

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

**REGULAR COUNCIL MEETING  
MONDAY, OCTOBER 17, 2011**

**MAYOR:** Jim Gladden

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

**EMPLOYEES**

**PRESENT:** Robin Schmitt, Mark Gomes, Rick Sims

**GUESTS:** Joyce Beam, Scott Loyd, Ethan Loyd, Christina Henson

**ATTORNEY:** Stan Juhnke

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

**ABSENT:** None

The Regular City Council meeting was called to order by Mayor Gladden at 7:00 p.m. on Monday, October 17<sup>th</sup>, 2011 at Nickerson City Hall.

Scott Loyd from Swindoll, Janzen, Hawk & Loyd finished up his presentation on the 2010 Audit of the City of Nickerson.

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

Motion made and seconded by Council Member Berridge and Council Member McLemore to approve the October 3<sup>rd</sup>, 2011 Minutes. Motion carried by the following vote: **YES:** McLemore, Russell, Koon, Brown, Fleming, Berridge **NO:** None

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

Mayor Gladden confirmed the payable for Berridges IGA was for June through September. Motion to approve the payables was made and seconded by Council Member McLemore and Council Member Russell. Motion carried by the following vote: **YES:** Brown, Koon, Russell, McLemore, Fleming, **NO:** None

**ABSTAIN:** Berridge

**CITY ATTORNEY** Stan Juhnke – Absent

**PUBLIC COMMENTS** – None

### **OLD BUSINESS**

The Retail Liquor Sales discussion was entered into with Council Member Brown stating that the Council has done what they feel is right but they have been told they cannot put it on the ballot and they cannot approve it as a Council and that the only way they can pass the Retail Liquor Sales is to have a citizen bring a petition to put it on the ballot. Brown called the Alcohol Tobacco & Firearms Department and they said they did not think the information about the petition is correct but they need to research it and they have not been able to research it yet. Brown stated that the Alcohol Tobacco & Firearms Department told him that in their opinion the Council was fine with the way they passed the Retail Liquor Sales in a motion. Brown recommends getting something in writing from the Attorney General's Office so that the Council is assured they are complying with State Law. Council Member McLemore asked if the information they received at the last Council meeting was the Statutes and Brown stated he was not sure because the Alcohol Tobacco & Firearms Department indicated the Council was in compliance with the motion they made and that there may be some additional information but Brown does not know what it is and he is trying to find out. Brown does not think the Council was given all the information about the Statutes and laws and that is why he is hesitant right now. Brown wants to table the discussion until he hears back from the Attorney General's Office and the Alcohol Tobacco & Firearms Department to make sure the Council is doing the right thing. With no objection to tabling the discussion it was tabled until next meeting.

### **NEW BUSINESS**

Rick Sims reported the need to update the Zoning Map for the City of Nickerson and the costs involved. A new map from Earle's Engineering & Inspection would be around \$1800 including an electronic version. Riggs Associates in Lindsburg has the original map and would do the updates for less than \$500.00 without an electronic version. Rick recommended going with Riggs Associates since they did the original map and there would be less chance of any errors. Council Member Brown stated that 5 or 6 years ago he checked on the zoning and with the County who keeps a firm on retainer to keep the maps up to date at all times. Brown recommends we locate that entity and retain them. Rick will attempt to locate the firm recommended by Brown.

**EXECUTIVE SESSION (PERSONNEL) for 15 MINUTES.** Motion made and seconded by Council Member Russell and Council Member Berridge to recess into executive session for fifteen minutes. Motion carried by a show of hands. 7:27 p.m.

Mayor Gladden called the meeting back to order. 7:42 p.m.

## **OFFICERS REPORT**

Council Member Fleming brought discussion pertaining to the Golf Cart Ordinance. Council Member McLemore confirmed that the golf carts can cross but not drive on the Nickerson Partridge road due to the speed limit being over 30 mph. Mayor Gladden reported he has supplied Rick Sims with contact information to a business that does brakes and lights for golf carts in case anyone needs those services

Council Member Brown stated that the videos of the Council meetings are the supplemental minutes of the meetings and that the videos are only being kept for six months. Discussion ensued. Brown made a motion to keep the videos as supplemental minutes of the Council meetings for a minimum of 5 years. Motion was seconded by Council Member Berridge. Motion carried by the following vote: **YES:** Koon, Brown, Fleming, Berridge, McLemore, Russell, **NO:** None

Council Member Koon inquired about when the Pay Scale Committee would start their meetings. Council Members McLemore and Berridge stated they have started getting their information together for the meetings. They will decide on meeting times at a later date.

Maintenance Supervisor Mark Gomes reported on the bricks from the sewer project demolition that they weigh around 9 lbs a piece and gave price comparisons to items that could be purchased from the home improvement stores. Gomes also reported that the drawing from the engineering firm will take a few more days to complete due to information needed by the electrical engineer.

Mr. Slifer had approached Gomes requesting information concerning the possibility of purchasing the old sewer plant property from the City. Discussion ensued and the Council voted not to sell the old sewer plant property at this time. Motion was made and seconded by Council Member Russell and Council Member Brown. Motion carried by the following vote: **YES:** Russell, McLemore, Berridge, Fleming, Brown, Koon, **NO:** None

Maintenance Supervisor Mark Gomes requested approval to purchase 4 or 5 low flow water meters with an estimated cost of around \$1500. Motion was made and seconded to approve the request by Council Member Russell and Council Member Berridge. Motion carried by the following vote: **YES:** Fleming, Berridge, McLemore, Russell, Koon, Brown, **NO:** None

Council Member Koon brought the discussion about the \$500 limit on purchases made by department heads without prior Council approval. Koon suggested

the Council think about raising the limit to \$1000. Discussion ensued and the Council tabled the issue until next meeting.

Council Member Fleming talked about how the Council would be publicizing the continuing Sales Tax Special Election coming up on November 22<sup>nd</sup>. Council Member McLemore has spoken with Brain Rife who is will to assist and McLemore has one other person he will be contacting for assistance.

Council Member Koon asked how the City will be involved with Make-a-Difference Day on Saturday October 22<sup>nd</sup>. The City will be providing vehicles for moving brush and trash and providing supplies for painting the Senior Center. There will be 2 large dumpsters available across from the Maintenance Shop for the citizens and the Make-a-Difference Day volunteers to utilize.

City Clerk Robin Schmitt reported that she was awarded a 2011 CCMFOA Institute Scholarship which will pay the \$460 registration and tuition fees for the City Clerk Certification training.

Council Member Koon thanked City Clerk Robin Schmitt for sending flowers to Skip Russell and Terri Gomes at the hospital.

Council Member Russell thanked the City for thinking of him and sending flowers while he was in the hospital.

Mayor Gladden informed the Council that he will be asking Police Chief Kelsey for a weekly schedule and he did not have a status of the police weapons that were to be traded or sold. Mayor Gladden wants to schedule with Kelsey to move the police items that are in storage in the City Hall offices to the police station storage.

**THERE BEING NO FURTHER BUSINESS**, motion made and seconded by Council Member Fleming and Council Member Berridge to adjourn at 8:13 p.m. A Motion was carried by a show of hands.

Official