

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

**REGULAR COUNCIL MEETING  
MONDAY, DECEMBER 5, 2011**

**MAYOR:** Jim Gladden

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

**EMPLOYEES**

**PRESENT:** Robin Schmitt, Rick Sims

**GUESTS:** Brian Rife, Teresa Rife, Gary Graber, Joyce Beam, Kenny Burgess, Ron Hirst

**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, December 5<sup>th</sup>, 2011 at Nickerson City Hall.

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

Motion made and seconded by Council Member Russell and Council Member Fleming to approve the November 21<sup>st</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 McLemore and Council Member Russell to approve the Agenda as written. Motion carried by the following vote: **YES:** Berridge, Fleming, Brown, Koon, Russell, McLemore **NO:** None

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

**CITY ATTORNEY** Stan Juhnke – Absent

**PUBLIC COMMENTS** – Kenny Burgess addressed the Council and invited each Council Member to the next Planning Commission meeting on December 26<sup>th</sup> or January 30<sup>th</sup> depending whether or not the December meeting is cancelled. Burgess requested that each Council Member read the 1<sup>st</sup> section, goals and objectives, of the Comprehensive Plan before the meeting. The Planning Commission wants to have the Council and themselves on the same page for planning for the future of the City of Nickerson.

Brian Rife thanked the Council for putting to vote the Sales Tax extension and working to get it passed. Rife asked the Council to continue moving forward the plans for the sales tax revenue and to not let the plans get put on the back burner.

Ron Hirst from the Quest Center in Hutchinson informed the Council that they have sold their building but they are still in business and are renting office space in the building they sold. Hirst commented on how the City of Nickerson's comprehensive plan is a living document and is a good plan and how the Council should continue to use it to the City's advantage. Hirst stated how a city in Nebraska was getting the youth involved with planning and Hirst encouraged the City of Nickerson to consider doing the same.

## **OLD BUSINESS**

The Council entered into discussion about the golf cart ordinance with Berridge stating he heard from a couple of Lakeside Members requesting the requirement for turn signals on the golf carts be voided due to the cost of installation. Berridge also stated he had contacted South Hutchinson and was told they do not require turn signals or headlights and the golf carts could be out from dawn to dusk. Berridge said he contacted Randy Henderson, the Reno County Sheriff, and received a packet from him today but has not had the opportunity to review it. Brian Rife, President of Lakeside Boating and Camping, addressed the Council and stated that the Lakeside Board of Directors are not advocating voiding the turn signal requirement for the golf carts and the request from the Lakeside members was never taken to the Board of Directors. The Lakeside Board of Directors is in favor of the new golf cart ordinance and would address the issue with the members who may need assistance with getting the turn signals installed. Rife also discussed his research on the subject and the conversation he had with the Police Chief pertaining to the State statute. Discussion ensued. A motion was made and seconded by Council Member Berridge and Council Member Russell to table the discussion until more research can be done by the next meeting. Motion carried by the following vote: **YES:** Koon, Brown, Fleming, Berridge, McLemore, Russell, **NO:** None

City Clerk Schmitt asked for the Council's approval of Resolution 2011-07 authorizing the distribution of the Library carryover funds at year's end when applicable. Motion was made and seconded by Council Member Russell and

Council Member Berridge to adopt Resolution 2011-07. Motion carried by the following vote: **YES:** Koon, Brown, Fleming, Berridge, McLemore, Russell, **NO:** None

Council Member Russell brought the discussion of hiring a compliance officer by suggesting a motion be made directing the Council to meet in workshops to set up the guidelines for a procedure in hiring and pay. Russell stated that the Council needs to have the guidelines in place so that if and when they do decide to hire a compliance officer, the groundwork will be in place. The motion did not occur and the discussion continued.

Council Member Koon commented that at the compliance officer workshop there was a lot of hearsay, generalities and no real specifics along with a lot of discussion about Mark the Maintenance Supervisor. Koon stated that what the Council should be focusing on is the future of Nickerson and not the past. Koon recapped the need to make a decision on whether or not to hire a compliance officer and the details of the position. More discussion ensued. Council Member Brown reminded the Council about the wage discussion at the workshop and stated he feels the employees the City currently has are sufficient. Brian Rife asked the Council how ordinances can be enforced when the current employees lack the required knowledge and Mark the Maintenance Supervisor doesn't have the time to do the job. Rife stated the Council needs to wake up and clean up Nickerson.

