

**City of Nickerson  
15 N. Nickerson  
Nickerson, KS 67561**

**Regular City Council Meeting  
Monday, June 21, 2010**

**Mayor:** Bill Golding

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

**Employees Present:** Shari Anderson, April Addis, Phyllis Richardson

**Guests:** Shawna Watkins, David Richardson, Amanda Stephenson

**Attorney:** Mr. Henry was at the meeting.

The Pledge of Allegiance was recited.

**Roll Call:** Neahring, Smith, Russell

**Absent:** Rife, Brown, Berridge

The Regular City Council meeting was called to order by Mayor Golding at 7:00 p.m. on Monday June 21, 2010 at Nickerson City Hall

Because there was not a quorum to conduct business, the meeting was moved to Tuesday, June 22, 2010 at City Hall 7 p.m.

**City of Nickerson  
15 N. Nickerson  
Nickerson, KS 67561**

**Regular City Council Meeting  
Tuesday, June 22, 2010**

**Mayor:** Bill Golding

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

**Employees Present:** Shari Anderson, Phyllis Richardson

**Guests:** Shawna Watkins, David Richardson, Amanda Stephenson, Scott Stephenson

**Attorney:** Mr. Henry was at the meeting.

The Pledge of Allegiance was recited.

**Roll Call:** Neahring, Smith, Russell, Brown, Berridge

**Absent:** Rife

The Regular City Council meeting was called to order by Mayor Golding at 7:00 p.m. on Tuesday June 22, 2010 at Nickerson City Hall.

**Approval of Agenda, Minutes & Payables**

**1. Approval of the Minutes of the June 07, 2010 Regular Council Meeting.**

Council Member Brown asked for a change in the minutes. Motion made and seconded by Council Member Berridge and Council Member Russell to approve the minutes. Motion carried by the following vote: **YES:** Neahring, Smith, Berridge, Russell, Brown **NO:** None **ABSENT:** Rife

- 2. Approval of the Agenda with or without Additions.** Motion made and seconded by Council Member Neahring and Council Member Berridge to approve the agenda with the following additions: Executive Session (legal) for 10 minutes after the City Attorney and Lagoon Information after the Technology Bid under Old Business. Motion carried by the following vote: **YES:** Berridge, Smith, Russell, Neahring, Brown **NO:** None **ABSENT:** Rife

3. **Approval of the June 22, 2010 Payables.** Motion made and seconded by Council Member Neahring and Council Member Russell to approve the payables. Motion carried by the following vote: **YES:** Berridge, Smith, Russell, Neahring, Brown **NO:** None **ABSENT:** Rife

Mr. Henry discussed with the Council the State Statutes that were in the packet about the Recreation Commission.

**EXECUTIVE SESSION (LEGAL) for 10 MINUTES.** Motion made and seconded by Council Member Berridge and Council Member Russell to recess into executive session for ten minutes. Motion carried by a show of hands. 7:16 p.m.

Mayor Golding called the meeting back to order. No action was taken. 7:26 p.m.

**EXECUTIVE SESSION (LEGAL) for 15 MINUTES.** Motion made and seconded by Council Member Berridge and Council Member Russell to recess into executive session for fifteen minutes. Motion carried by a show of hands. 7:26 p.m.

Mayor Golding called the meeting back to order. No action was taken. 7:41 p.m.

**OLD BUSINESS:**

The Council discussed the City's technology bid. It was decided that Shari would send this bid to several companies.

The Council talked about the Lagoon and what could be done about all the delays and who should be negotiating with the landowners in that area.

Bill: We did have an item 2 for lagoons

Dale: Actually I would like to discuss some of this out in the open and I want to make sure we stay away from any legal topics and stuff so we are not jeopardizing any of the city's position. But I am disgruntled and upset about how this lagoon situation has happened with landowners, the treatment of them and how things have gone on. Talking to Mark Richardson and he has emailed all of us the council stuff on June 4<sup>th</sup> and where he got

Bill: lets leave out any names I don't want to get too personal. Did you guys get any email. I didn't get one

Nick: I didn't get one

Skip: I didn't.

Dale: OK that's what I am trying to bring out. I want to make sure we as a council are getting treated fairly from landowners. This is just a situation where I

think and that is why I wanted to talk about it out here. Landowners are disgruntled with who's handling things right now. They don't trust the situation is my understanding and they may be very difficult to deal with. What I would like to do as a council is have us to have someone else to negotiate. To see if we can get dewatering done quicker and make it known to them it is not going to be EBH talking to them nor Randy Henry until we get some agreement so that Randy can draw up some agreement for us.

Randy: Just so we are clear. I have not talked to any of the landowners

Bill: Mark Gomez has I think Mark has

Dale: No you are precluded from doing it we're in litigation you couldn't anyway you have to talk to Dower.

