

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

**REGULAR COUNCIL MEETING
Monday, May 21, 2012**

MAYOR: Jim Gladden

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

EMPLOYEES

PRESENT: Phyllis Richardson, Mike Kelsey, Rick Sims

GUESTS: David Richardson, Gary Graber, Aryn Hedrick, Mark Detter, Phil Nisly

ATTORNEY: Stan Juhnke

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

ABSENT: McLemore

The Regular City Council meeting was called to order by Mayor Gladden at 7:00 p.m. on Monday, May 21, 2012 at Nickerson City Hall.

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

Mayor Gladden reported City Clerk Schmitt was doing well after her surgery on Monday.

Motion made and seconded by Council Member Russell and Council Member Berridge to approve the May 16th, 2012 Special Meeting Minutes. Motion carried by the following vote: **YES:** Russell, Koon, Brown, Fleming, Berridge **NO:** None

Motion made and seconded by Council Member Russell and Council Member Berridge to approve the May 7th, 2012 Minutes. Motion carried by the following vote: **YES:** Berridge, Fleming, Brown, Koon, Russell, **NO:** None

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

Council Member Fleming confirmed the insurance payable to KSFA was for the liability, building, and work comp insurance and not for the health insurance. Mayor Gladden also confirmed the payment to KSFA was for half the yearly premium.

Motion to approve the May 21st payables was made and seconded by Council Member Brown and Council Member Berridge. Motion carried by the following vote: **YES:** Koon, Brown, Fleming, Berridge, Russell,
NO: None **ABSTAIN:**

CITY ATTORNEY Stan Juhnke – Absent

PUBLIC COMMENTS – Poultry Waste Water - Phil Nisly informed the Council that Mark Gomes had suggested he address the Council concerning Poultry Waste Water. He has a Poultry operation and had been dumping the Waste Water at Abbyville's Lagoon, but some of the neighbors near the manhole he dumps in complained of the odor. He has been working with John Getz from KDHE to address any concerns the Abbyville Council may have concerning possible backflow issues. Mark has allowed him to dump one load last month, and Mark has the test results from SDK Laboratories.

Mr. Nisly would like permission from the Council to continue dumping, probably one semi load per month (less during the Summer) until he can make other arrangements.

It was suggested by Mayor Gladden and Council Member Russell to talk it over with Maintenance Supervisor Gomes before any decision is made. The Mayor asked the Council if it was OK with them to leave the decision up to Gomes and they conceded it was.

OLD BUSINESS

Bond Refunding Discussion - Mark Detter from Central States Capitol addressed the Council. He stated his company did the original Series 1994 Library Bonds and Series 2002 Water Improvement Bonds, but under a different name. Mr. Detter presented a proposal to refund said Bonds. Mr. Detter explained how the City may be able to save \$45,000 in the next 10 years by refunding the Bonds since the rate on the Bonds are currently at 6% and the refunding rate would be at around 2.44 %. Discussion ensued. The Council agreed to have the auditors and City Clerk Schmitt work with Mr. Detter on the refunding of the Bonds and gave tentative approval of the refunding of the Bonds contingent on the auditors approval.

Motion was made and seconded by Council Member Brown and Council Member Russell to approve the refunding of the debt service Series C Bonds with the contingency of approval from the Auditors when the final numbers are determined. Discussion ensued. Motion carried by the following vote: **YES:** Koon, Brown, Fleming, Berridge, Russell, **NO:** None

Tornado Shelter – During the last Council Meeting, Council Member Fleming suggested the City should put out fliers with information on where residents could go who do not have a safe place available during a Tornado Warning. The Nickerson High School has been utilized in the past and is still the best option available. Gary Graber met with Principal Abbott at the High School to discuss what happens if a Tornado Warning is issued while School is in session. They believe that even with the students and faculty members they can still take in 40-50 residents. In the past they have usually had 15-20 residents utilize the High School for shelter. During a Tornado Watch, residents who do not have a suitable safe place should come to the front doors of the High School, where they will be directed to the Girls Locker Room.

Residents need to understand that when School is not in session, there will only be someone opening the School (Gary Graber, Mike McLemore, or Chief Kelsey) when a Tornado Warning is issued, not a Watch. People should tune to local TV and Radio reports to know if the City of Nickerson is under a Tornado Warning.

Community Center Committee Report – The 5 Community Center Committee members have met and have put together a plan which includes working with the City to gather vital information needed before going forward with the project. The first thing the committee really needs to know is exactly when the Sales Tax revenue will start being available for the Community Center project and also an idea of how much money would be coming in so when a needs assessment is completed there will be an idea how much money will be available for the project.

Berridge pointed out that some of the Sales Tax money will be going to finish the Park and Property Tax relief. Russell asked just how much is left to be done at the park. Mayor Gladden stated he thinks about \$20,000 is still needed to complete the Park project. Brown also reported that Maintenance Supervisor Gomes brought up the idea of an exercise path or walkway for the Park as well. Discussion ensued.

Berridge asked Mr. Graber if the committee has a building plan and Graber pointed out that they do not because of the committee needing the financial information from the City before they can start planning the actual building. Graber also pointed out that the City may want to look into having someone write a Grant Request for additional funding. Discussion ensued.

Mr. Graber indicated that there needs to be a discussion about location of the Community Center.

Brown confirmed that the Community Center Committee members are: Brian Rife, Mike McLemore, Gary Graber, Joyce Beam, and June Gladden.

Mr. Graber informed the Council about some of the ideas for the building and parking which the committee has discussed. Discussion ensued.

