

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

REGULAR COUNCIL MEETING

Monday, August 19, 2013

MAYOR: Jim Gladden

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

EMPLOYEES

PRESENT: Robin Schmitt, Phyllis Richardson,

GUESTS: Dale Brown, Matthew Brown, Dan Schmitt, Teresa Rife, Jamie Arneson,
Sheryl Bass, John Bass, John Murphy, Tapattha Strickler

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 19, 2013 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 Rohling to approve the August 5, 2013 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 Fleming to approve the Agenda with an addition under New Business #7, Community Center Briefing. Motion carried by the following vote:

YES: Berridge, Fleming, Rife, Koon, Rohling, McLemore, **NO:** None

Council Member Fleming asked how long the City rented the back-up pump for the main lift station which was struck by lightning. The time frame was about 48 hours.

Motion to approve the August 19, 2013 payables was made and seconded by Council Member Rife and Council Member Rohling. Motion carried by the following vote: **YES:** Rife, Koon, Rohling, McLemore, Berridge, Fleming, **NO:** None

ABSTAIN:

CITY ATTORNEY Stan Juhnke

PUBLIC COMMENTS – Sheryl Bass requested to have the speed bump removed from Avenue H. Sheryl stated that it is just a nuisance and that the whole neighborhood was not consulted. Council Member Rife, who lives on Avenue H as well, agreed that there was a lack of input. Teresa Rife also stated that she drives the school bus and she does not speed and the speed bump washes out on both sides and also wishes the entire neighborhood had been consulted. Council Member McLemore stated that the Council was led to believe that there has been a lot of speeding on that street and suggested that they put together a petition to have the speed bump removed.

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

First Baptist Church Block Party – Jamie Arneson and Pastor Randy Parks requested to have C Street from Kent to Nickerson blvd closed on September 21st from 1 pm to 8 pm for a barrel train. The First Baptist Church will be hosting a block party with free food and entertainment. The City would be providing the barricades.

Motion was made and seconded by Council Member Fleming and Council Member Berridge to close and barricade C Street between Kent and Nickerson Blvd on September 21st from 1 pm to 8 pm for the First Baptist Church Block Party. Motion carried by the following vote: **YES:** Koon, Rife, Fleming, Berridge, McLemore, Rohling, **NO:** None

Ordinance to back up SB 102 – The Mayor of Herndon sent out a request to the cities of Kansas to pass an Ordinance similar to one that the City of Herndon passed which protects the right to keep and bear arms.

Motion was made and seconded by Council Member Berridge and Council Member Rife to direct City Clerk Schmitt to draw up a similar Ordinance with the City Attorney's approval for the Council to consider. Motion carried by the following vote: **YES:** Koon, Rife, Fleming, Berridge, McLemore, Rohling, **NO:** None

CD #4149 – CD #4149 in the amount of \$60677.58 will mature as of August 22, 2013.

Motion was made and seconded by Council Member Berridge and Council Member rife to allow CD #4149 to mature. Motion carried by the following vote: **YES:** Rohling, McLemore, Berridge, Fleming, Rife, Koon, , **NO:** None

Police Building and Equipment – Mayor Gladden talked with Karyl White with EMS about allowing the EMS department to utilize the currently unused police department building with the understanding that if the City ever reinstates the police department that the building would revert back to the police. Discussion ensued. Mayor Gladden stated that Administration would pay the half that was paid by the police department for EMS while EMS occupies the building. Discussion ensued.

Motion was made and seconded by Council Member McLemore and Council Member Berridge to allow EMS to utilize the police station for their use. Motion carried by the following vote: **YES:** Fleming, Berridge, McLemore, Rohling, Koon, Rife, **NO:**

Council Member McLemore reported that Council Member Rife has been in contact with the Reno County Sheriff and presented them with a police equipment inventory list of items that may be for sale and the Sheriff's Department has responded back with a list of items they are interested in looking at for purchase. No prices have been set and no offers have been made. McLemore and Council Member Rife took on the project because they were assigned to the Police Department. They need to set a time with the Sheriff's Department to allow them to look over the items. Rife confirmed that the Sheriff's Department wants to look at the items before they commit to any purchase and they will supply a list of items they wish to purchase. At that point McLemore and Rife would bring the list back to the Council for Council approval. Discussion ensued about the equipment, cars and radios. City Clerk Schmitt will get a copy of the inventory list to all the Council members.

