

Atwood City Council Minutes  
October 15, 2015  
Regular Meeting  
City Hall, 7:00 PM

The Atwood City Council met in regular session on October 15, 2015 at Atwood City Hall. It was called to order by the Honorable Mayor, Tim Colgan, at 7:00 p.m. Others present were council members: Gary Fisher, Dietrich Kastens, Sandy Mulligan and Mark Vrbas. Councilman Mark Mosley was absent. Also present were City Attorney Charles Peckham, Chief of Police Brian Withington, City Superintendent Rick Kramer and Rosalie Ross of Rawlins County Square Deal. City Clerk, Keri Riener was absent. The agenda was approved as circulated upon motion Councilman Mark Vrbas, seconded by Councilman Gary Fisher, approved by all. The council approved the minutes of September 17, 2015 as circulated on the motion of Councilman Vrbas, seconded by Councilman Dietrich Kastens, approved by all.

The bills were approved on the motion of Councilman Kastens, seconded by Councilwoman Sandy Mulligan, approved by all.

Barney Horton made some public comments about cars speeding on 5th Street. Serena Schmechel also had some comments and concerns about speeding on 5th Street.

J.D. Schmechel made a presentation about his concerns with 5<sup>th</sup> Street. He contacted Ralph Ostmeyer concerning a grant for a study of the speed on the street. He passed the information around to councilmembers. There was discussion about contacting the Hanson Foundation to see if they have a grant for this. The question whether we needed stop signs was discussed, or if it would be better to reduce speed of miles per hour. Councilman Kastens expressed concerns about long term residents not stopping at newly placed stop signs. KDOT provided data about trying to obtain a grant for a PEP study on 5<sup>th</sup> Street. The mayor authorized the police to do extensive patrolling on 5<sup>th</sup> Street. Tuesday he had told three kids to ride on the sidewalk after they zoomed out into the street, that the street was not a playground. Councilwoman Mulligan asked if there could be a voluntary crossing guard there and perhaps a roll-out stop sign for use during school times. It was discussed that the town of Colby had a school zone a block beyond their schools. Miller and Associates Engineer, David Blau, stated a traffic study had been conducted in conjunction with the "Safer Routes to School Action Plan" a few years ago. He advised reviewing that report prior to initiating a new traffic study.

David Blau reported the state of Kansas had required an additional archaeological study for the sewer project, as the route has been changed. Kansas Historical Society's bid was the lowest at \$303.49, with the next bid at \$1,500.00. Considering the low amount, he authorized them to move forward with it. Councilman Vrbas moved to pay the Kansas Historical Society, seconded by Councilwoman Mulligan, it passed unanimously. The invoice will be sent to David Barber of USDA for approval before it is paid.

David Blau indicated that he received KDHE approval for putting the sewer lining out to bid. Bids will be opened on November 12, 2015 at 3:00 p.m. This will be a week before the regular council meeting. He also discussed the issue with having to put in the additional manholes around the lake. The City Attorney will work on the agreement with the Atwood Township.

In response to questions from the council concerning installation, he indicated that the line probably would not occur until they put the bid out during the spring. He was not sure how long the property docket process would take with the U.S. Department of Agriculture. Council also brought up issues with road work on Greason Industrial Park. David Blau said they already had plans for a gravel road and that these would have to be revised if a paved road was to be installed. There was discussion about trying to get a grant from the Hanson Foundation for this. Councilwoman Mulligan will try to get a grant filed with the Hanson Foundation by November so the decision can be made by January.

There was old business or new business for the council to discuss.

There were no reports from the city clerk.

City Attorney Charles Peckham noted that bad checks were continuing but were down. He also discussed issues with DUI's and one court appointed attorney on 2<sup>nd</sup> DUI who is closing down his practice. City Council discussed issues and solutions with 3<sup>rd</sup> time DUI's. The City Attorney will look at possibility of using state statute to pass an ordinance concerning 3<sup>rd</sup> time DUI's.

A trial on the blighted structures was set for January. There is discussion of some interest in the lot on the blighted property on 2<sup>nd</sup> Street. Councilman Vrbas will check with people who are interested in it and the City Attorney will try to contact the possible land owners since it would be necessary to do declarations or descent for title to pass on. Basically, the position of the city was as long as the house is cleaned up, the city is not concerned about who owns the property.

Chief of Police Brian Withington reported he had been involved in two DUI's, one of which was filed with the county due to other crimes involved.

City Superintendent Rick Kramer discussed issues with the swimming pool paint not being properly applied and some of the epoxy sealant not properly dried. The contractor will be repainting the pool at their expense since the two year guarantee was not met. The people from Stockton had been quite impressed by the City of Atwood signs. There was discussion on mowing around the road signs. The mayor indicated he had not yet had the opportunity to contact KDOT concerning the responsibility for mowing Highway 25 through the city.

Councilman Fisher presented his report. The window blind project has been completed at the Housing Authority. There was concern over bed bugs and they were investigating the cost of putting bed bug proof covers on the mattresses which would remain the property of the Housing Authority. Councilman Fisher also indicated there might be changes in charges in the future. The tree board is working on trees in Kelley Park. Three trees will be removed and two of the trees won't be replaced. He spoke to Sarah Benda concerning memorials for members of her family. He contacted Lewis, Beims & Holste about replacing the tree in front of their office. The City crew will mulch trees as time permits.

Councilman Kastens reported speaking with Jan Ackerman about nuisances. He indicated that she had recently been dealing with an ailing family member. He did not attend the fire meeting. Rick said they had checked and exercised the trucks. A representative from ISO suggested putting a few more ladders and lights on the trucks, indicating this would help the city's fire rating for insurance purposes.

Councilwoman Mulligan had nothing to report.

Councilman Mark Vrbas reported that water is doing okay.

Councilman Kastens asked about a debris pile on a neighbor's property who had relocated. There was some question on who legally owned the property. The City Attorney will check on this and will contact Jan Ackerman concerning the property as a nuisance. City Attorney indicated that it would not be necessary for the owner be present but they would have to be notified in accordance with the city ordinance. The Governor's Water Conference will be held in Manhattan on November 18<sup>th</sup> & 19<sup>th</sup>. The Mayor will attend this meeting and invited councilmembers to attend if possible. The mayor also shared that a regional supper sponsored by the League of Kansas Municipalities is being held in Goodland on the 21<sup>st</sup> of October. Anyone who wants to go can attend.

The mayor suggested Vicki Chance and Sarah Maaske as possible additions to the tree board to fill vacancies. Councilman Vrbas made a motion to appoint Vicki Chance and Sarah Maaske to the tree board, seconded by Councilman Fisher, approved by all. The Mayor indicated that in regard to the pool painting, an engineer will be present when the contractor is repainting the pool in order to inspect the work. Another town also had issues with their pool paint job by this particular company.

Concerns were raised about the impact of the recent bill passed that the Legislature that changed the date of the election, and how that would affect elections in 2016. The City Attorney will obtain clarification on this. The issue is whether the terms will be shorter or longer.

There being no other business to come before the council, by motion made by Councilman Vrbas, seconded by Councilman Fisher, the meeting adjourned at 8:40 p.m.

Charles Peckham, City Attorney

Tim Colgan, Mayor