

Atwood City Council  
August 20, 2015  
Regular Meeting  
City Hall, 7:00 PM

Atwood City Council met in **regular session** August 20, 2015 at City Hall. The meeting was called to order by the Honorable Mayor Tim Colgan at 7:00 PM. Others present were Councilmembers Gary Fisher, Dietrich Kastens, Mark Mosley, Sandy Mulligan, Mark Vrbas; City Clerk Keri Riener; City Attorney Charles Peckham; City Superintendent Rick Kramer; and Rosalie Ross of the Rawlins County Square Deal. City Police Chief Brian Withington appeared later in the meeting after taking a call.

The **Public Hearing on the 2016 Budget** was held. John Mapes with Mapes & Miller was present to answer any questions. The hearing was opened at 7:00 PM with no additional public in attendance. There were no comments made. The hearing closed at 7:05 PM. Councilman Dietrich Kastens moved to **adopt Resolution 15-04** to allow for the increase of tax revenue due to the higher valuation for the budget year of 2016, seconded by Councilwoman Sandy Mulligan, approved by all. Councilman Mark Vrbas then moved to **adopt the 2016 Budget** as published, seconded by Councilman Mark Mosley, approved by all.

The **Agenda** was approved as circulated on motion of Councilwoman Mulligan, seconded by Councilman Kastens, approved by all.

The **Minutes** of July 18, 2015 were approved as circulated on motion of Councilman Kastens, seconded by Councilman Gary Fisher, approved by all.

The **Bills** were approved as read on motion of Councilman Kastens seconded by Councilwoman Mulligan, approved by all.

**Public Comments:**

**Rosalie Ross** shared her concern that allowing fireworks to be discharged until midnight for the length of time in the ordinance being considered was excessive and could restrict the amount of sleep for citizens.

**Appearances:**

**Alan Reuber** did not appear at the city council meeting.

**Jan Ackerman, Zoning Officer** was not present to report to the council.

**David Blau with Miller & Associates** presented two invoices for payment. **Invoice #15-0666** for professional services rendered to prepare proposals for paint restoration of the swimming pool and observation of work completed was \$1,688.55. **Invoice #15-0685** for professional services rendered of preliminary design documents for sewer project design, review and planning from March through June 2015 was \$29,440.00. Councilman Vrbas made a motion to **pay Miller & Associates for the Invoice #15-0666 for \$1,688.55 and Invoice #15-0685 for \$29,440.00**, Councilman Fisher seconded, approved by all. Invoice # 15-0685 will be sent to David Barber of USDA for their approval before being paid.

In a sewer project update, David reported that proposals were received for an additional archaeological study of the area that was outside the original boundary that was previously studied. This

archaeological study is part of the environmental assessment requirement of the project. He gave notice to proceed to the low bidder, which was from Robert Hoard, Kansas State Historical Society for \$330.49. The claim for this activity will be presented at a later date after it has been completed.

David had two applications for sewer extension permits for submittal to KDHE. The first application was for the Sanitary Sewer Lining Improvements and the second for the Sanitary Sewer Improvements. Councilman Kastens moved to **give Mayor Tim Colgan the authority to sign these permits so they can be submitted to KDHE.** Councilman Mosley seconded, approved by all. **Mayor Tim Colgan signed the two applications for permits.**

David and Charles shared there is one easement left to complete for the sewer project. The Columbian Hall easement is complete with some conditions. David provided the color coded property docket maps that are to be submitted to USDA-RD with all of the signed easements and other property docket information. David requested that the mayor be authorized to sign those upon completion of the easements. This will allow them to move forward without waiting for another council meeting date. Councilman Kastens moved to **extend authority to Mayor Colgan to sign the completed property docket maps when the easements are completed.** Councilwoman Mulligan seconded, approved by all.

