

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

REGULAR COUNCIL MEETING

Monday, March 18, 2013

MAYOR: Jim Gladden

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

EMPLOYEES

PRESENT: Mark Gomes, Robin Schmitt,

GUESTS: Brian Rife, Teresa Rife, Dan Schmitt, Joyce Beam, Karyl White

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, March 18, 2013 at Nickerson City Hall.

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

Motion made and seconded by Council Member Russell and Council Member Berridge to correct the minutes under New Business, Advisory Election Information where "... maintain a full time paid Police Department..." is written. The wording will be corrected to state: "...maintain a paid Police Department...", therefore, removing the words "full time". 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 March 4, 2013 Minutes. Motion carried by the following vote: **YES:** McLemore, Russell, Koon, Brown, Fleming, Berridge, **NO:** None

Motion made and seconded by Council Member McLemore and Council Member Russell to approve the Agenda with the following addition: under New Business add #4 Executive Session, Personnel, 10 minutes. Motion carried by the following vote: **YES:** Berridge, Fleming, Brown, Koon, Russell, McLemore, **NO:** None

Motion to approve the March 18, 2013 payables was made and seconded by Council Member Berridge and Council Member Fleming. Motion carried by the following vote: **YES:** Brown, Koon, Russell, McLemore, Berridge, Fleming, **NO:** None **ABSTAIN:**

CITY ATTORNEY Stan Juhnke – Absent

PUBLIC COMMENTS – None

OLD BUSINESS

Resolution 2013-03 – A Resolution calling for an advisory election to be held on April 30, 2013 by mail ballot pertaining to the Nickerson Police Department. Motion was made and seconded by Council Member Russell and Council Member Berridge to adopt Resolution 2013-03. Motion carried by the following vote: **YES:** Koon, Brown, Fleming, Berridge, McLemore, Russell, **NO:** None

Advisory Election Ad Wording – City Council discussed the wording of the Advisory Election ad to be placed in the Sterling Bulletin and Hutch News papers. The wording states:

Nickerson Advisory Election

In addition to the General Election held at the Nickerson High School on April 2, 2013, the City of Nickerson will be holding a separate advisory election regarding the reinstatement of the Nickerson Police Department by mail. The ballots will be mailed out to the registered voters on April 19th and will be due back to the County Clerk by noon on April 30th. The counting of the ballots by the County Clerk will commence at around 1 p.m. on April 30th in the Veteran's room of the Court House in Hutchinson. The counting will be open to the public.

The question presented to the registered and qualified electors of the City of Nickerson will state: "Shall the Nickerson City Council establish and maintain a paid Police Department consisting of at least two officers and all necessary law enforcement equipment at an annual budgeted expense estimated at not less than \$160,000.00?"

This is an advisory election. Although the Nickerson City Council will give due consideration to the election results, the election has no legal effect and is not binding on the currently seated or future members of the City Council.

Motion was made and seconded by Council Member Russell and Council Member Berridge to publish the ad in the Sterling Bulletin and the Hutch News. Motion carried by the following vote: **YES:** Koon, Brown, Fleming, Berridge, McLemore, Russell, **NO:** None

Don Gregg Letter – City Clerk Schmitt received a letter from Mr. Don Gregg in response to the City's letter requiring Mr. Gregg to correct the City Code violations on his property. The letter was quite defiant in nature. Superintendent Gomes reported that there has been a "sheep" fence erected around a Cadillac and a frame of an awning. Discussion ensued. Superintendent Gomes stated there has been little progress in the process of correcting the code violations by Mr. Gregg. The Council's consensus is to proceed with enforcement per the City Code in forcing Mr. Gregg to bring his property into compliance.

NEW BUSINESS

EMS Medical Director – Karyl White addressed the Council to discuss how EMS personnel as individuals need protocols and a medical director even though the City is not required to have protocols and a medical director. They have the protocols in place but since they are first responder services and do not transport, the Reno County Medical Director will not take on Nickerson's first responders. For this reason, Nickerson EMS needs to hire a medical director. Karyl has spoken to Dr. Ruben Garcia who is a former paramedic and know EMS well. Dr. Garcia has agreed to become the Medical Director for Nickerson EMS at the rate of \$150.00 per month. Discussion ensued.

Motion was made and seconded by Council Member Russell and Council Member Berridge to approve the hiring of Dr. Garcia as the Medical Director at a rate of \$150.00 per month. Motion carried by the following vote: **YES:** Russell, McLemore, Berridge, Fleming, Brown, Koon, **NO:** None

Kansas Municipal Utilities Voting Delegates – The Council appointed Robin Schmitt and Mark Gomes as the City of Nickerson voting delegates at the Kansas Municipal Utilities business meetings.

Motion was made and seconded by Council Member Berridge and Council Member Fleming to appoint Robin Schmitt as voting delegate and Mark Gomes as alternate voting delegate for the Kansas Municipal Utilities Meetings. Motion carried by the following vote: **YES:** Fleming, Berridge, McLemore, Russell, Koon, Brown, **NO:** None

PAWS Donation – The Reno Valley Middle School parent organization, PAWS, requested a \$100 donation to help sponsor t-shirts for all the 8th grade students. Motion was made and seconded by Council Member Berridge and Council Member Brown to approve the donation of \$100 to PAWS. Motion carried by the following vote: **YES:** Berridge, Russell, Koon, Brown, Fleming, McLemore, **NO:** None

EXECUTIVE SESSION (PERSONNEL) for 10 MINUTES. Motion made and seconded by Council Member McLemore and Council Member Russell to recess into executive session for 10 minutes. Motion carried by a show of hands. 7:30 p.m.

Mayor Gladden called the meeting back to order. 7:40 p.m.

EXECUTIVE SESSION (PERSONNEL) for 5 MINUTES. Motion made and seconded by Council Member Russell and Council Member Berridge to recess into executive session for 5 minutes. Motion carried by a show of hands. 7:41 p.m.

Mayor Gladden called the meeting back to order. 7:46 p.m.

OFFICERS REPORT

Council Member Koon requested a report be placed in the Council packet which states the status of past issues.

Council Member Brown reminded Clerk Schmitt to add the Kelsey lawsuit to the next agenda.

Council Member Koon suggested a Town Hall Meeting be setup to inform the citizens of the financial issues and the cost of reinstating the Police Department. Discussion ensued. City Clerk Schmitt will check into setting up a Town Hall Meeting for the Council to consider at the next regular Council Meeting.

City Clerk Schmitt reported that the training she received at the CCMFOA Spring Conference in Wichita was very informative and well worth the time.

Clerk Schmitt also reported that the title search is complete and the City Attorney, Stan Juhnke, will draw up the deed for all parties to sign on the Community Center property purchase. Clerk Schmitt will send a check to Stan in the amount of \$10,500 made out to the Goldings for the property purchase. There is also a billing of \$314.00 for the title search which will be paid to Reno County Abstract & Title.

THERE BEING NO FURTHER BUSINESS, motion made and seconded by Council Member Fleming and Council Member Berridge to adjourn at 7:56 p.m. A Motion was carried by a show of hands.

Official