

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

**REGULAR COUNCIL MEETING
MONDAY, April 18, 2011**

MAYOR: Bill Golding

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

EMPLOYEES

PRESENT: Robin Schmitt, Mark Gomes, Phyllis Richardson

GUESTS: David Richardson, Danny Schmitt, Bob Davis, Rick Sims, Shawna Watkins, Teresa Rife, Linda Fleming, Mike McLemore, Jim Koon

ATTORNEY: Stan Juhnke

ROLL CALL: Neahring, Russell, Smith, Berridge, Rife, Brown,

ABSENT: Neahring

The Regular City Council meeting was called to order by Mayor Golding at 7:00 p.m. on Monday, April 18, 2011 at Nickerson City Hall

City Clerk Robin Schmitt introduced the new Utility/Court Clerk Ashley Bowman.

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

Motion made and seconded by Council Member Russell and Council Member Berridge to approve the April 4th Regular Minutes. Motion carried by the following vote: **YES:** Russell, Rife, Smith, Berridge, Brown **NO:** None

The following additions and changes would be included in the agenda: City Attorney – 20 minute Executive Session. Old Business – (2) Gazebo Roof (3) Siren. Motion made and seconded by Council Member Rife and Council Member Berridge to approve the agenda with the changes. Motion carried by the following vote: **YES:** Berridge, Smith, Rife, Russell, Brown **NO:** None

A question was raised about the tax exempt status of the Real Estate Taxes. Robin Schmitt will check on it. It was asked if the payable for Elliot Insurance was for the total policy. A question was asked about the Stutzman bill being high. The bill was for 3 months billings. Motion was made and seconded by Council Member Rife and Council Member Berridge to approve the payables. Motion carried by the following vote: **YES:** Rife, Russell, Berridge, Smith, Brown **NO:** None

CITY ATTORNEY

Executive Session (Legal) for 20 minutes. Motion made and seconded by Council Member Berridge and Council Member Russell to recess into executive session for 20 minutes. Motion carried by show of hands. 7:06 p.m.

Mayor Golding called the meeting back to order. 7:26 p.m.

Executive Session (Legal) for 5 minutes. Motion made and seconded by Council Member Rife and Council Member Berridge to recess into executive session for 5 minutes. Motion carried by show of hands. 7:27 p.m.

Mayor Golding called the meeting back to order. 7:32 p.m.

PUBLIC COMMENTS - None

OLD BUSINESS

Mayor Golding presented Council with letters and previous council meeting minutes pertaining to agreement with Lindburg, Vogal, Pierce & Faris as auditor. Council discussed possible changes in auditor. Council discussed the proposal from Scot Loyd with the Swindol Accounting Firm which included the amount being billed being taken down from \$34,000 to \$25,000 if they are hired as the City's accountants and auditors. Mayor Golding said the bill should have stopped at \$25,000 since he emailed Scot Loyd and told him to stop at the \$25,000 amount. Motion was made to keep Lindburg, Vogal, Pierce & Faris. Motion was made and seconded by Council Member Rife and Council Member Russell. Motion failed by the following vote: **YES:** Rife, Russell, **NO:** Brown, Smith, Berridge

Council discussed bids for the park gazebo roof. Motion was made to accept bid from Wray Bend. Motion was made and seconded by Council Member Brown and Council Member Rife. Motion passed by the following vote: **YES:** Russell, Berridge, Smith, Brown, Rife **NO:** None

Council Member Brian Rife explained about the email he received from the Reno County Emergency Management Director stating the City of Nickerson has the final approval for the storm siren upgrades and the required Memorandum of Understanding outlining the responsibility of the Fire District and the City of Nickerson. The north siren will be replaced and both the north and

south sirens will have battery backups. Motion was made to accept the Memorandum of Understanding. Motion was made and seconded by Council Member Russell and Council Member Brown. Motion passed by the following vote: **YES:** Smith, Berridge, Russell, Rife, Brown **NO:** None

NEW BUSINESS

City Clerk Robin Schmitt administered the Oath of Office for New Mayor Jim Gladden and New Council Members Linda Fleming, Jim Koon, and Mike McLemore who replaced Council Members Smith, Rife, and Neahring.