Ron Hirst addressed the Council and suggested the Council consider having input from other small towns that have already gone through this process.

Gary Graber addressed the Council and stated that the ordinances are in place and the Council needs to get an individual assigned to enforce the ordinances who is qualified so the citizens know who and what to expect when working with the City on compliance.

Joyce Beam stated she hopes the Council would have a vision for Nickerson and gave examples of two other towns, one that put off cleaning up the town and one that took pride in the town and how the one that took pride was clean and thriving.

Teresa Rife also addressed the Council and stated that as part owner in this town, since she owns a home in Nickerson, she has an interest what is seen when people are driving through town. Rife also indicated her desire to see someone given the specific job of enforcement.

Kenny Burgess reminded the Council how this topic that has been addressed by the public comments goes back to the comprehensive plan. More discussion ensued. Council Member McLemore explained how code enforcement is about life safety. Council Member Berridge stated the City is assisting residents who are out of compliance and cannot correct the issue themselves already. Discussion ensued and the Council decided they would like to go ahead with workshops. Mayor Gladden directed City Clerk Schmitt to set up the next workshop.

## **NEW BUSINESS**

City Clerk Schmitt presented the request to clarify the forfeiture of the sick leave benefit upon separation from employment which was discussed in the earlier workshop. Motion was made and seconded by Council Member McLemore and Council Member Russell to update the employee handbook section I under sick leave, with the updated wording. Motion carried by the following vote: **YES:** Russell, McLemore, Berridge, Fleming, Brown, Koon, **NO:** None

Council moved to the pay scale discussion. Council Member Russell confirmed the dates of the first full pay period in January so any decision made would not cause a retroactive payroll. Russell also asked the scale for Utility Court Clerk be changed to match the Maintenance Technician III scale. Discussion ensued. Any increases will be given at the first full pay period of the year. Motion was made and seconded by Council Member Russell and Council Member Koon to adopt the 2012 pay scale as proposed. Motion carried by the following vote: **YES:** Fleming, Berridge, McLemore, Russell, Koon, Brown, **NO:** None

The 12 month CD #2270 is up for renewal. The Council chose to cash in the CD and have the money put into the savings account in the amount of \$1252.50. Motion was made and seconded by Council Member Brown and Council Member Russell to cash in CD #2270 and put the money into the savings account. Motion carried by the following vote: **YES:** Berridge, Russell, Koon, Brown, Fleming, McLemore, **NO:** None

## **OFFICERS REPORT**

Council Member Russell stated that since the 1% sales tax continuation passed, he would like to start moving on the community center. Russell suggested a committee. McLemore will check with Brian Rife and other citizens about setting up a committee. Fleming stated she had been asked if there would be a safe room in the new community center. McLemore confirmed a safe room may be required based on the size of the building. Discussion ensued. The Council agreed to allow time for people to think about joining the committee and to address the senior citizens for their input.

Council Member Brown asked if there is still room on the Planning Commission since he has been approached by interested individuals. Brown was happy to see good reports in the paper about Nickerson such as the article about City Clerk Schmitt's first year certification training. Brown also commended Schmitt on a job well done on the answering of questions for the paper about the sales tax renewal election.

Council Member Koon stated that tonight was a good start on how the Council should conduct itself in a meeting.

Mayor Gladden confirmed that a floating holiday for the employees is a personal day.

Mayor Gladden confirmed that the Mayor authorizes vacation time for the supervisors and that the Police Chief is required to request vacation time off the same as the other employees. Mayor Gladden expressed concern about not knowing what the police coverage is and suggested putting on a full time officer at the first of the year.

**THERE BEING NO FURTHER BUSINESS**, motion made and seconded by Council Member Fleming and Council Member Berridge to adjourn at 8:35 p.m. A Motion was carried by a show of hands.

Official