

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

**REGULAR COUNCIL MEETING
Monday, June 4, 2012**

MAYOR: Jim Gladden

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

EMPLOYEES

PRESENT: Robin Schmitt, Mark Gomes, Rick Sims, Phyllis Richardson, Mike Kelsey

GUESTS: David Richardson, Danny Schmitt

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, June 4, 2012 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 Russell to approve the May 21st, 2012 Minutes. Motion carried by the following vote: **YES:** McLemore, Russell, Koon, Brown, Fleming, Berridge, **NO:** None

Motion made and seconded by Council Member Brown and Council Member Koon to approve the Agenda with the following addition, (1) Executive Session for Personnel for 15 minutes under New Business. Motion carried by the following vote: **YES:** Berridge, Fleming, Brown, Koon, Russell, McLemore, **NO:** None

Mayor Gladden confirmed an employee's pay was distributed throughout the funds correctly.

Motion to approve the June 4th payables was made and seconded by Council Member Russell and Council Member Berridge. Motion carried by the following

vote: **YES:** Brown, Koon, Russell, McLemore, Berridge, Fleming, **NO:** None
ABSTAIN: None

CITY ATTORNEY Stan Juhnke – Absent

PUBLIC COMMENTS – None

OLD BUSINESS

Regular Meeting Time Change - City Clerk Schmitt requested that the Council rescind the motion made in the previous Council Meeting pertaining to changing the Regular Council Meeting time to 10 am. Schmitt explained to the Council that any change to the Regular Council Meeting days or time must be done through passing an ordinance which would be published informing the citizens of the change.

Motion was made and seconded by Council Member Russell and Council Member Fleming to rescind the motion made during the June 4th Regular Meeting pertaining to posting notice that the Regular Council Meetings would 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:** Koon, Brown, Fleming, Berridge, McLemore, Russell, **NO:** None

Discussion ensued about changing the time for the Regular Meetings to 10 a.m. Motion was made and seconded by Council Member Berridge and Council Member Koon to approve Ordinance 2012-06 pertaining to changing the Regular Meeting times to 10 a.m. Motion failed by the following vote: **YES:** Koon, Fleming, Berridge, **NO:** Brown, McLemore, Russell, Mayor Gladden (Mayor voted due to the tie vote)

City Sponsored Travel Trailer Park - Maintenance Supervisor Mark Gomes reported that a possible site for the travel trailer spaces would be next to Well #8 by the tractor pull area. The spaces would be located on the Well side so as not to interfere the Klear Nearly Day's activities. There would be room for 3 or 4 travel trailers. Discussion ensued about the water, electric and sewer options as well as the costs and what would be the charge if any to the guests using the spaces. The Council agreed they would like to pursue the planning of the travel trailer park. Maintenance Supervisor Gomes will check further into the details.

2009 A-133 Audit – City Clerk Schmitt presented the quote from SJHL as well as the quote from Roger Field's firm, Lindburg, Vogal, Pierce, and Faris for the 2009 A-133 audit which needs to be completed to meet the sewer loan agreement with KDHE. SJHL would be just over \$17,500 due to the fact they would have to completely redo the 2009 financial statements in order to complete the A-133

audit. Roger Field (the original 2009 auditor) would charge just over \$7500 due to the fact that they have already done the 2009 financial statements and would only need to complete the A-133 audit.

Motion was made and seconded by Council Member Russell and Council Member McLemore to approve the quote from Roger Field's firm, Lindburg, Vogel, Pierce, and Faris for the completion of the 2009 A-133 audit.

Motion carried by the following vote: **YES:** Russell, McLemore, Berridge, Fleming, Koon,

NO: Brown,

EXECUTIVE SESSION (PERSONNEL) for 15 MINUTES. Motion made and seconded by Council Member Brown and Council Member Koon to recess into executive session for fifteen minutes. Motion carried by a show of hands. 7:24 p.m.

Mayor Gladden called the meeting back to order. 7:39 p.m.

