

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

**REGULAR COUNCIL MEETING
MONDAY, AUGUST 15, 2011**

MAYOR: Jim Gladden

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

EMPLOYEES

PRESENT: Robin Schmitt, Mark Gomes

GUESTS: Bob Davis Dan Schmitt, Rick Sims, Gary Graber, Vera Graber, Herb Stange, Beth Stange, Joyce Beam

ATTORNEY: Stan Juhnke

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

ABSENT: Fleming

The Regular City Council meeting was called to order by Mayor Gladden at 7:00 p.m. on Monday, August 15, 2011 at Nickerson City Hall.

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

Motion made and seconded by Council Member McLemore and Council Member Russell to approve the August 1st Regular Minutes. Motion carried by the following vote: **YES:** McLemore, Russell, Koon, Brown, Berridge **NO:** None

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

McLemore asked if the payable to EBH was the final payment and Maintenance Supervisor Mark Gomes informed the Council that it was not. Motion to approve the payables was made and seconded by Council Member Russell and Council Member McLemore. Motion carried by the following vote: **YES:** Brown, Koon, Russell, McLemore **NO:** None

CITY ATTORNEY Stan Juhnke - not present

PUBLIC COMMENTS – None

OLD BUSINESS

City Clerk Robin Schmitt asked the Council to adopt Ordinance No. 2011-03 pertaining to payment of proceeds of fire insurance policies.

Motion was made and seconded by Council Member Russell and Council Member Berridge. Motion carried by the following vote: **YES:** Koon, Brown, Berridge, McLemore, Russell **NO:**

The Council discussed the wording of the Special Election ballot for the 1% Sales Tax. A motion was made by Council Member Russell to use an alternate wording to keep the ballot simplified. The motion failed due to no second. The Council chose to use the wording suggested by City Attorney Stan Juhnke with additions. The ballot will state: Shall the City of Nickerson continue the 1% (one per cent) sales tax for 5 years to be used for city improvements including finishing the park, water park accessories, playground equipment, community center and property tax relief? Motion was made and seconded by Council Member Berridge and Council Member Koon. Motion carried by the following vote: **YES:** Koon, Brown, Berridge, McLemore, Russell **NO:** None

The Council discussed keeping the retail liquor sales question on the Special Election ballot. The Council chose to keep the question on the ballot as worded by the City Attorney: Shall the City of Nickerson allow retail liquor sales within the City? Motion was made and seconded by Council Member Berridge and Council Member Brown. Motion carried by the following vote: **YES:** Berridge, Brown, Koon **NO:** McLemore, Russell

NEW BUSINESS

City Clerk Robin Schmitt requested permission to change the wording of the Personnel Manual page 16 Section 3: C to more plainly reflect how the Police are being paid overtime. Motion was made and seconded by Council Member Russell and Council Member Koon. Motion carried by the following vote: **YES:** Berridge, McLemore, Russell, Koon, Brown **NO:** None

Mayor Gladden presented a request from Police Chief Kelsey to sell the retired weapons to the auxiliary police officers. The Council had several questions and requested that Police Chief Kelsey attend the next Council Meeting to address the questions before they make a decision. A motion was made and seconded by Council Member Russell and Council Member Berridge to table the discussion until the next Council Meeting. Motion carried by the following vote: **YES:** Berridge, Russell, Koon, Brown, McLemore **NO:** None

EXECUTIVE SESSION (PERSONNEL) for 10 MINUTES. Motion made and seconded by Council Member McLemore and Council Member Russell to recess into executive session for ten minutes. Motion carried by a show of hands. 7:46 p.m.

Mayor Gladden called the meeting back to order. 7:56 p.m.

OFFICERS REPORT

Council Member Koon reported that he voted the way he did on the retail liquor sales being on the ballot because he took a 10 person poll and it was 8 to 2 for it to be on the ballot.

Maintenance Supervisor Mark Gomes gave an update on the easement issue with the Lagoon Project and stated how the commitments from the title company were not clear and the requirements would not allow us to get the issue resolved within the allotted time frame. The City Attorney will go back to the original surveys and would begin the process to acquire the easements from the property owners as originally read. Gomes reported that he met with the Chamber about the electrical issues at the park during Klear Nearly Days and there will be electrical improvements presented for Councils approval.

Maintenance Supervisor Mark Gomes requested permission from the Council to lease the skidsteer sweeper for two additional days at the rate of \$375 per day. Motion was made and seconded by Council Member Brown and Council Member Berridge to approve the lease. Motion carried by the following vote: **YES:** Berridge, Brown, Koon, Russell, McLemore **NO:** None

City Clerk Robin Schmitt gave a copy of the budget information that will be sent to the paper for publishing. The hearing date will be set for August 29th at 7pm.

Mayor Gladden reported on his research of level water rates with Sterling and they are just starting to use the level water rates. Sterling recommended checking back with them in the Fall to see how it is working out.

Mayor Gladden received a complaint that the Tornado Siren did not sound during a storm last week. Gladden explained that it was not set off because there was no tornado and that the sirens will not be set off unless there is an actual threat of a tornado. The sirens are for notifying the public of a tornado threat and not just for blowing wind. Maintenance Supervisor Mark Gomes explained how the Fire Department is responsible for setting off the Tornado sirens.

Mayor Gladden reported that he approved City Clerk Robin Schmitt and Maintenance Supervisor Mark Gomes to go to training on August 19th in Newton, KS on the Open Meetings Act.

THERE BEING NO FURTHER BUSINESS, motion made and seconded by Council Member Brown and Council Member Berridge to adjourn at 8:08 p.m. A Motion was carried by a show of hands.

Official