

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

REGULAR COUNCIL MEETING

Monday, August 5, 2013

MAYOR: Jim Gladden

COUNCIL: Brad Berridge – President, Linda Fleming, Jim Koon, Mike McLemore,
Brian Rife, Jon Rohling

EMPLOYEES

PRESENT: Robin Schmitt, Phyllis Richardson, Mark Gomes,

GUESTS: David Richardson, Dan Schmitt, Mike Jordan, Matt Jordan, Theresa Teufel,

ATTORNEY: Stan Juhnke

ROLL CALL: Berridge, Rohling, Koon, Rife, Fleming, McLemore

ABSENT:

The Regular City Council meeting was called to order by Mayor Gladden at 7:00 p.m. on Monday, August 5, 2013 at Nickerson City Hall.

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

Motion made and seconded by Council Member Rife and Council Member Berridge to approve the July 24, 2013 Special Meeting Minutes. Motion carried by the following vote: **YES:** McLemore, Rohling, Koon, Rife, Fleming, Berridge, **NO:** None

Motion made and seconded by Council Member Berridge and Council Member Koon to approve the August 1, 2013 Special Meeting Minutes. Motion carried by the following vote: **YES:** Berridge, Fleming, Rife, Koon, Rohling, McLemore, **NO:** None

Motion made and seconded by Council Member Berridge and Council Member Rife to approve the July 15, 2013 Minutes. Motion carried by the following vote: **YES:** Rife, Koon, Rohling, McLemore, Berridge, Fleming, **NO:** None

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

Motion to approve the August 5, 2013 payables was made and seconded by Council Member Berridge and Council Member Rohling. Motion carried by the following vote: **YES:** Koon, Rife, Fleming, Berridge, McLemore, Rohling, **NO:** None
ABSTAIN:

CITY ATTORNEY Stan Juhnke

PUBLIC COMMENTS – Theresa Tufel with the Chamber of Commerce informed the Council that the rained out Klear Nearly Days dance has been rescheduled for August 31st and asked for approval for the road closures and alcohol for the rescheduled dance. Theresa also asked for Sheriff Patrol during the dance.

Motion was made and seconded by Council Member Rife and Council Member Berridge to approve the request from the Chamber of Commerce. Motion carried by the following vote: **YES:** Rohling, McLemore, Berridge, Fleming, Rife, Koon, **NO:** None

Theresa also thanked the Council and the City employees for their assistance with Klear Nearly Days.

Reggie Green addressed the Council with concerns about the water problem by the Coop when it rains and about the money being spent on the activity (Community) center when the 2014 budget had to be raised 12 mills. Reggie stated that he is concerned that money is being spent on building a new elaborate building instead of utilizing an existing building in town that could pay for itself through storage and other income. Reggie feels the penny sales tax should be put back into the City to help pave streets and to fix the drainage issues when it rains. Reggie asked the Council to rethink the usage of the sales tax and asked them to consider using the tax for needs instead of wants.

Mike Jordan with SafeGuard Investigations & Consultants addressed the Council. SafeGuard had presented a proposal of security services for the City of Nickerson at the last Council meeting. Mr. Jordan stated that they had met with Undersheriff Stewart who recognizes the legitimacy of their company and who also recognizes that Nickerson needs more than what it has for security. Mr. Jordan asked if the Council had done any research or has made any decisions about their proposal. Mayor Gladden explained that due to budget issues the City of Nickerson is not in a position to hire any extra law enforcement or security companies outside of what the Sheriff's Department provides at this time.

OLD BUSINESS

City of Nickerson Sign – Superintendent Gomes reported that the information sign which was donated to the City by Nickerson High School can be placed at any location the Council chooses. Gomes stated that he and the Mayor had discussed the area where the existing welcome sign and the combine are

located as a possible site. There is a power drop in that area and a meter will need to be installed. Discussion ensued. Council Member Fleming asked about the historical sign for the combine and the Mayor reported that there will be a historical marker placed with the combine.

Motion was made and seconded by Council Member Berridge and Council Member Rife to place the donated information sign at the corner of Railroad and Nickerson Street positioned at Superintendent Gomes' discretion. Motion carried by the following vote: **YES:** Fleming, Berridge, McLemore, Rohling, Koon, Rife, **NO:** None

NEW BUSINESS

CD #30348 – Motion was made and seconded by Council Member Rife and Council Member Fleming to allow CD #30348 to renew. Motion carried by the following vote: **YES:** Berridge, Rohling, Koon, Rife, Fleming, McLemore, **NO:** None

Water Rate Review – KDHE is offering a free water rate review for the City of Nickerson after reviewing the City's 2012 audit and finding that the City has been utilizing cash reserves to pay Loan Fund Project No. 2428.

