

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

REGULAR COUNCIL MEETING

Tuesday, September 3, 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: Dale Brown, Teresa Rife, Sheryl Bass, Johnnie Bass, David Richardson

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 Tuesday, September 3, 2013 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 Fleming to approve the August 19, 2013 Budget Hearing 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 Rife to approve the August 19, 2013 Minutes. Motion carried by the following vote: **YES:** Berridge, Fleming, Rife, Koon, Rohling, McLemore, **NO:** None

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

Council Member Rife confirmed that the payable for replacing the Water Park controller which was damaged by a lightning strike will be turned into the insurance company for reimbursement and the fund which the payment was made from will be reimbursed when the insurance check comes in.

Motion to approve the September 3, 2013 payables was made and seconded by Council Member Berridge and Council Member Rohling. Motion carried by the following vote: **YES:** Koon, Rife, Berridge, McLemore, Rohling, **NO:** None **ABSTAIN:** Fleming,

CITY ATTORNEY Stan Juhnke

PUBLIC COMMENTS – Sheryl Bass at 401 W Avenue H presented a petition with 24 signatures to the Council. The petition requests to have the speed bump at Speare and Avenue H removed. Discussion ensued. Council Member Rife asked Superintendent Gomes if other options had been explored for handling the problem of speeding on Avenue H. Gomes stated that there had been discussion in the City Office about putting in a 4 way stop at that intersection to help slow down vehicles that are continuing at the same rate of speed from HWY 96 onto Avenue H. Sheryl said that everyone who is against the speed bump would be agreeable to the 4 way stop sign. Discussion ensued.

Motion was made and seconded by Council Member Rohling and Council Member Fleming to remove the speed bump and to put in a 4 way stop at Speare and Avenue H. Motion carried by the following vote: **YES:** Koon, Rife, Fleming, Berridge, McLemore, Rohling, **NO:** None

Dale Brown addressed the Council about the audio video equipment quote that the Council will be considering later in the meeting and about keeping the recordings of the Council meetings. Dale stated that with the mill levy increase the Council needs to be careful not to be wasting money by approving a high quote for audio/video equipment. Dale also stated that the reason the City should continue keeping the recordings of the meetings is because they have benefited the City in the past by stopping litigation in its tracks. An upgrade in the system to help with the sound would be ok. Dale continued with saying that he does not believe that the budget increase can be blamed on the debt of 19 mills because Rural Development came in and told the City to increase the rates to cover the debt and the Council did. Dale said he voted against the lagoon and the second water tower because they have to be paid for and they were too much money. Dale wants to see an accounting to see what is out of control. Dale suggested filing litigation against Randy Henry and EBH in order to get some income because the City was not treated right.

OLD BUSINESS

Resolution 2013-04 – A resolution approving the Second Amendment to the Constitution of the United States.

Motion was made and seconded by Council Member Berridge and Council Member Koon to adopt Resolution 2013-04. Motion carried by the following vote: **YES:** Rohling, McLemore, Berridge, Fleming, Rife, Koon, **NO:** None

Police Department Equipment – Council Member Rife reported that the Sheriff's Department has received the list of items which are for sale and will take a look at the items sometime in the 1st week of October. Rife reiterated that they are interested in the newer police car. Council Member McLemore reported that Jeremy Rodriguez, the part-time police chief of Windom, Kansas, is interested in the equipment that Reno County does not purchase and the older police car as well. Rife stated that Hutch PD is interested in a file cabinet. The Council requested the list from the Reno County Sheriff's Department of the items they are interested in. Council Member Berridge stated he would like the EMS Department have first choice of the items. Discussion ensued. Clerk Schmitt will provide a copy of the list of items the Sheriff's Department is interested in to the rest of the Council members.

NEW BUSINESS

Audio/Video Equipment – City Clerk Schmitt presented the quote from Harvest Productions for replacing the failing audio/video equipment in the City Hall. Schmitt had called 4 different companies and only two responded with quotes. One was a verbal quote at \$14,000 to \$16,000 and the other was from Harvest Productions for \$6217.69. Harvest Productions is willing to work with the local high school or whomever the City chooses to have the system installed in order to save money. Schmitt stated that the equipment is starting to fail in getting the meetings recorded which the Council had asked to be kept. If the Council were to approve the purchase, the funds would have to be taken from the remaining police department accounts. Council Member McLemore recommended contacting Todd Peach at Sparks Music to see if he could assist with the equipment because he does the audio/video systems for several churches. Rife questioned the City's ability to afford the equipment in 2013 and suggested waiting until 2014 and seeing where we are after selling some of the police equipment. Discussion ensued. No decision was made.

OFFICERS REPORT

Council Member McLemore brought discussion about the information on the new Health Insurance Marketplace coverage options which Clerk Schmitt provided to every person on the City payroll as required by the Federal Government. McLemore stated that this was an example of how no one knows how Obama Care is going to affect the budget. McLemore confirmed that the information provided by City Clerk Schmitt is informational only and requires no action on the recipients' part. Clerk Schmitt stated that the City is required to provide the information to all employees by October 1 and has asked for a signed acknowledgement incase the City is ever audited.

Council Member Rife stated that he has not received anything from his employers in Reno County or the City of Hutchinson yet; therefore, Rife is refusing to sign the acknowledgement that he received the information.

Council Member Rohling thanked the City crew for keeping the City looking good.

Council Member Rife asked if the no gun signs at the library, the senior center and the brush site need to be taken down. Clerk Schmitt stated she would check into whether or not they would have to take down the signs and Rife stated he knows the attorneys are going to say the same thing he said which is the City is breaking the law by not removing the signs.

Council Member Rife asked what the process is now to get a golf cart inspected since the City no longer has a police department. Discussion ensued. Clerk Schmitt will check into who can do the inspections.

Council Member Rife asked about the follow-up on the RV issue at 10 N Speare. Clerk Schmitt stated that the report had just come in and she has not had a chance review it yet but a letter will be sent if required.

Council Member Berridge reported that some out of town people were in town for a funeral and they stopped into the store and commented on how nice the cemetery looked. Berridge thanked the City crew for maintaining the cemetery.

Council Member Koon reported receiving thanks for raising the mill levy and the Mayor stated he had the same thing happen with him.

Superintendent Gomes informed the Council that the Water Park was not shut off on Labor Day this year due to a birthday party which is scheduled for the following weekend.

City Clerk Schmitt reported that due to the mill levy increase and the shortage of funds, she and April will be splitting the housekeeping chores between themselves. Clerk Schmitt let the housekeeper go with two weeks' notice to allow her time to obtain another cleaning job.

Mayor Gladden feels the City needs to address the issue of the dilapidated building across from the library.

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

Official