

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

**REGULAR COUNCIL MEETING**

**Monday, August 15, 2016**

**MAYOR:** Jim Gladden

**COUNCIL:** Jon Rohling – President, Brad Berridge, Trent Gilbert, Angela Richard, Jane Jenkins, Angela Cottrell

**ATTORNEY:** Stan Juhnke

**ROLL CALL:** Berridge, Rohling, Gilbert, Richard, Cottrell

**ABSENT:** Jenkins,

The Regular City Council meeting was called to order by Mayor Gladden at 7:00 p.m. on Monday, August 15, 2016 at Nickerson City Hall.

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

Motion made and seconded by Council Member Richard and Council Member Cottrell to approve the July 18, 2016 Regular Meeting Minutes. Motion carried by the following vote: **YES:** Cottrell, Rohling, Gilbert, Richard, Berridge **NO:** None

Motion made and seconded by Council Member Gilbert and Council Member Berridge to approve the July 20, 2016 Special Meeting Minutes. Motion carried by the following vote: **YES:** Berridge, Richard, Gilbert, Rohling, Cottrell **NO:** None

Motion made and seconded by Council Member Cottrell and Council Member Rohling to approve the Agenda as written. Motion carried by the following vote: **YES:** Richard, Gilbert, Rohling, Cottrell, Berridge, **NO:** None

Motion was made and seconded by Council Member Rohling and Council Member Cottrell to approve the August 15, 2016 Payables. Motion carried by the following vote: **YES:** Gilbert, Richard, Berridge, Cottrell, Rohling, **NO: Abstain:**

**CITY ATTORNEY**

**PUBLIC COMMENTS** – Monica Frye is concerned about a house next door to her which caught on fire and she stated the house has not been worked on in a while. She said she feels the work that was done so far is not up to code. She is worried that the home will be left vacant and unfinished indefinitely. She also does not want a family moving into a home that doesn't look sound based on the repairs that have been done so far. Berridge stated that he owns the home and has a building permit and there have been major renovations on the inside of the home. The windows are ordered and a painter has been hired. Berridge stated his permit is for six months and offered to allow Monica to visit the property to see the progress and she accepted.

Peggy Ruebke with the Chamber thanked the City for their help with Klear Nearly Days. There was more attendance and more events than ever before and it could not have happened without the City crew and Council's support. 2018 will be 50 years of Klear Nearly Days so they will be ramping up for that. The Chamber is looking for any suggestions from the Council or public or to help out. The 5k run was a first and went great along with a lot of other new events. The Fire Department came out and participated as well.

**OLD BUSINESS** - None

## **NEW BUSINESS**

**Lagoon Renovation** – Don Hellar with EBH talked about the Lagoon not meeting the regulations on the discharge and how the EPA (Environmental Protection Agency) has been monitoring the situation and is not happy with the discharge test failures. The Federal Government has given the State of Kansas a sum of money to be used for cities that are having trouble meeting regulations. They will pay whatever it takes to bring the lagoon back into regulation. It is a loan forgiveness program. KDHE (Kansas Department of Health & Environment) will reopen the original loan that was used to build the lagoon, which was paid off by issuing bonds, and use this original loan to lend whatever amount is needed to fix the lagoon and then forgive the loan. One of the Federal requirements for the loan forgiveness is the City will have to pay one month's interest on the entire loan. For example; if the loan is for a million dollars at 2.72%, a year's worth of interest would be \$27,200 and a month's worth would be \$2200 - \$2300. The one month's interest can be paid off through the loan after the principle is forgiven. Rod presented a preliminary drawing of the proposed project. The State is wanting the lagoon to go completely non-discharge so until the soil samples are completed, the engineers won't have a definite plan or budget. Once the soil samples and surveys are completed and a budget is set, the State will send the City a loan agreement for the amount needed for the project and

