

COLDWATER CITY COUNCIL
SPECIAL MEETING

Monday, June 28, 2021 at 5:30 p.m.

The governing body of the City of Coldwater met in special session for the purpose of a request by Bret Nixon to meet with the city council regarding their decision to evict him from Lake Coldwater, with the following present: Mayor Penny Bruckner, Council members Mike Bushnell, Robert Cardoza, Cleta Lampe and Ashta Rosson, Public Works Director, Danny Shaw, City Attorney Charley Herd, Chief of Police Devon Duffield, Lake Co-Managers Don and Debbie Dutton and City Clerk Kristal Sherman. Council member Renee Blasi was absent.

Also in Attendance: Clark & Renee Gates and Chris Bruckner
Mayor Penny Bruckner called the special meeting to order.

City Attorney, Charley Herd stated that after reading some statutes and state law, Coldwater is a City of the third class and KSA 15-301 defines general powers & duties of the Mayor for cities of the third class. "The Mayor shall have superintending control of the affairs of the City" Charley further said the Mayor shall have the right to enter into, and cancel contracts for the City and therefore, the Mayor, not the city council, has the right to make the decision about Bret Nixon's lease agreement.

Mayor Bruckner asked Bret Nixon if he had something he wanted to say. Bret said he had "a moment" and apologized for his behavior on the golf cart on June 5th. He said his family has been coming to the lake for 20 years and would like to continue doing so.

Joannie Osborn, a seasonal camper, had written a letter to the city council which was presented to them at the meeting. She stated Bret Nixon has repeatedly made poor decisions that has ended in different rules being implemented over the years, she is hoping that this individual does not get the chance to ruin things for everyone else again and asked to no longer give him more chances at the lake.

Mike made a motion the council go into executive session for 10 minutes to consult with the city attorney for interpretation of the lease agreement with the lake managers and city clerk present, seconded by Robert and everyone voted Yes. After 10 minutes, Mike made a motion to continue the executive session for 10 more minutes, seconded by Robert and everyone voted Yes. After returning to open session, no decisions were made.

Clark Gates, who is a resident at Comanche Estates, talked about other problems at the lake regarding the boat docks, he said boats are being anchored too close to the dock and impeding other boaters' access to the docks.

Mayor Bruckner told the council and Bret Nixon that she is going to take some time in making her decision and hopes to have a decision soon, possibly tomorrow and will let everyone know.

With no further business presented, Robert made a motion to adjourn the special meeting, seconded by Cleta and everyone voted Yes.