

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

**REGULAR COUNCIL MEETING
MONDAY, MAY 16, 2011**

MAYOR: Jim Gladden

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

EMPLOYEES

PRESENT: Robin Schmitt, Phyllis Richardson

GUESTS: Marlene Smith, Shawna Watkins, Gay Sykes, Rick Sims, Matt Henderson,
Cori Henderson, George Schmitt,

ATTORNEY: Stan Juhnke

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

ABSENT: Stan Juhnke

The Regular City Council meeting was called to order by Mayor Gladden at 7:00 p.m. on Monday, May 16, 2011 at Nickerson City Hall

Mayor Gladden requested a motion to allow Scott Loyd with Swindoll, Janzen, Hawk & Loyd to answer questions from the Council about his firms proposal for auditor ahead of the meetings usual sequence. Motion made and seconded by Council Member McLemore and Council Member Russell. Motion carried by the following vote: **YES:** Berridge, Fleming, Brown, Koon, Russell, McLemore **NO:** None

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

Motion made and seconded by Council Member Berridge and Council Member Brown to approve the May 2nd Regular Minutes. Motion carried by the following vote: **YES:** McLemore, Russell, Koon, Brown, Fleming, Berridge **NO:** None

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

Council Member Brown confirmed that Maintenance Supervisor had approved the EBH and Smoky Hill payables. Motion was made and seconded by Council Member McLemore and Council Member Berridge to approve the payables. Motion carried by the following vote: **YES:** Brown, Koon, Russell, McLemore, Berridge, Fleming **NO:** None

CITY ATTORNEY - Stan Juhnke was not present. Mayor Gladden reported on the need for the legal descriptions to be obtained before the title search can be done for the easements on the Sewer Project.

PUBLIC COMMENTS - None

OLD BUSINESS

The Council discussed the choices for the new Auditor. Council Member Brown suggested accepting the 5 year proposal of Swindoll, Janzen, Hawk & Loyd. Motion was made and seconded by Council Member Brown and Council Member Berridge. The motion carried by the following vote: **YES:** Koon, Brown, Fleming, Berridge, McLemore, Russell **No:** None

Mayor Gladden reported that the unemployment hearing for Sheri Anderson was completed and the judge agreed with the determination of the examiner. The unemployment was denied.

Mayor Gladden explained that the Bemby lawsuit mediation will be held in Wichita on Tuesday, July 19th.

Council Member Fleming reported that John Rust from the American Legion will conduct the Memorial Day Program at 8:30 am Monday morning. Pastor George Hinton from Salem Community Church will do the prayer. Pastor Lee has not gotten back with Council Member Fleming about supplying chairs. Maintenance Supervisor Mark Gomes will be consulted about the Porta-Potties and the flags.

NEW BUSINESS

Mayor Gladden presented a letter from Stan Juhnke stating that Kansas law now allows establishment of insurance proceeds fund which allows cities authority to create liens on insurance proceeds for damage or loss to buildings or structures in which the owner refuses to do the necessary work and the City may take action to demolish a property after proper notice. A motion was made to have Stan Juhnke go ahead with preparing the ordinance as discussed in the letter. Motion was made and seconded by Council Member

Brown and Council Member Russell. Motion carried by the following vote: **YES:** Russell, McLemore, Berridge, Fleming, Brown, Koon **NO:** None

Council Member Koon proposed Job Title changes for the Maintenance Department from Labor to Maintenance Technician. Motion was made and seconded by Council Member Koon and Council Member Berridge. Motion carried by the following vote: **YES:** Fleming, Berridge, McLemore, Russell, Koon, Brown **NO:** None

Mayor Gladden presented a letter for Maintenance Supervisor Mark Gomes from Kansas Rural Water Association outlining the Water Loss for the City.

Librarian Gay Sykes informed the Council on how the Library State Aid was lost because the City lowered the amount of money given to the Library from the amount given the year before. This happened because the City counted carryover money from the year before as part of the money given for the current year. The State does not count carryover money in the total given for the current year and so the City needs to make sure it gives the same amount of money or more money than the year before while not counting carryover money.

OFFICERS REPORT

Council Member Berridge suggested using Sales Tax money to replace the basketball poles and rims at the park. Maintenance Supervisor Mark Gomes will be asked to get bids for the replacements. Council Member Berridge will check with Maintenance Supervisor Mark Gomes about the insurance adjusters report on the gazebo roof at the park.

Council Member Fleming reported the new bench and statue are in place at the Cemetery. A plaque is being made to commemorate the Rail Road workers and Wagon Train folks. Maintenance Supervisor Mark Gomes will be consulted about watering the Cemetery when it is dry.

Council Member Koon asked about the process of changing the voting to city wide voting instead of by districts. Council Member Brown suggested authorizing attorney Stan Juhnke to check into the process. Council Member Koon also brought up the problem with semi-trucks running the 4-way stop on Holiday Street. Police Chief Kelsey agreed that a speed bump might help.

Mayor Gladden reported for Maintenance Supervisor Mark Gomes that the work on the gazebo roof at the park will be started this week.

Police Chief Kelsey reported that the evidence room will be moved to the Police Station. With the help of Court Clerk Ashley Bowman the warrant list is down from 91 to 16. Police Chief Kelsey reported on the status of the three Police cars and

on the 8 computers which Rick Sims has been helping with. Police Chief Kelsey is also in the process of hiring part-time police officers. Police Chief Kelsey was asked about the issue going on with Larry Gross and it was suggested passing an ordinance to not allow parking at night to alleviate the vehicle storage problem. Mayor Gladden will check with attorney Stan Juhnke about this issue.

City Clerk Robin Schmitt reported that questions about the budget and accounts will be answered once the auditor is able to help get the accounts in order. The amendment for the hiring process which was approved in the previous Council meeting was emailed to Stan and then sent to the Sterling Bulletin for publishing. The Utility Billing to Collections Reconciliation Report was supplied in the Council's packets.

Mayor Gladden discussed the Board members of the Recreation Committee. Council Member Brown asked about whom the Council appoints on the Recreation Committee and Phyllis Richardson stated the by-laws states that all the Council does is appoint the director and then decides how much the director gets paid. Council Member Russell requested a copy of the by-laws to confirm the process of appointing the Recreation Committee.

Mayor Gladden requested a motion to provide Maintenance Supervisor Mark Gomes with 5 paid personal days since he continued to work on City business while on his vacation. Motion was made and seconded by Council Member Russell and Council Member Koon. Motion passed by the following vote: **Yes:** Koon, Brown, Fleming, Berridge, McLemore, Russell **No:** None

Mayor Gladden presented a request from City Clerk Robin Schmitt and Utility Clerk Ashley Bowman to adopt a flex schedule for the City office. The Council agreed with Mayor Gladden to allow the flex schedule.

THERE BEING NO FURTHER BUSINESS, motion made and seconded by Council Member Fleming and Council Member Berridge to adjourn at 8:33 p.m. A Motion was carried by a show of hands.

Official