Motion was made and seconded by Council Member Berridge and Council Member Rohling to do a water rate review with KDHE's free assistance. Motion carried by the following vote: **YES:** McLemore, Rohling, Koon, Rife, Fleming, Berridge, **NO:** None

Chip Seal Estimate – Superintendent Gomes presented an estimate from Circle C Paving and Construction for street chip sealing in the amount of \$47251.00 which would be paid out of the Special Highway Fund. The Special Highway fund money cannot be used for anything outside of streets. Discussion ensued. Gomes stated he is requesting to chip seal as follows:

Cheney St. from East Ave. B to Thomson	\$4695.00
East Ave. C from Cheney to Thompson	\$2022.50
Thompson from East Ave. B to Nickerson St.	\$13180.00
Ave. D from Pierce to Peabody	\$8690.00
Kent St. from Ave. B to Ave. C	\$2780.00
Asphalt Patching	\$14883.50
Mobilization	\$1000.00

Motion was made and seconded by Council Member Rife and Council Member Berridge to approve the chip sealing project as presented by Gomes. Motion carried by the following vote: **YES:** Berridge, Fleming, Rife, Koon, Rohling, McLemore, **NO:** None

OFFICERS REPORT

Council Member Rohling asked the Council to start considering selling off unused City and Police equipment.

Council Member Berridge was asked by a citizen about moving the trash cans back to the alley to help with the appearance of the city. Discussion ensued about the issue of the trash trucks collapsing sewer lines in the alley ways. Berridge also stated that he too wants the Council to start considering selling off unused City and Police equipment to help offset the 2014 budget 12 mill increase. Berridge feels the City has enough assets to sell off to recover the 12 mills and would like to see the items sold as quickly as possible. Discussion ensued. Council Member Rife stated that he too feels the City should sell off unused equipment but the mill levy increase cannot be avoided by selling off equipment when the amount the City would get for the items is unknown. Discussion ensued. Rife stated that the reserves must be built back up in order to cover emergency and unexpected expenses.

Council Member Koon stated that the City pays a lot of money to Swindoll, Janzen, Hawk & Loyd who does auditing for a hundred cities in Kansas and they know where the City is financially, therefore, he is listening to SJHL and using the information when making a decision about the mill levy. Koon would like to see a surcharge put on the trash company for cleanup that has to be done after they pick up the trash, to help with the mill levy.

Council Member Fleming confirmed that the mosquito fogger will be started back up since there has been so much rain.

Council Member McLemore reported on the grant surveys. 42 of the surveys need to be redone because they were not filled out correctly. McLemore asked if the guns in the Police inventory would have to go through a dealer in order to be sold. City Clerk Schmitt confirmed that they would have to go through a dealer to be sold. City Clerk Schmitt will provide the inventory list.

Superintendent Gomes reported on the lighting strikes that took out the primary lift station and the water park controller. The repairs will be turned into the insurance company to be reimbursed, minus the \$1000 deductible. Gomes also reported on an email received from Joe Schauf with the Coop, expressing frustration over the drainage problem at the intersection of Nickerson and Avenue A. They are experiencing water getting into the fuel tanks when it rains heavily and floods the area. Gomes explained why this situation occurs and asked the Council if they want him to look into hiring an engineer to assist in trying to alleviate the problem. Discussion ensued.

Motion was made and seconded by Council Member Koon and Council Member Rife to approve contacting and hiring assistance with the drainage problem. Motion carried by the following vote: **YES:** Rife, Koon, Rohling, McLemore, Berridge, Fleming, **NO:** None

Mayor Gladden reported a request from a citizen to have the City implement the mosquito fogger.

Joyce Hoschouer complained to the Mayor about water backing up on her property due to another property owner piling dirt up.

Mayor Gladden reminded the Council that the Combine event is scheduled to start early on August 17th. Superintendent Gomes reported that the combine will be painted all black, according to historical records, in time for the event.

Mayor Gladden confirmed that a thank you note was sent to the Chamber thanking them for cleaning up the Park after the Klear Nearly event.

Council Member Koon confirmed that Mr. Gregg will be in court about the progress of the clean up at his property on August 8th.

Carol Snow brought a complaint about her neighbor scrapping metal at his home. Superintendent Gomes explained that it would be checked into.

THERE BEING NO FURTHER BUSINESS, motion made and seconded by Council Member Fleming and Council Member Berridge to adjourn at 7:56 p.m. A Motion was carried by a show of hands.

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