The Community Center Committee will have a regular meeting every month and will meet on an as needed basis.

Graber concluded with the committee needs:

How much money will be coming in and also will a Grant be requested?

Have a needs assessment with input from all the community on what they would like the Community Center used for.

Proposed Regular Council Meeting Time Change – The council discussed changing the regular Council Meeting time to 10 a.m. on the first and third Mondays of the month. The Council decided to change the times for the June Council Meetings to 10 a.m. and to show the video of the Meeting on the City cable channel on a trial basis for the month of June.

Motion was made and seconded by Council Member Berridge and Council Member Russell to post notice that the Regular Council Meetings will be held on the first and third Mondays at 10 a.m. on a trial basis for the month of June.

Motion carried by the following vote: **YES:** Russell, Berridge, Fleming, Brown, Koon, **NO:** None

Ordinance 2012-07 pertaining to recreational vehicle permits – The Council discussed the need for an ordinance allowing for the temporary use of recreational vehicles on residential properties.

Motion was made and seconded by Council Member Russell and Council Member Berridge to approve Ordinance 2012-07 pertaining to the temporary use of a recreational vehicle other than within a Mobile Home Park. Motion carried by the following vote: **YES:** Fleming, Berridge, Russell, Koon, Brown, **NO:** None

City Sponsored Travel Trailer Park Discussion- Council Member Russell stated he would be in favor of a 4 to 6 space travel trailer park. The Council decided to table the discussion until the next meeting when Maintenance Supervisor Gomes would be available to give his report on his research for the travel trailer park.

NEW BUSINESS

2009 A-133 Audit – Mayor Gladden presented the information on the 2009 A-133 Audit which was not completed in 2009 as required by the KWPCRF sewer project loan agreement. This audit will need to be conducted by either the City's current auditor or the 2009 City auditor. Discussion ensued. City Clerk Schmitt will work on getting a written quote from Swindoll, Janzen, Hawk & Loyd.

Chamber of Commerce Membership and Donation – Motion was made and seconded by Council Member Russell and Council Member Brown to purchase a membership at \$25 and give a donation of \$200 to the Chamber of Commerce. Motion carried by the following vote: **YES:** Berridge, Fleming, Brown, Koon, Russell, **NO:** None

Recreation Commission Donation- City Clerk Schmitt requested that the Council approve a donation to the Recreation Commission of \$1000 due to the 4th quarter transfer to the Recreation Commission for 2011 not occurring because the tax distribution was short. Motion was made and seconded by Council Member Berridge and Council Member Fleming to approve the donation of \$1000 to the Recreation Commission. Motion carried by the following vote: **YES:** Russell, Koon, Brown, Fleming, Berridge, **NO:** None
Phyllis Richardson confirmed the new building at the ball diamond will be completed shortly.

OFFICERS REPORT

Council Member Koon asked about the speed limit signs at the park and suggested adding signs that say "Fines Double When Children Present". Discussion ensued. Koon also received a request for a speed bump at Ave H and Holiday since the school kids are blowing through the stop sign at high rates of speed. Discussion ensued. Council Member Brown and Mayor Gladden suggested talking with the School District and Maintenance Supervisor Gomes to see about coming up with a solution over the summer.

Council Member Fleming asked that someone remind Maintenance Supervisor Gomes about the Port-a-Potties for Memorial Day out at the Cemetery. Fleming inquired as to when the Water Park would open and Mayor Gladden thought it was going to be opened on this Saturday morning.

Council Member Koon brought a discussion about the parking issue at the North ball diamond. There are "no parking" signs along the road way which limits the parking available. The Council discussed some various options. Phyllis stated she had contacted Mr. Borders, a home owner in the area, about allowing parking on his lot for the ball diamond and was told by the homeowner that he would not want cars parking on his property. Council Member Russell stated that one of the ways the City could get property for parking was by condemnation and the option of purchasing property was also mentioned.

Police Chief Kelsey reported they would be picking up the new Police Cruiser, a 2009 Crown Victoria, the next day. They would then strip out the Crown Victoria that is being replaced. Kelsey was asked if he would be putting the replaced vehicle on Purple Wave and he stated they have not gotten back with him. Koon mentioned the lease option and asked if Kelsey had checked into the option. Kelsey stated it is an option they will look into for the next vehicle. Kelsey asked the Council to think about hiring another full time officer.

Utility Clerk Sims reported that he is looking into different options for allowing the City to take payments via debit or credit card and will try to have the information available for the next meeting.

Mayor Gladden stated the opening date for the Water Park will be on Saturday, May 26th.

Mayor Gladden reported that the bid for the two easement crossings is currently at about \$40,000 and that Maintenance Supervisor Gomes said there are some items that aren't needed that could bring the cost down. Maintenance Supervisor Gomes will have the information at the next meeting.

Mayor Gladden also reported that Maintenance Supervisor Gomes has asked for bids under \$20,000 for the large child playground equipment. Council Member Russell again suggested placing the unused playground equipment at the North water tower to create a small play area for the North side of town.

Mayor Gladden stated the City appointments for City Clerk, Police Chief, etc. will take place at the next Regular Council Meeting.

Council Member Koon confirmed with Police Chief Kelsey that he would be released by his doctor to regular duty on June 14th.

THERE BEING NO FURTHER BUSINESS, motion made and seconded by Council Member Fleming and Council Member Berridge to adjourn at 8:41 p.m. A Motion was carried by a show of hands.

Official