

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

**REGULAR COUNCIL MEETING**

**Monday, May 6, 2013**

**MAYOR:** Jim Gladden

**COUNCIL:** Brad Berridge – President, Linda Fleming, Jim Koon, Mike McLemore, Brian Rife, Jon Rohling

**EMPLOYEES**

**PRESENT:** Mark Gomes, Robin Schmitt, Phyllis Richardson, April Beshears

**GUESTS:** Joyce Beam, Dan Schmitt, Dale Brown, Gary Graber, Vera Graber

**ATTORNEY:** Stan Juhnke

**ROLL CALL:** Berridge, Rohling, Koon, Rife, Fleming, McLemore

**ABSENT:**

The Regular City Council meeting was called to order by Mayor Gladden at 7:00 p.m. on Monday, May 6, 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 Fleming to approve the April 15, 2013 Minutes. Motion carried by the following vote: **YES:** McLemore, Rohling, Koon, Rife, 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, Rife, Koon, Rohling, McLemore, **NO:** None

Council Member Rife confirmed that the payable for the CDL training is for CDL licensing for Earl King.

Motion to approve the May 6, 2013 payables was made and seconded by Council Member Berridge and Council Member Koon. Motion carried by the following vote: **YES:** Rife, Koon, Rohling, McLemore, Berridge, Fleming, **NO:** None

**ABSTAIN:** None

**CITY ATTORNEY** Stan Juhnke

**PUBLIC COMMENTS** – Dale Brown addressed the Council in regards to the City Park project. Brown reiterated what the original 1% sales tax was for, what the Park plans were, and that the Park is not finished yet. Brown also recapped what the second 1% sales tax was for and how it was to include finishing the Park. Brown disagrees with Council member Rife on delaying the funding for the Park while directing all the funding toward the Community Center project. Brown made an appeal to the Council to go ahead with the Park project since the vote for the second 1% sales tax included finishing the Park. Mayor Gladden asked what still needed to be done in the Park and Brown stated the older children's playground equipment has not been installed because the equipment was going to run in the \$30,000 to \$40,000 range and there wasn't enough money in the 1% Sales Tax fund to make the purchase of the equipment. Brown also mentioned there was supposed to be handicapped parking put in at the Park as well as a walking path with exercise stations. Discussion ensued about the original Park drawings and plans and about the renovation of the old park equipment. Brown stated that he would like to see the Council go ahead and finish the Park while also working on the Community Center.

Council Member Rife commented that he believed Council Member Fleming had checked into a grant for the Park walking path. Council Member Fleming responded that she had checked into a grant but needed some figures to present to the Health Ministries, who were providing the grant, but she never received the cost estimates; therefore, she did not fill out the application.

## **OLD BUSINESS**

**1% Sales Tax Projects Discussion** – The grant discussion from the Public Comments continued. Council Member Fleming said she thought the grant was for a maximum of \$5000 for a walking path. Fleming wants to know what was in the original motion or plans for the Park since she was not on the Council at the time. Superintendent Gomes presented copies of the Park plans to the Council and reminded them that drawings do not represent all of the revisions discussed by the previous Council due to the cost of redoing the drawings. Council Member Rife proceeded to go over the amounts that have currently been spent on the sidewalks, City Park and Community Center projects. Rife then made a proposal to commit \$10,785 of the 1% Sales Tax revenue for the next five years towards property tax relief, followed by funding the Community Center and then putting the money that is left toward the other Park projects. Rife feels there needs to be a plan since the Council has no idea how much the Community Center will ultimately cost. Discussion ensued. Council Member McLemore stated there needs to be official architectural drawings done in order to start the grant process for the Community Center project. Discussion ensued. Rife stated that the Community Center committee plans on asking the Council at the May 20 meeting for consent to go ahead and hire an architect. Superintendent Gomes explained that a proposal will be needed and

architectural drawings are going to cost money if the Council wants a building that is more than just a shell. Council Member McLemore asked the Council for a commitment of the money needed to hire an architect and get the certified drawings so they can apply for the grant. Discussion ensued.

Motion was made and seconded by Council Member Rife and Council Member Koon to put the Park on hold temporarily and continue with the Community Center project while committing to property tax relief and any remaining money will go back to Park after the completion of the Community Center. Motion carried by the following vote: **YES:** Koon, Rife, Fleming, McLemore, Rohling, **NO:** Berridge, **ABSTAIN:** None

