

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

**REGULAR COUNCIL MEETING
MONDAY, AUGUST 1, 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: Dan Schmitt, Rick Sims, Bob Davis

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, August 1st, 2011 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 July 18th Regular Minutes. Motion carried by the following vote: **YES:** McLemore, Russell, Koon, Brown, Fleming, Berridge **NO:** None

Motion made and seconded by Council Member Fleming and Council Member Berridge to approve the Agenda with the following addition, Old Business (3) Budget Discussion. Motion carried by the following vote: **YES:** Berridge, Fleming, Brown, Koon, Russell, McLemore **NO:** None

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

CITY ATTORNEY Stan Juhnke - not present

PUBLIC COMMENTS – On behalf of the Chamber, Bob Davis thanked the City Council, Police Department, Maintenance Department and everyone else that was involved for making Klear Nearly such a success.

OLD BUSINESS

Maintenance Supervisor Mark Gomes presented a report on the grinder pump research. Gomes reported that in 2006 the Council had adopted a wastewater disposal agreement for two residences, 11304 W. 82nd and 2 N. Moore in Nickerson, that states the resident is responsible for the installation, maintenance and repair of the grinder pump which is needed in order for a residence which is below grade of the sewer main tape to connect to and utilize the City sewer system. This agreement is in accordance with the International Plumbing/Building Code. Gomes also explained that if the Council should rescind the agreement with these two residences and take full responsibility for the electric bills, maintenance and repairs of the grinder pumps that this would only be for these two residences and any future construction requiring waste lines from a building to the City sewer tape are the responsibility of the property owner. Discussion ensued and Council Member Koon explained that he felt that since there was an issue 3 or 4 years ago with one of the grinder pumps involved in the wastewater disposal agreements that the City should be responsible for the electric bill, maintenance and repair of the grinder pump. Council Member McLemore asked what the condition of the grinder pumps are currently and Maintenance Supervisor Mark Gomes said there is no way to tell since the maintenance of the grinder pumps has been the responsibility of the property owners since 2006. Council Member Russell said he does not understand why this is being brought up 5 years after the agreement was made and no one has complained about it before. Council Member Koon made a motion to rescind the wastewater agreements with the two residences located at 11304 W. 82nd and 2 N. Moore in Nickerson, making it the responsibility of the City of Nickerson to pay for the electric bills, maintenance and repairs of the grinder pumps for these two residences only and any future construction will be subject to the City Code 15-305 making the grinder pumps installation and maintenance the responsibility of the property owner. Motion was made and seconded by Council Member Koon and Council Member Brown. Motion carried by the following vote: **YES:** Brown, Berridge, McLemore **NO:** Fleming, Russell **ABSTAIN:** Koon

City Clerk Robin Schmitt explained that the 1% Sales Tax election will be a special election which means it will be at the cost of the City. Schmitt presented the Council with the cost estimates of a regular ballot election and a mail ballot election. Council Member Berridge made a motion to hold a regular ballot election. Motion was made and seconded by Council Member Berridge and Council Member Russell. Motion carried by the following vote: **YES:** Koon, Brown, Fleming, Berridge, McLemore, Russell **NO:** None

Council discussed options for the 1% Sales Tax revenue. The discussion was tabled until the next meeting or workshop.

The Council looked over two Budget options for 2012. One was keeping the mill levy the same and one was lowering the mill levy by 2 mills. Council Member Berridge made a motion to adopt the Budget lowering the mill levy by 2 to 66.685. Motion was made and seconded by Council Member Berridge and Council Member Brown. Motion carried by the following vote: **YES:** Russell, McLemore, Berridge, Fleming, Brown, Koon **NO:** None
The Budget hearing will be set for August 22nd or August 29th depending on Scott Loyd's ability to attend.

NEW BUSINESS

EXECUTIVE SESSION (PERSONNEL) for 10 MINUTES. Motion made and seconded by Council Member Russell and Council Member Berridge to recess into executive session for ten minutes. Motion carried by a show of hands. 7:50 p.m.

Mayor Gladden called the meeting back to order. 8:00 p.m.

Council Member Russell made a motion rescind the contract with Ashley Bowman as housekeeper and to direct City Clerk Robin Schmitt to obtain three new bids for housekeeping. Motion was made and seconded by Council Member Russell and Council Member Brown. Motion carried by the following vote: **YES:** Berridge, Russell, Koon, Brown, Fleming, McLemore **NO:** None

OFFICERS REPORT

Council Member Berridge thanked the Chamber of Commerce, City Workers and Police Department for doing a fine job with Klear Nearly Days. Berridge also reported that the Bemby mediation in Wichita lasted all day but is resolved and the City can now move on.

Council Member Brown reported that Klear Nearly was a big success and was asked where the Water Park is going to be located. Brown also reported that a vender let him know that the electrical breakers were being tripped when she plugged in her air conditioner.

Council Member Koon thanked who ever got a hold of Hutchinson News and placed the article. Koon also mentioned that he has been informed that the speed bump over on Holiday is wearing down and needs to be built up again. Koon reported that he is working on getting the Recreation Commission into the 309 School District funding. Koon also said that if anyone has received a letter from Black Hills Energy about moving their meters up to their house, there will not be a charge to the homeowner for the move. Berridge said that gas line work

on the house side of the meter will have to be done by a plumber at the homeowner's expense.

Council Member McLemore reported that he will be the backup person to open the storm shelter at the high school locker room. McLemore also reminded the Council that they are not to reprimand any City employees and that it should be taken to the Mayor or Department Head if a City employee needs to be spoken to about an issue.

City Clerk Robin Schmitt clarified a mistake she made in her previous report about the AT&T phone service. Schmitt previously told the Council that the new phone service would save around \$300 but after receiving the agreement in the mail it will actually be around \$150. Schmitt also reported that after some doing she was able to get the call forwarding set up and will be working on getting the Answerlink Service going.

Maintenance Supervisor Mark Gomes thanked the Chamber of Commerce, Mr. Gitchell and Mr. Davis for their work and assistance with Klear Nearly Days. The clean up the following day was minimal this year.

Maintenance Supervisor Mark Gomes asked for approval to purchase a door opener for the bay door of the maintenance garage to be utilized during emergencies such as water main breaks. A motion was made to approve the purchase of a door opener and remotes up to \$800.00. Motion was made and seconded by Council Member Russell and Council Member Berridge to approve the purchase. Motion carried by the following vote: **YES:** McLemore, Russell Koon, Brown, Fleming, Berridge **NO:** None

Mayor Gladden asked the Council to consider hiring a part-time City inspector and Code enforcer at the next council meeting. Gladden also said he would research the way Sterling does its uniform water rates for possible consideration here in Nickerson.

Rick Sims reported that Scott Loyd called while the Council was in Executive Session and said he is available Tuesday through Friday next week for budget discussion.

THERE BEING NO FURTHER BUSINESS, motion made and seconded by Council Member Fleming and Council Member Berridge to adjourn at 8:20 p.m. A Motion was carried by a show of hands.

Official