Mayor Gladden requested bids for the nomination of City Council President. Council Member Brown nominated Council Member Berridge for Council President. No other nominations were offered. Motion was made to cease nominations. Motion was made and seconded by Council Member Russell and Council Member Brown. The nomination carried by the following ballot vote: **YES: 6 No:** None

Mayor Gladden assigned the Council Departments as follows:

City Office – Mayor Gladden

Maintenance – Council Member Jim Koon

Police Department - Council Member Mike McLemore

EMS - Council Member Skip Russell

Cemetery - Council Member Linda Fleming

Parks - Council Member Dale Brown

Streets & Special Highway - Council Member Brad Berridge

Council discussed J. Fred Hambright, Inc. Oil and Gas Leases proposal in leasing the mineral rights on the City's burn site land. Council tabled the decision on accepting the lease until more research can be done to insure there will be no problems caused for the permit process with KDHE.

Maintenance Supervisor Mark Gomes presented information about the Sewer Project to bring the new Council Members up to speed. The Council decided to meet the proposal of the land owners based on the April 18th 2011 letter submitted by the attorney for Richardson verses the City of Nickerson and to include the information regarding the easements. Motion was made and seconded by Council Member McLemore and Council Member Brown. Motion carried by the following vote: **YES:** McLemore, Russell, Koon, Brown, Fleming, Berridge **NO:** None

OFFICERS REPORT

Council Member Berridge requested the sales tax report for the park for the last three months. The removal of the meth watch signs was discussed and a motion

was made to remove them. Motion was made and seconded by Council Member Berridge and Council Member Brown. Motion failed by the following vote: **YES:** Berridge, Fleming, Brown **NO:** Koon, Russell, McLemore, Gladden

Council Member Brown wants to have Swindoll, Janzen, Hawk & Loyd, LLC Certified Public Accountants contacted to find out when the council will need to make motion to retain them as the City accountants and auditors. Mayor Gladden will contact Swindoll, Janzen, Hawk & Loyd to schedule a workshop so the council can visit with them about their bid for City accountant and auditor. The Mayor and Council agreed the bid process should be offered to three or four other accounting firms also. Maintenance Supervisor Mark Gomes and City Clerk Robin Schmitt will prepare a requirement proposal to be sent out to prospective accounting firms to bid on becoming the City accountant and auditor.

Council Member Koon spoke about how the elections are set up by district or ward for City Offices and suggested a possible change to removing the district or ward boundaries.

Council Member Russell wants to find out the recommendation of the attorney about hiring Police Officers and if they do not recommend hiring Police Officers then why. Also, Council Member Russell asked about how the parking issue involving Larry Gross was being handled and Maintenance Supervisor Mark Gomes said the attorney Stan Juhnke was handling the situation.

Council Member McLemore said it is a privilege to serve and is looking forward to getting things done.

Mayor Gladden directed City Clerk Robin Schmitt to send out thank-you cards to the members who retired tonight.

Maintenance Supervisor Mark Gomes will be on vacation from April 25th through May 15th. The maintenance crew will be able to handle any issues that may arise. Mark Gomes will be available by phone when needed. Mark Gomes will submit prices for a new recorder at Well # 6 at the next meeting he attends. Council Member Fleming asked about the water tower repair for the broken pipe and was informed that the insurance has covered the costs. Mayor Gladden asked about the waste water going through the new lift station and into the lagoon. Mark Gomes confirmed it is.

Rick Sims gave the late payment report for Administration.

Mayor Gladden gave the office policy for the Council Members that included any requests by the Council Members for information from the City Office be made through the Mayor and the information provided would then be given to

the other Council Members as well. Council Member Brown disagreed with the policy but would comply.

THERE BEING NO FURTHER BUSINESS, motion made and seconded by Council Member Fleming and Council Member Berridge to adjourn at 9:04 p.m. A Motion was carried by a show of hands.

Official