it will also state what amount will be forgiven. EBH will have to do the design ahead of the loan going through. Clerk Schmitt asked what would happen if they do the engineering work and then the State changes their mind about a loan and Don stated they would simply not be paid and they would not be billing Nickerson. EBH will not be bringing an engineering contract to Nickerson until after the loan agreement is completed with the State. Council member Richard asked if this is all State funded and Ron said it is Federal funded but he did not think we would need a single audit. Clerk Schmitt and Council member Richardson agree there is a possibility that a single audit will be needed due to the fact that funds given to the State from the Federal Government and then given to the cities in the amount of \$750,000 or more will require a single audit. Clerk Schmitt will check with the auditors about the requirements.

Ron asked permission to go onto the lagoon property to do the soil testing and the survey.

Motion was made and seconded by Council Member Cottrell and Council Member Rohling to allow EBH to enter the lagoon property and to conduct the soil tests and survey. Motion carried by the following vote: **YES:** Berridge, Cottrell, Rohling, Gilbert, Richard, **NO: Abstain:**

Clerk Schmitt confirmed with Ron that there will be no billing directly to Nickerson for the soil testing and survey. The billing will be included in the work paid for through the loan agreement with KDHE and there will be no bill if the loan agreement does not happen.

**Marlene Smith Memorial** – Marlene Smith was a very dedicated citizen who was on the Council for a number of years and involved with the Nickerson library so the Mayor asked the Council to consider donating to the library or purchasing a book in her name. Clerk Schmitt also reminded them that one of the benches outside the library had collapsed and recommended that the City replace the bench with a memorial plaque for Marlene. Council directed Clerk Schmitt to research the different bench styles and prices and to report back at the next meeting.

**CD# 4149 Renewal** – CD#4149 is a 6-month CD that is maturing on August 18, 2016 for the amount of \$61,178.48.

Motion was made and seconded by Council Member Berridge and Council Member Rohling to allow CD# 4149 to mature and not to cash it in. Motion carried by the following vote: **YES:** Rohling, Cottrell, Berridge, Richard, Gilbert, **NO: Abstain:**

## **OFFICER REPORTS**

Cottrell – welcomed the Mayor back and thanked the Chamber for a wonderful Klear Nearly. Thanked Christina and her team for all the work on the city budget. Extended her deepest sympathies to the Smith family.

Gilbert – did not make it to the Klear Nearly event but heard that it turned out great and thanked the Chamber for their hard work putting it together.

Rohling – thanked the Chamber and said he bets next year's Klear Nearly will be even better and is looking forward to the Snowflake Festival in December. Has been asked about the mosquito spraying and the Mayor will ask Casey to make sure it gets done. Thanked the crew for getting the mowing done despite all of the rain.

Berridge – welcomed the Mayor back. Thanked the Chamber for the fantastic Klear Nearly event. Was at Marlene Smith's funeral at the cemetery and thanked the crew for the wonderful job they did making sure it looked nice. Reported that he sponsored a hole for Jakob Tuxhorn who almost has the fundraising completed for the Frisbee golf course project for the City park. Thanked the girls in the city office for their work.

Richard – Ditto on welcoming the Mayor back and thanked the Chamber for Klear Nearly Days. Appreciates the new swing seats at the City park.

Clerk Schmitt – Confirmed with Engelland Construction that late September or early October would be a good time to start construction on the walking trail around the City park. We are still waiting on the bid from the high school wood shop on the signage for the walking trail. The bid will probably come in after school starts. The Zoning hearing for the elementary school sign is on August 22<sup>nd</sup> at 7 p.m.

Mayor Gladden – is glad to be back and is feeling better. Will speak to Casey about the mosquito spraying. Complemented the Council on purchasing the new mowers. The crew is really getting a lot done since the purchase.

**THERE BEING NO FURTHER BUSINESS**, motion made and seconded by Council Member Gilbert and Council Member Cottrell to adjourn at 7:41 p.m. Motion carried by show of hands.

Official