Randy: When we were discussing one of our dewatering options all the negotiations done with that were done with Mark and the only time I have been in the picture was when he thought that was an agreement and I drafted one up and he presented it to a person and so what I am saying to you guys is I don't have any involvement in that and who ever you want to have do that is absolutely fine with me.

Brad: I visited with Mark and I think we pretty well had an agreement. And I think things have gone south and I don't think it will happen.

Bill: We need to do some checking on that

Brad: Yeah

Dale: Well how soon can we, we do not want to jeopardize losing our contract because they're getting disgruntled aren't they?

Bill: Yeah they are getting ready to move on.

Dale: And the other point I wanted to talk about this is one I myself don't feel like we are being treated fairly by EBH we are only brought into the picture as a council when there is an extreme problem and that is not right.

Brad: That's exactly right

Dale: And it's like Do this don't do this and if you don't do this they are going to walk off and you are up the creek. We'll what what kind of an option is that. And that is what we were told. That's not right. That is why I don't want EBH involved with the negotiating it because I don't trust them. And I am on the council and I am saying it out loud. I think we're past the point of trust here now we want some professionalism and we want some better treatment from EBH. And I don't want to see them involved with negotiating with the landowners It's not right. Any body disagree with that?

Skip: As far as I know Mark has been the one doing it all. That's as far as I know.

Dale: What I've heard now this is just coming back from landowners that it is They don't like the treatment from a particular person with EBH and a particular person in this room and if that's it lets eliminate that problem

Skip: I understand what you are saying I understand

Dale: and do better OK

Skip: I understand

Dale: lets get this moving ahead. Yeah

Dale: lets unruffled feathers if we can. to get this accomplished. That's my point. I don't think we have been treated right as a council in the past by our engineering firm and I want to get that solved here.

Nick: We could have it all taken care of before they started digging.

Dale: That's right exactly

Nick: Nothing taken care of Nothing

Dale: That's what I'm saying

Brad: We put them in charge. We should have stayed in charge

Dale: Any body disagree with what I am saying?

Brad: We got an engineering firm that should have handled .... This one here

Marlene: We need to be in charge of more things too Brad

Brad: I agree

Brad: I really do think we had the dewatering agreement agreement underway

Skip: That would be great

Brad: I really do and I am going to confirm that tomorrow.

Dale: That's all I wanted on that

Bill: Alright we will move on down to new business but there is none

## **OFFICERS REPORT**

Council Member Smith asked if Mark made arrangements to spray for mosquitoes. She was told that Mark had made arrangements for the vendor to spray two times. The vendor has one more time to spray.

She asked if there was in the code about fencing around swimming pools. The City would send letters out to the owners and would put it on Channel 7.

Council Member Brown said that he received complaints that when citizens wave at the police officers they do not wave back to them. They should be friendlier to the citizens.

He said that the House across the street from the Kwik Shop is not being fixed. It should either be upgraded or condemned. The City would be looking into this issue.

He talked about the certified letters that go out to citizens from the City. He was told that these letters are not generated unless there has been a complaint by a citizen.

He told the Council that the park committee would like to put in a volleyball net and sand where the basketball court would go in the master plan. This is not expensive. He would like for Mark to proceed at his discretion with this project. Motion made and seconded by Council Member Berridge and Council Member Neahring to allow Mark to proceed with putting in a volleyball net and

sand. Motion carried by the following vote: **YES:** Brown, Smith, Berridge, Neahring, Russell **NO:** None **ABSENT:** Rife

He discussed with the Council the boy scouts retiring flags at the ball diamonds during Klear Nearly Days. Motion made and seconded by Council Member Brown and Council Member Berridge to approve the boy scouts flag burning at the ball diamonds in an approved container and up off the ground. Motion carried by the following vote: **YES:** Smith, Berridge, Neahring, Russell, Brown **NO:** None **ABSENT:** Rife

Council Member Neahring asked about the property on the corner of D and Thompson Street. Brad said that he is working with the owner on this issue.

Council Member Russell told the Council that plaster is falling off the building at 17 North Nickerson Street. Mark would look into this issue.

The Mayor informed the Council that the contract with the Reno County Jail would be going up from \$35 to \$40 starting January 01, 2011.

He told the Council that the Planning Board needs two members and he would like to appoint April Addis to the board. Motion made and seconded by Council Member Russell and Council Member Neahring to approve April Addis to the Planning Board. Motion carried by the following vote: **YES:** Russell, Neahring, Berridge, Mayor Golding **NO:** Brown, Smith **ABSENT:** Rife

He informed the Council that the first meeting in July would be Tuesday, July 6<sup>th</sup> because July 5<sup>th</sup> is considered a holiday.

**There being no further business,** motion made and seconded by Council Member Smith and Council Member Berridge to adjourn at 8:50 p.m. A Motion was carried by a show of hands.

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