

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

REGULAR COUNCIL MEETING

Monday, December 2, 2013

MAYOR: Jim Gladden

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

EMPLOYEES

PRESENT: April Beshears, Mark Gomes, Phyllis Richardson, Robin Schmitt

GUESTS: Betsy Koon, Dan Schmitt

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, December 2, 2013 at Nickerson City Hall.

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

Motion made and seconded by Council Member Rohling and Council Member Berridge to approve the November 18, 2013 Regular Meeting 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 Agenda as written. Motion carried by the following vote: **YES:** Berridge, Fleming, Rife, Koon, Rohling, McLemore **NO:** None

Mayor Gladden requested that City Clerk Schmitt explain the mistake she made on the payable to PNC Equipment just in case any of the Council Members were unable to understand the explanation she gave in her administration report. Clerk Schmitt explained that she mistakenly added in the first payment for the Toro Mower; when the check should have been for the doc fees only, therefore, she voided the check and reissued a new one.

Motion to approve the December 2, 2013 payables was made and seconded by Council Member Berridge and Council Member Fleming. Motion carried by the following vote: **YES:** Rife, Koon, Rohling, McLemore, Berridge, Fleming, **NO:** None **ABSTAIN:**

CITY ATTORNEY Stan Juhnke

PUBLIC COMMENTS – Betsy Koon addressed the Council about the grinder pump issue that they will be discussing under Old Business during this Council Meeting. Betsy informed the Council that she does not believe that she should be responsible for maintenance and upkeep of the grinder pump that is located on her property which the Council voted to change ownership on between her and the City two different times now. The Council listened to her reasons and thanked her for her comments.

OLD BUSINESS

Executive Session, Attorney, 15 Minutes – Motion was made and seconded by Council Member Rife and Council Member Berridge to go into executive session for attorney client privilege for 15 minutes. Motion carried by show of hands.

Council went into executive session at 7:07 p.m.

Mayor Gladden called the meeting back to order at 7:22 p.m. and reported that no decisions were made in the executive session.

Grinder Pump Discussion – Motion was made and seconded by Council Member Rohling and Council Member Berridge to grandfather in the current, City maintained, grinder pumps at 11304 W. 82nd and 2 N. Moore in Nickerson, making these two grinder pumps City property while eliminating any City responsibility for future residential grinder pump installations. Motion carried by the following vote: **YES:** Berridge, McLemore, Rohling, **NO:** Rife, Fleming, **ABSTAIN:** Koon, City Clerk Schmitt will confer with the City Attorney to get the update made to the City Code.

Council Member Koon asked, how do cities grow. Attorney Juhnke stated the City would work with a developer.

Sound System Review – The Council reviewed bids for replacing the audio video system. Discussion ensued.

Motion was made and seconded by Council Member Rife and Council Member Rohling to accept the bid of \$6217.69 from Harvest Production for turnkey installation with the funds coming from the transfer of funds from the Diversion Fund to the General Fund. Motion carried by the following vote: **YES:** Koon, Rife, Fleming, Berridge, McLemore, Rohling, **NO:** None **ABSTAIN:**

Diversion Fund – Council discussed closing the Diversion Fund and transferring the money into the General Fund. The City Attorney stated that the money can be transferred to the General Fund and used for whatever the Council wants to use it for.

Motion was made and seconded by Council Member McLemore and Council Member Rife to close the Diversion Fund and transfer the money to the General Fund. Motion carried by the following vote: **YES:** Rohling, McLemore, Berridge, Fleming, Rife, Koon, **NO:** None **ABSTAIN:**

The Council tabled the discussion on what specific line, in the General Fund, to put the money in until research could be done on where the money is needed.

NEW BUSINESS

Kwik Shop Cereal Malt Beverage License Renewal – Motion was made and seconded by Council Member Rife and Council Member Berridge to approve Kwik Shop's CMB License renewal. Motion carried by the following vote: **YES:** Fleming, Berridge, McLemore, Rohling, Koon, Rife, **NO:** None

NHS After Prom Donation – Motion was made and seconded by Council Member Fleming and Council Member Berridge to donate \$150.00 to NHS After Prom. Motion carried by the following vote: **YES:** Berridge, Rohling, Koon, Rife, Fleming, McLemore, **NO:** None

OFFICER REPORTS

Council Member McLemore reported that the Community Center Committee is still waiting on the status of the grant.

Council Member Koon wanted to make it clear that the mill levy is the same as it was in 2005 in response to the public comments made at the last Council meeting.

Koon asked about the employee Christmas party. Mayor Gladden appointed Robin, April and Mark to plan the employee appreciation dinner.

Council Member Berridge asked City Clerk Schmitt to confirm the fees paid to the accountant, SJHL, for 2013 and compare the amount to the contract.

Berridge quoted Ordinance 2009-04 in that fireworks can be discharged from 8 p.m. on December 31st to 1:00 a.m. on January 1. City Clerk Schmitt was unaware of this Ordinance and will confirm the information before notifying the Sheriff's Department of the fireworks activity.

Berridge thanked Superintendent Gomes for disposing of a skunk near the bank.

Council Member Rife reported that the process for getting the police cars ready to sell and advertised is underway. The Sheriff's Department has paid for and picked up the items they wanted. The Administration Office, Maintenance and EMS have all gotten the items they want and now there are desks, chairs, and a

lot of uniforms that need to be sold or donated. Mayor Gladden will take the uniforms home and June will remove the patches and then donate the uniforms to charity. Superintendent Gomes will check to see what would be eligible to sell on Purple Wave.

Council Member Rohling asked about the status of the volleyball nets and Gomes reported that they have been taken down and placed in storage for the winter.

Rohling asked if the Council could be more involved in deciding when the City Attorney will be utilized and wants the Council to be able to resolve issues without him in order to save on the expense of the attorney.

Council Member Koon asked for prayers for Kathy Kittle who reportedly has cancer in her left lung.

City Clerk Schmitt wished Council Member Rohling a happy birthday.

Mayor Gladden asked about the status on the City sign that was donated by the high school. Gomes stated he will get the installation scheduled.

Gladden asked if all the decorations are up on Main Street and Council Member Berridge stated that the Chamber is working on getting more.

Council Member Fleming reminded everyone that the Snow Flake Festival is on Saturday.

Mayor Gladden asked Superintendent Gomes if he had a report on the comparative cost of chip and seal versus millings for the streets. Gomes reported that it is more costly for the millings because when you do millings you still have to do a seal as well. Council Member Rife asked Gomes what the cost would be to do the 3 block area from the fuel pumps on Main Street to the northwest corner of the park. Gomes said he would get a measurement and price.

THERE BEING NO FURTHER BUSINESS, motion made and seconded by Council Member Fleming and Council Member Berridge to adjourn at 8:00 p.m. A Motion was carried by a show of hands.

Official