Groundsmaster Mower Lease – Mayor Gladden presented on behalf of Superintendent Gomes, a lease option for a mower for the Council to consider in the future for the 2014 budget.

LKM Voting and Alternate Delegate – Mayor Gladden recommended that City Clerk Schmitt be selected as the City's voting delegate and Utility/Court Clerk April Beshears be selected as the City's alternate voting delegate for the League of Kansas Municipalities.

Motion was made and seconded by Council Member Berridge and Council Member Koon to elect City Clerk Schmitt and April Beshears as the LKM voting and alternate voting delegates. Motion carried by the following vote: **YES:** Berridge, Rohling, Koon, Rife, Fleming, McLemore, **NO:** None

Community Center Briefing – Council Member McLemore stated they have the preliminary concept drawing. There will be a meeting on Wednesday morning. Chuck who is assisting with the grant process reviewed the surveys and kicked out 47 of them because they were not filled out correctly. One of the committee members went out and obtained 47+ more to replace the incorrect ones. Council Member Rife pointed out the cost estimate and reminded everyone that it is just an estimate that had to be done along with the survey as part of the grant process.

Mayor Gladden announced that Joyce Beam has resigned from the Community Center Committee. After consulting with the other committee members earlier in the week, Mayor Gladden decided he would appoint Linda Fleming to the committee because she has attended all the meetings so far. Mayor Gladden officially appointed Linda Fleming to the Community Center Committee in place of Joyce Beam. Linda accepted the appointment.

Motion was made and seconded by Council Member Berridge and Council Member Rohling to approve the appointment of Linda Fleming to the Community Center Committee. Motion carried by the following vote: **YES:** McLemore, Rohling, Koon, Rife, Berridge, **NO:** None, **Abstain:** Fleming,

OFFICERS REPORT

Council Member Fleming thanked Superintendent Gomes and the Maintenance crew for all the hard work they put into getting the Baldwin Combine ready for the commemoration on Saturday. The Combine looks very nice.

Council Member Koon reported a pit-bull about two blocks from the City office but did not know the address or exact house.

Koon reported receiving complaints from citizens on Holiday about the school buses going around the speed bump and into people's yards.

Koon reported a call from someone wanting to know why the City was mowing Berridge's property by the elevator.

Koon asked if the Council is going to get serious about the annexation. Discussion ensued. The Mayor will ask Kenny Burgess about the annexation process.

Koon thanked Mark for an excellent job.

Koon wanted to know why the combine was set behind the tree and why the sign is facing the direction it is. Mayor Gladden stated it was set that way for when the new highway comes in. Gladden stated that the Baldwin people were happy with the way it is set up.

Council Member Berridge thanked the City crew for doing the mosquito spraying.

Council Member Rife said he has received phone calls about RV's being occupied in the yard at 10 S. Pierce. Rife asked if they are paying their fees according to the ordinances. Discussion ensued. Rife asked for Mark to check into the complaint and to follow up according to the code.

Council Member Rohling thanked the City crew for the work on the combine and the mosquito spraying.

City Clerk Schmitt reported that the audio video equipment has been malfunctioning and the Council meetings have not been getting recorded regularly. The Council had made a motion in the past to keep the recorded meeting discs for a period of five years. Clerk Schmitt asked the Council to not require the discs to be kept any more. Clerk Schmitt stated she consulted the League and the official minutes are the written minutes that the Council approves at the meetings and not the recordings of the meetings. Discussion ensued. Berridge stated that the recording of a meeting had helped in a previous law suit. Rife stated he is concerned that the City is placing itself in a position of more liability by keeping the recordings. McLemore mentioned the expense of keeping them. Clerk Schmitt is waiting on a quote on a new audio video system. The Council tabled the discussion until a quote can be obtained for a new system.

Mayor Gladden has a concern about the building on the next block from City Hall, next to Fleming Appliance. Mayor Gladden feels the wall could be painted and some curtains hung in the windows to help with the look of the building because it is the first thing you see when you come into town.

Mayor Gladden thanked Danny and Robin Schmitt for donating the fencing around the Baldwin Combine. Mayor Gladden thanked the Maintenance Crew for the work on the combine as well.

Council Member Fleming confirmed that the next Council meeting will fall on Tuesday due to the Labor Day holiday.

THERE BEING NO FURTHER BUSINESS, motion made and seconded by Council Member Fleming and Council Member Berridge to adjourn at 7:58 p.m. A Motion was carried by a show of hands.

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