

Atwood City Council
February 18, 2016
Regular Meeting
City Hall, 7:00 PM

Atwood City Council met in **regular session** February 18, 2016 at City Hall. The meeting was called to order by the Honorable Mayor Tim Colgan at 7:05 PM. Others present were Councilmembers Gary Fisher, Dietrich Kastens, Mark Mosley, Sandy Mulligan; City Clerk Keri Riener; City Attorney Charles Peckham; Chief of Police Brian Withington; Rosalie Ross of the Rawlins County Square Deal. Councilman Mark Vrbas and City Superintendent Rick Kramer were absent.

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

The **Minutes** of January 21, 2016 meeting were approved as circulated on motion of Councilman Fisher, seconded by Councilwoman Mulligan, approved by all.

Councilman Dietrich Kastens arrived at the meeting.

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

Public Comments: none.

Appearances:

Rob Beckman appeared to request permission to set up a zip line cable starting on the Good Samaritan Hill, crossing over Lake Road and ending on the island in the middle of Lake Atwood. It will be approximately 45 feet in the air and will cover about 1100 feet from start to finish locations. Council asked questions regarding insurance and safety, which have been researched and discussed. It would be privately owned and waivers would be required. The island area at the lake is owned by Atwood Township and they have given approval for the zip line. The Good Samaritan property is owned by the county and will be approached for permission in this endeavor. Council determined that if it is safe and the city is not liable for the area being used, they were excited to see a new activity being considered. Councilman Kastens moved to **endorse Rob Beckman's installation of a zip line from the Good Samaritan Hill to the island at Lake Atwood**, provided it's constructed in a safe and complete manner. Councilwoman Mulligan seconded, approved by all.

Larry Aldrich appeared before Council seeking approval of a temporary beer license for a beer garden at **Rod Run** to be held Saturday, May 21, 2016 from 10 AM to 4 PM when participants leave for the races at the airport. The beer garden area will be located on the empty lot east of Dunker's Radio and TV at the corner of 5th Street and State Street. Permission has been granted by the owner for use of this area. It will be properly fenced and secured, staffed by people that will check IDs. Councilman Mosley moved to **approve a temporary beer license for the beer garden in the lot east of Dunker's Radio and TV for Rod Run on May 21, 2015**, seconded by Councilman Fisher, approved by all. A temporary beer license will need to be obtained from the City Clerk.

David Blau with Miller & Associates presented information to Council regarding the Sewer Project. Invoice # 16-0025 is the final invoice for the design portion of the sewer project, totaling \$33,500.00. Councilwoman Mulligan moved to **pay Miller & Associates the total due of \$33,500.00 for Sewer Collection System Improvements – Design**, Councilman Fisher seconded, approved by all. Invoice # 16-0025 will be sent to David Barber for USDA approval before being paid.

A budget handout for Sanitary Sewer Improvements on Project 244-D1-007 was provided. It outlined the project costs in phases, monetary obligation and amount spent to date. A recommendation letter and bid comparison was presented, detailing the four bids received and their descriptions. The total bid for BSB Construction, Inc. in Curtis, NE was \$1,145,327.00. The Engineer's Opinion of Probable Construction Cost was \$1,168,950.00 BSB Construction, Inc. came in 2.0% below the Engineer's Estimated Cost. David recommended awarding the contract to BSB Construction, Inc., contingent upon USDA-RD approval, although David Barber at USDA has given verbal approval to award the contract. Councilman Mosley moved to **accept the bid from BSB Construction, Inc. in the amount of \$1,145,327.00 for sanitary sewer improvements, contingent on USDA-RD approval**. Councilwoman Mulligan seconded, approved by all. David estimated the work on this phase of the project to begin in 1-2 months. The contract states the entire project is to be completed by January 31, 2017.

Old Business: none.

New Business:

City Clerk Keri Riener presented the **2015 USDA annual report** for approval from Council. Councilwoman Mulligan moved to **approve the annual USDA report**, seconded by Councilman Fisher, approved by all. This is a required report whenever there is a USDA loan and will need to be done for the length of the loan. The water loan will be paid off in June 2041.

City Attorney Charles Peckham provided a new ordinance that would allow better separation of nuisance control officer while allowing the city to take action on dangerous structures. If the nuisance officer discovers a structure that falls within the definition of unfit or dangerous, evidence of the structure would be presented to Council for review. If Council deems action necessary, the owners would have 30 days to fix the situation or appeal Council's determination to district court. After review and much discussion, Councilman Fisher moved to **table the Ordinance on Dangerous Blighted Structures to allow councilmembers to more thoroughly read the document and allow time to discuss possible revisions with the city attorney prior to the next city council meeting**. Mark Mosley seconded, approved by all.

A **Thank You from Options Services** for the donation made by the city in January was shared with councilmembers.