NEW BUSINESS

2012 City Appointments – Mayor Gladden made the following City Appointments:

Council Members Responsibilities

ADM – Jim Gladden

Water & Sewer – Jim Koon & Skip Russell

Park & Cemetery – Linda Fleming & Dale Brown

Police & EMS – Mike McLemore & Brad Berridge

City Clerk – Robin Schmitt

Court Clerk – Rick Sims

Police Chief – Mike Kelsey

City Attorney – Stan Juhnke

City Judge – Larry Bolton

City Treasurer – Phyllis Richardson

City Inspector – Mark Gomes

EMS Director – Karyl White

Recreation Commission Director – Travis Beshears

Official City Newspaper – The Sterling Bulletin

Official City Bank – Peoples Bank & Trust

Planning & Zoning Commission

Kenneth Burgess

June Gladden

Gordon Roth

Aryn Hedrick

Pat Henke

Joyce Beam

Motion was made and seconded by Council Member Russell and Council Member McLemore to approve the Mayor's appointments. Motion carried by the following vote: **YES:** Fleming, Berridge, McLemore, Russell, Koon, Brown, **NO:** None

Council President Vote – Motion was made and seconded by Council Member Russell and Council Member Koon to keep Brad Berridge as Council President. Motion carried by the following vote: **YES:** Russell, Koon, Brown, Fleming, McLemore, **NO:** None **Abstain:** Berridge

Speed Bump & Speed Limit – The Council discussed a request for a speed bump in the area of Holiday Street and Avenue H as well as the City's residential speed limit in general. Council Member Brown mentioned an option of using ditches that would have dual usage as drainage and slowing down vehicles. Discussion ensued.

Motion was made and seconded by Council Member Koon and Council Member Brown to install a speed bump North of Avenue H on Holiday. Motion carried by the following vote: **YES:** McLemore, Russell, Koon, Brown, Fleming, **NO:** Berridge

OFFICERS REPORT

Council Member Russell reported receiving several positive comments about the City Park and Water Park.

Council Member Koon brought the discussion about parking on the west side of ball diamond two. Koon mentioned the options the City might have for acquiring property for parking. Mayor Gladden informed the Council that comments made at the previous Council Meeting had upset a resident tremendously and asked the Council to be aware of how comments can come across as unfriendly sounding when talking about certain subjects. Council Member Russell stated that if the Council said something that offended someone, then they owe that resident a public apology, and suggested the City Clerk check into writing a letter to that effect.

As to the shortage of parking situation at the ball diamonds, Mayor Gladden (after conferring with Maintenance Supervisor Mark Gomes) suggested widening the culvert in between the two baseball fields and vehicles could be parked in the large area in between the fields. Discussion ensued. Gomes reminded the Council that the City has an agreement with the Coop to allow parking for the park in the back portion of the Coop property. Koon stated there is a resident with a work trailer that has issues getting in his driveway when cars are parked along the roadway by the ball park. The consensus is that the option for parking between the ball diamonds would be the best.

Phyllis Richardson reported that the Rec Commission has put in a new concession stand at the North ball diamond.

Council Member Koon stated some parents have told him they would like “no smoking” signs put up at the ball park. Discussion ensued. The no smoking law covers the inside of City buildings but research needs to be done to find out what the law states about outdoor City property. The City Attorney will be consulted on the issue. Koon also mentioned he had a conversation with Maintenance Supervisor Mark Gomes about how to keep the rocks that line the fence at the Water Park from being thrown around.

Council Member Brown has also received a lot of complements on the Water Park but has also received complaints about the gazebo floor being slippery when people walk on it with wet feet. Discussion ensued about different options to correct the issue of the slippery floor. Maintenance Supervisor Mark Gomes will check into the best options.

Council Member Koon asked about the letter to the Council about the teenagers wanting a skateboard park. Council Member Berridge stated that a skateboard park was in the original plans.

Council Member Brown reported he has been asked about whether or not more people can join the Community Center Committee so as to add to the diversity of the Committee for different ideas. Council Member McLemore explained that there are 5 members on the Committee and they plan on pulling in all types of people to give input once they are at the appropriate stages of planning. McLemore stated the next Committee meeting will probably be on June 18th and that it is open for anyone to attend.