**Police Department Discussion** – Mayor Gladden reported that the advisory election results were 181 against reinstating the police department and 129 were for reinstating the police department. Council Member Rife recapped the dates and process of how the disbandment of the Police Department came about. Rife voiced his opinion of the Sheriff's Department, Citizen Patrol, and the City of Nickerson's reputation and needs. Rife recommended reinstating one full time officer instead of two in order to stay within the current \$118,000 police department budget. Rife invited Sheriff Henderson to explain the difference between community policing and citizen patrol. Sheriff Henderson addressed the Council and explained the difference between community policing and citizen patrol as well as the benefits of a local police force. Rife asked Principal Abbott to explain how the presence of an SRO (School Resource Officer) helped the High School in the past. Principal Abbott addressed the Council and explained how the SRO acted as a deterrent and gave the children an additional adult in which they could confide. Abbott also explained the role that the Sheriff's Department has played in filling the absence of a local police department for the High School. Discussion ensued. Council Member McLemore recommended the City hold on to the police department equipment at least for the next few months just in case an incident occurs that changes the minds of those who are not in favor of reinstating the police department.

Motion was made and seconded by Council Member Rife and Council Member Koon to table the Police Department discussion until August 2013. Motion carried by the following vote: **YES:** Koon, Rife, Fleming, McLemore, **NO:** Berridge, Rohling, **ABSTAIN:** None

Mayor Gladden stated that there is some time between now and budget time when the Council can review the money situation if they decide to reinstate the Police Department and to be thinking about whether they would want a one or two officer department.

Gary Graber thanked the Council for keeping the option open.

## **NEW BUSINESS**

**Zoning Committee Hearing Request** – Planning and Zoning Chairman, Kenny Burgess, presented a recommendation from the Zoning Committee to approve

a variance request from Nickerson High School to install an automated sign which is more than 24 square feet on the side of the school building.

Motion was made and seconded by Council Member Berridge and Council Member McLemore to approve the variance request from Nickerson High School to install the new automated sign. Motion carried by the following vote: **YES:** Rohling, McLemore, Berridge, Fleming, Rife, Koon, **NO:** None **ABSTAIN:** None Mayor Gladden told Principal Abbott that the City may be interested in the old sign after the new sign is installed. Abbott said the school would consider working with the City on purchasing the old sign.

**EXECUTIVE SESSION (ATTORNEY/CLIENT) for 10 MINUTES.** Motion made and seconded by Council Member McLemore and Council Member Fleming to recess into executive session for 10 minutes. Motion carried by a show of hands. 8:27 p.m.

Mayor Gladden called the meeting back to order. 8:37 p.m.

**EXECUTIVE SESSION (PERSONNEL) for 10 MINUTES.** Motion made and seconded by Council Member Berridge and Council Member McLemore to recess into executive session for 10 minutes. Motion carried by a show of hands. 8:38 p.m.

Mayor Gladden called the meeting back to order. 8:48 p.m.

Motion was made and seconded by Council Member Rohling and Council Member Berridge to approve the new Utility/Court Clerk, April Beshears' rate of pay starting at \$13.00 an hour for the first two weeks and \$13.50 thereafter. Motion carried by the following vote: **YES:** Fleming, Berridge, McLemore, Rohling, Koon, Rife, **NO:** None **ABSTAIN:**

Motion was made and seconded by Council Member Rife and Council Member Fleming to approve a 3% raise for Earl King for the completion of certifications, effective next pay period. Motion carried by the following vote: **YES:** Berridge, Rohling, Koon, Rife, Fleming, McLemore, **NO:** None **ABSTAIN:**

## **OFFICERS REPORT**

Council Member Koon stated he is concerned about where people are going to park at the new Community Center. Koon also stated he is concerned about some of the sidewalks and asked if the homeowner or the City is responsible for the repairs. Superintendent Gomes stated that the sidewalk repairs are the responsibility of the homeowner. Koon asked for an update on the Gregg property and Superintendent Gomes responded, stating that the City attorney was on vacation at the time the Council voted to move forward with bringing Mr. Gregg to Municipal Court. However, the attorney has now received the information and photos to proceed with the arraignment.

Council Member Koon asked Superintendent Gomes what a standard street width is because when vehicles are parked on I street, it is difficult to get through. Gomes stated that the streets within the City vary and he will get an answer to what the width of I street is. Gomes also stated that the Maintenance Department will start to cut the roads to get them back to the correct widths and explained that there will be kickback from the residents whose yards have encroached into the roadways.

Council member Koon asked the Council to consider ipads or something similar for the Council. Koon mentioned how it would be a green way to go so the Council packets would not have to be printed on paper. Council Member Fleming stated she would not want one.

Council Member Berridge thanked the Maintenance crew for how nice the town looks with the mowing and cleanup. Council Member Fleming thanked the crew for how nice the cemetery is looking as well.

Mayor Gladden asked to set the date for opening the City Water Park. The Council decided to have the Water Park open each year on Memorial Day weekend.

**THERE BEING NO FURTHER BUSINESS,** motion made and seconded by Council Member Fleming and Council Member Berridge to adjourn at 9:00 p.m. A Motion was carried by a show of hands.

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