Department Reports:

City Clerk Keri Riener reported she will be attending the spring City Clerks and Municipal Finance Officers Association Conference March 15th – 18th. The City Attorney has agreed to take minutes at the March City Council Meeting. The Kansas Rural Water Conference is scheduled for March 29th – 31st. Councilmembers planning to attend this year should turn their registration forms in to the city clerk by the end of February. Ana Vargas will cover the office at city hall as both Keri and Deputy Clerk Paul Mews will attend the water conference this year. An advertisement has been placed in the Square Deal for lifeguards for the 2016 summer season. Mapes & Miller sent a flash drive requesting documents to start their audit of the city. The requested documents and reports have been submitted.

City Attorney Charles Peckham presented his handout to Council. He has discussed tickets and payments with defendants on various cases. The number of bad checks has declined this month. He continues to meet with the airport board regarding easements. He is working on an updated fine and bond schedule. **Resolution 16-04** was included in council handouts. The State of Kansas allows cities to publish the summary of an ordinance if the following three conditions are met:

1. The publication is identified as a summary and contains notice that complete text may be obtained from the city clerk.
 2. The city attorney certified the summary of ordinance prior to publication to ensure the summary is legally accurate and sufficient.
 3. The publication contains the city's official website address where a reproduction of the original ordinance is available for a minimum of one week following the summary publication in the newspaper.
- Councilman Kastens moved to **adopt Resolution 16-04 designating <http://www.atwoodkansas.com> as the official website** of the City of Atwood, Councilman Mosley seconded, approved by all. This resolution enables the city to meet the third requirement and save on publication costs.

Police Chief Brian Withington arrived to present his report, after leaving to take phone calls. His department worked 32 reports from January 22, 2016 through February 18, 2016. There were 9 arrests made, 6 warnings given and 12 tickets issued. Other patrol activity included 74 public relations, 4 business checks and 34 miscellaneous complaints. He will attend the Mid States Organized Crime Information Center Conference in March.

City Superintendent Rick Kramer was not present at the meeting, but his reports were included in council handouts. The water report shows the amount of water pumped and sold for the month. January showed a 24% water loss. This loss will be compared to February data to determine if there is an issue or just timing of meter reading causing the large amount. The depth to the wells has remained consistent.

Council Reports:

Councilman Gary Fisher reported that the Housing Authority's annual HUD inspection is scheduled for February 25th. The Housing Authority received official classification as a high performer in 2015. Fisher commended manager Cassidy Fanders on her rapport with those living in the Housing Authority apartments as well as those she reports to in order to comply with regulations. Arbor Day will be May 6, 2016. Councilman Fisher requested approval of the Arbor Day Proclamation at the March Council Meeting.

Councilman Dietrich Kastens stated the roof repair on the fire building is complete and looks good. The fire department has been training at monthly meetings. There was nothing to report on the pool at this time. Compliments were received about city crew snow removal. One area of concern was the middle of the street in front of the elementary school, which caused precarious situations for children unloading in that crosswalk zone. Councilman Kastens will contact the city superintendent to discuss consideration of adding that stretch to the Downtown 4th Street Business District that is currently being cleared.

Councilman Mark Mosley had nothing to report for the theater or library. The Airport Board is continuing work on easements. A new hangar is being planned for construction at the airport.

Councilwoman Sandy Mulligan shared that Economic Development is working on the application for a Hansen Grant for Greason Industrial Park road/street construction.

Councilman Mark Vrbas was absent.

Mayors Notes:

Mayor Tim Colgan reported that he and Superintendent Rick Kramer drove around the city and observed snow removal issues after the last big snow storm. A snow removal ordinance may be necessary as three fire hydrants were buried and some snow was moved into the street after the street had been cleared. Snow needs to be put on the property owned by those having the snow moved or in a designated area with permission. An ordinance would give city police authority to enforce these stipulations and protect city infrastructure. The City Attorney will draft an ordinance for future consideration.

The Mayor shared an open invitation to councilmembers from K-State Extension Office to attend the 2016 Youth Entrepreneurship Challenge on Thursday, March 3rd at 9:30 AM at Rawlins County High School.

Two bids were received for gutter work on the west end of city hall. Considering the detailed bid given by Finley Energy Corp. and the general bid given by Roofmasters Roofing Co. Inc., Council determined to stay local with their decision. Councilman Kastens moved to **approve the Finley Energy Corp. bid in the amount of \$1,255.00 to remove the upper gutter on the west side of city hall, wrap the fascia with white form fitted metal coil and install a new gutter and downspout.** Any wood that may need replaced will be billed as added material and labor. Councilwoman Mulligan seconded, approved by all.

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

Keri Riener, City Clerk

Tim Colgan, Mayor