Council Member Fleming thanked everyone who helped put up and take down the flags at the Cemetery on Memorial Day. Fleming reported she has been asked about having a restroom put in at the Cemetery and she would ask Maintenance Supervisor Mark Gomes to get some figures on the cost and look into whether or not it would be in the budget.

Council Member Berridge thanked the Maintenance Department for getting the Water Park up and running for Memorial Day. Berridge also wants to set aside enough of the 1% tax money to pay for a walking/exercise path at the City Park and maybe two more stations in the Water Park before the fund is turned over to the Community Center Project. Discussion ensued about how the walking/exercise path would be laid out and set up.

Maintenance Supervisor Mark Gomes explained the cost for the design of the Sewer Easement Ditch Crossings and how the cost will vary depending on the materials used and the size of the crossings. The current drawings and specifications show the cost at around \$41,000 to \$42,000. Council Member Koon confirmed the crossings will be used for moving large farm equipment between the fields. Gomes asked the Council for approval to proceed with the crossings.

Motion was made and seconded by Council Member Russell and Council Member Brown to proceed with the Easement Ditch Crossings. Motion carried by the following vote: **YES:** Berridge, Fleming, Brown, Koon, Russell, McLemore, **NO:** None

Maintenance Supervisor Mark Gomes reported on his investigation on a complaint that came into the City Office about the Reggie Green Paint and Body vacant lot having vehicles parked on it waiting to be worked on in his shop. Reggie requested the same consideration that was given to Lawson's shop regarding the number of vehicles waiting to be worked on. Reggie stated to Gomes that as a business owner he keeps the shop and lot clean. Discussion ensued. Motion was made and seconded by Council Member Brown and Council Member Koon to allow Reggie Green Paint and Body the privilege of parking up to 8 vehicles waiting for repairs on his back lot as long as they are kept orderly and the lot kept clean and mowed. Motion carried by the following vote: **YES:** Brown, Koon, Russell, McLemore, Berridge, Fleming, **NO:** None

Chief Kelsey reported the 2009 Crown Victoria has come in and the 2002 Crown Victoria will be auctioned on Purple Wave. Kelsey stated the patrol cars do not have in-vehicle cameras and asked the Council to approve the purchase of two used cameras from South Hutchinson PD for \$400 for each camera plus \$200 each for software for a total of up to \$1200. The Council declined to vote on the approval and stated the possibility of purchasing the cameras with the money from the sale of the 2 Crown Victorias being auctioned on Purple Wave.

City Clerk Schmitt explained the 1% tax distribution report. Schmitt also pointed out the letters in the Council packets about the Water Park and Skateboard Park.

Mayor Gladden asked Maintenance Supervisor Mark Gomes if he had anything to report on the large playground equipment and Gomes stated not at this time.

Mayor Gladden asked Chief Kelsey if he had gotten anymore pricing on cell phones and Kelsey stated they were fairly high priced and would be checking into some other options.

Mayor Gladden confirmed with Maintenance Supervisor Mark Gomes about the chicken waste and Gomes stated that there would be one more load dumped since the person was in a bind and has had the waste tested but there would not be anymore loads accepted due to the fact every load is not tested.

Mayor Gladden confirmed that Council Member Berridge will be contacting the grant writer about a possible grant for the Community Center.

Mayor Gladden gave a copy of the official service order for the Cemetery flags to Maintenance Supervisor Mark Gomes to store with the flags. Phyllis Richardson asked if the USA flags should be flown higher than the military flags and Mayor Gladden stated it was not a rule for the military flags. Council Member Fleming mentioned that the State requested the USA flags be flown at half mast on Memorial Day this year.

Mayor Gladden stated there was a couple of complaints come in about the Cemetery and Council Member Fleming also said she had one complaint.

THERE BEING NO FURTHER BUSINESS, motion made and seconded by Council Member Fleming and Council Member Berridge to adjourn at 8:47 p.m. A Motion was carried by a show of hands.

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