#### **Old Business:**

Ordinance #852 was discussed. Councilman Kastens asked if anyone has received any calls regarding this topic. Councilwoman Mulligan received comments about Sunday sales but not extended hours of sales. Mayor Tim Colgan stated that a business owner commented they will have to have someone over the age of 21 in their store if this passes, but made no other statements. Councilman Kastens said he had three or four positive comments for feedback and one that was against all alcohol sales. After further discussion, Councilman Kastens moved to **adopt Ordinance #852 extending hours of liquor sales** on Friday and Saturday to 11:00 pm, permitting sales on Sunday from noon to 5:00 pm and Memorial Day, Independence Day and Labor Day with hours set forth based on the day of the week the holiday falls. Councilman Mosely seconded. Voting yes were Councilmembers Kastens, Mosley and Mulligan. Voting no were Councilmen Fisher and Vrbas. Motion passed.

Ordinance #853 was deliberated. Mayor Tim Colgan heard two negative comments about the extended firework discharge hours. Councilman Kastens asked councilmembers if they thought ten days was excessive for the extended hours. Based on what was heard from people that were in favor of the extended time, since it is only ten days out of the year, it seemed fine with a lot of the citizens. City clerk, Keri Riener emailed responses from other clerks on listserv concerning their city firework policies. The majority of them allowed shooting fireworks until midnight, some even starting earlier in the morning than the council has allowed. Councilman Mosley moved to **adopt Ordinance #853 amending the time fireworks may be discharged to June 27 through July 5 between the hours of 10:00 am and 12:00 am midnight.** If one of the days falls on a Sunday, the mayor, with city council consent, may designate appropriate hours during which fireworks may be discharged. Councilman Vrbas seconded, approved by all.

Ordinance #854 was reviewed. Councilman Kastens moved to **adopt Ordinance #854 amending the requirements for the tree board to allow members to be residents of the city or Rawlins County or business owners of the city.** Councilman Fisher seconded, approved by all.

**New Business:**

Mayor Colgan suggested appointing JD Schmechel to the zoning board. Councilman Vrbas **moved to accept the Mayor's recommendation of JD Schmechel to the zoning board**, Councilman Fisher seconded, approved by all.

The STO and UPOC Ordinances need to be adopted by the city annually when the new books come out from the League. **Ordinance #855 Standard Traffic Ordinance** was adopted and **Ordinance #856 Uniform Public Offense Code** was adopted on motion of Councilman Vrbas, second by Councilman Fisher, approved by all.

The **GAAP Waiver Resolution 15-05** regarding the 2014 audit was approved on motion of Councilman Kastens, second by Councilman Mosley, approved by all.

**DSNWK** sent the recycling contract for September 1, 2015 to September 30, 2016. DSNWK determined no changes are needed at this time. Councilman Vrbas moved to approve the DSNWK recycling contract, seconded by Councilwoman Mulligan, approved by all.

**Department Reports:**

**City Clerk Keri Riener** reported the Oberlin Swim Team sent a thank you card and \$100 donation to the pool for allowing them to use it for their practices until their pool was complete. Pool Manager, Jen Melia, used the funds for new rescue tubes. Many calls were received concerning the water bills sent out this month, due to the data file error. Keri will be on vacation from August 22-26. The court docket has been submitted to Charles and Paul has documents ready to be filled out on court date. The new copier has been installed and networked with city and police computers. This allows the city police to scan documents into their own computers quickly and efficiently. The old copier will be donated to Summer Recreation. They will pick it up when they are ready for it. The new desk and printer should arrive within the next two weeks for the clerk's office. A new coat of paint in that office will be complete by that time.

**City Attorney Charles Peckham** presented his handout to Council. He sent out letters concerning bad checks, dealt with a number of alcohol related cases, issued bench warrants and discussed tickets and payments with defendants on various cases. He drafted ordinances for city council approval and worked with the nuisance/zoning officer on various issues. Judge Pratt has set a trial date for the Persinger Building cases.

**Police Chief Brian Withington** had to leave to respond to a call, so his report was presented later in the meeting upon his return.

**City Superintendent Rick Kramer** presented his report to council verbally as his computer crashed and his new computer hasn't been completely set up yet. The files on the old computer were recovered and will be transferred, but this isn't finished. Everything is consistent on water this month. The pool has been drained and there are some paint issues. Miller & Associates has been contacted. They will be discussing these concerns with Jameson Painting, Inc. to fix the situation. The city crew has sprayed for mosquitoes and will monitor that situation to determine if another round of spraying is needed or not for this season. The city crew has started painting parking lines downtown.

