilers within the City limits.

Motion was made and seconded by Council Member Berridge and Council Member Gilbert to adopt Ordinance 2017-01 and Ordinance 2017-02. Motion carried by the following vote: **YES:** Jenkins, Berridge, Gilbert, Richard, **NO:**

Abstain:

Executive Session, Personnel, 5 minutes – Motion was made and seconded by Council Member Gilbert and Council Member Berridge to go into executive session for personnel for 5 minutes. Motion carried by show of hands.

Council went into executive session at 7:31 p.m.

Mayor Gladden called the meeting back to order at 7:36 p.m. and reported that no decisions were made in the executive session.

OFFICER REPORTS

Berridge – congratulated Jakob Tuxhorn for earning his Eagle Scout award. Thanked the city workers for getting the water restored quickly the other morning and thanked the office girls for all their work.

Richard – also thanked the employees for taking care of the water issue and notifying the citizens. Will do her best to promote the Panther Prowl 5K run.

Jenkins – congratulated Jakob Tuxhorn for his accomplishment in earning his Eagle Scout award. Also, thanked the City for taking care of the water issue, however, there is a great need for a public notification system here in Nickerson. Discussion ensued about different avenues for notifying the public about emergencies and Clerk Schmitt will work with the employees to find a solution.

Gilbert – also congratulated Jakob Tuxhorn for his Eagle Scout accomplishment. Suggested checking with Todd Strain with emergency management about emergency notifications through Code Red.

Clerk Schmitt – asked Council to read the information from Aryn, the Zoning chairman, about USD 309 considering closing the Nickerson High School and moving it to South Hutchinson.

Jenkins – reported that she and the Mayor attended the last Zoning and Planning meeting and was impressed with how much was discussed and encourages everyone to attend those meetings. Clerk Schmitt let the Council know that the surveys are in a binder here at City Hall for anyone who wishes to read the written responses.

Mayor – asked Clerk Schmitt to put a fireworks discussion on the next agenda.

THERE BEING NO FURTHER BUSINESS, motion made and seconded by Council Member Berridge and Council Member Gilbert to adjourn at 7:50 p.m. Motion carried by show of hands.

Official