**Council Reports:**

**Councilman Gary Fisher** had nothing to report on the Housing Authority. The District Forester was in town. There are some tree problems downtown that were discussed with business owners. They didn't have a quorum at their last meeting.

**Councilman Dietrich Kastens** attended a fire department meeting last week. There was a good turnout. They cleaned the fire barn, ran the trucks and discussed budget options. The zoning board hasn't met this month. Mayor Tim Colgan had the report for the pool season.

**Councilman Mark Mosley** did not attend the library and theater meetings this month. He checked in with both boards. The library had no major business to discuss. The theater did not have a quorum, but met to discuss bike racks and the projector breakdown. He attended Monday's airport board meeting. Another appraisal for the Lewis Building was needed, Clarence's retirement was discussed, and the hangar north of the airport office has been purchased by Garth Griffith. After their meeting, the board gave Councilman Mosley a tour of the airport.

**Councilwoman Sandy Mulligan** reported that she was given a folder for Ringnecks over Rawlins County. Economic Development is asking if it can be made a Tourism event rather than Economic Development. Councilmembers said this year should be a better bird year, which should increase the success of that event. Councilwoman Mulligan said she would organize a Tourism Board meeting to discuss this topic.

**Councilman Mark Vrbas** had nothing to report. He apologized for missing the city facilities tour that happened on Wednesday.

**Mayors Notes:**

Mayor Tim Colgan suggested appointing Andrea Hagler to the Library Board. Councilman Vrbas **moved to accept the Mayor's recommendation of Andrea Hagler to the Library Board.** Councilwoman Mulligan seconded, approved by all.

The pool report was discussed. There was a daily average of 59 swimmers, 36 season passes, 10 pool parties and 56 at swimming lessons. The pool staff has been complimented on their efficiency and the reduction in park incidents since the additional lifeguard was added this year. The pool closed early, with only notice being given on the Pool Facebook page. Next year, the pool will be open until right before school starts. The closing date will be published in the newspaper.

The mayor signed the bid from Roofmasters Roofing Co. Inc., for labor and materials to fix the city hall roof. The bid was \$10,855.00, it was the lowest bid received. \$20,000 was budgeted for maintenance and repairs for 2015, so this will be well within that amount. Follow up with Orkin Pest Control concerning bats at city hall will possibly happen after the roof has been repaired.

Conversations with Nuisance/Zoning Officer, Jan Ackerman, have shown more personal contact with individuals has been happening. The new process of hanging a notice on the door rather than mailing the first courtesy letter seems to be improving relations with the public.

The mayor revisited the drainage issue on the hill of Atwood Good Samaritan Center with County Commissioner Lisa Woody.

After speaking to County Assessor, Terry Ballard, it looks like the city pool, which was conservatively estimated to be paid off in 2024, may be completely paid off next year. The bonds sold to fund the pool were to be paid with a county sales tax of 0.75%. With the rising cost of goods, sales tax has risen, positively impacting the payoff timeline.

**Police Chief Brian Withington** returned from his call and presented his report. His department worked 14 reports from July 16, 2015 through August 20, 2015. There were 9 arrests made, a number of warnings given and 27 tickets issued. Other patrol activity included 543 public relations, 176 business checks and 86 miscellaneous complaints. Main objectives continue to be alcohol violations and running radar. There is a new format on their citations stating the person receiving the ticket has 15 days to take care of it or schedule a court date for an appearance. This should reduce the amount of paperwork on court days if they are required to complete their actions before that date. Brian has discussed bond conditions with the city attorney. New conditions will require a set time period to be in county jail before release, even if bond is paid immediately. Equipment has been arriving for the new Dodge Ram Pickup. The running boards are being installed.

With no further business to come before Council, Councilman Vrbas moved to adjourn, seconded by Councilman Mosley. The **meeting adjourned at 8:55 PM.**

Keri Riener, City Clerk

Tim Colgan, Mayor