

Atwood City Council
April 20, 2017
Regular Meeting
City Hall, 7:00 PM

Atwood City Council met in **regular session** April 20, 2017 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; City Clerk Keri Riener; City Attorney Charles Peckham; Chief of Police Brian Withington; Rosalie Ross of the Rawlins County Square Deal. City Superintendent Rick Kramer and Councilmembers Sandy Mulligan and Mark Vrbas were absent.

The **Agenda** was approved with the addition of County Commissioners Wilbur Henry and Craig Cox as an appearance item and removal of the Recycling Center from Old Business on motion of Councilman Mark Mosley, seconded by Councilman Dietrich Kastens, approved by all.

The **Minutes** of the regular meeting on March 16, 2017 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 Councilman Fisher, approved by all.

Public Comments: none.

Appearances:

Terry Britt did not appear to represent the Atwood Ambassadors. However, given the scheduled dates of the Rod Run, Council approved closing downtown city streets as presented last year. Friday, May 19th, Lake Road will be roped off from 2nd Street to 4th Street from 6 pm until after the fireworks. On Saturday, May 20th, 4th Street from Plumb Street to just past Legends Bar on 4th Street will be roped off, as well as Main Street from 3rd Street to 6th Street by the library. The side streets of Vine on the east side of 4th Street, State on the east and west sides of 4th Street, West Court on the north side of Main Street and 5th Street from the north side of Main Street to the north side of State Street will be roped off, creating the downtown area for the event. The Ambassadors will contact dispatch and emergency services about the extended areas being roped off to ensure communication between all entities. Councilman Kastens **moved to allow the Ambassadors to rope off the downtown areas as presented.** Councilman Mosley seconded, approved by all.

Vicki Hubin appeared before Council representing **Western Kansas Child Advocacy Center.** WKCAC has four child advocacy centers to assist children that have been sexually abused or have witnessed a violent crime. With full-time therapists and the first nationally accredited mobile units, they cover 32 counties in western Kansas. They also offer prevention education through classes or printed materials. Vicki expressed gratitude for past donations and requests continuance of funding in the 2018 budget. Police Chief Brian Withington added that he has used this resource, as they are extensively trained in areas that enable him to better serve victims in cases he has covered.

Jenny Popp, Executive Director, Main Street Foundation, Albert Popp, Vice President and Jim Engel, Board Member requested consideration for the property owned by the City behind the Library to be deeded to Main Street Foundation so they may proceed in plans to redesign the area between those two buildings to be used as an outdoor activity area for youth. They are pursuing a grant to fund the project,

as kids have requested an outdoor basketball area and that space would be a great addition to the small property 510 Main currently occupies. City Attorney Charles Peckham will contact the Library to discuss the request and if they are supportive, documents will be ready for approval at the May City Council Meeting.

Commissioners Wilbur Henry and Craig Cox appeared before Council to discuss the future of **Rawlins County Recycling**. City Attorney Charles Peckham noted the county must have a recycling program to comply with state laws in order to continue to operate a landfill. The Commissioners expressed interest in working collectively with the City Council to determine a viable solution. Public opinion has expressed that the recycling center may not be open enough hours, so if it continues, additional hours may be a consideration. The Mayor stated that discussions with citizens have yielded no volunteers willing to assist in the process of keeping the center operational or working there. Craig Cox agreed that people want to keep the center going, but don't have any ideas or time to offer. Wilbur Henry suggested leaving the center open continuously, but unsupervised, hiring someone to manage it on a part time basis. Mayor Colgan recommended obtaining more sets of recycling bins for the three towns in the county to allow access at any time, if manning the center is not feasible. The City Attorney proposed placing the recycling bins at the landfill for a trial period to see if people will drive that far to continue recycling; that location may enhance recycling for those that take other items to the landfill and don't stop in town to sort out recyclables. He also proposed contacting Bird City, as they are transitioning from a bin system to a building for their recycling process, to see why they are changing and what can be learned from their situation. Rawlins County has recycled about 73 tons per year for the last two years. Craig Cox stated that "if the City Council's heart isn't in the recycling process, neither is his and the Commissioners will transition to bare bones to meet the necessary standards to continue having a landfill in the county. This needs to be a team effort if we plan to maintain current services." City and county budgets are set for 2017, so until 2018 both entities are required to work within those constraints. Council and the Commissioners realize this predicament won't have a quick solution, so discussion was tabled to allow all parties to consider the dialogue and any alternatives.

David Blau with Miller & Associates presented a sewer project update. Contractor's Application for Payment #9 for BSB Construction, Inc. in the amount of \$22,748.65 for work completed by BSB Construction through February 15, 2017 included the payment for the remaining project retainage. BSB will be providing a proposal for the construction of two additional manholes. A Change Order will be presented to the Council for consideration. Councilman Kastens moved to **pay the total due on BSB Construction, Inc. Application for Payment #9 in the amount of \$22,748.65 for services rendered**, Councilman Mosley seconded, approved by all. Miller & Associate's Invoice #17-0253 for the amount of \$4,419.10 was submitted for payment and covers professional services including construction observation services, initiation of operation, processing of pay requests and change order items, project punch list, development options for additional work requested, preparation of As-Recorded drawings, and Contractor and USDA-RD coordination through the month of March 2017 as outlined in the Engineering Service Agreement. Councilman Mosley moved to **pay the total due on Miller and Associate's Invoice #17-0253 in the amount of \$4,419.10**; Councilman Fisher seconded, approved by all. Miller & Associates presented an Engineering Services Agreement Amendment which included additional services to be performed. These additional services included the completion of GIS/GPS - Infrastructure Mapping for the sewer system for an additional fee of \$6,700 and Coordination and Resident Construction Observation for the Proposed Additional Work to be billed on an hourly basis in accordance with the rates contained in the original agreement. Councilman Kastens moved to **approve the Amendment to Owner-Engineer Agreement No. 1**, Councilman Mosley seconded, approved by all. The invoice, pay application and Engineering Services Agreement Amendment will be reviewed by David

Barber of USDA for approval before being paid. Mayor Tim Colgan requested a spreadsheet outlining all expenses for the sewer project; David Blau will request that information from David Barber for the next meeting.

Carl Dalcher was not present at the Council meeting, but he called to inform the City Clerk that he would serve a second term on the Atwood Public Library Board. Councilman Fisher moved to **approve the Mayor's reappointment of Carl Dalcher to the Library Board for a second four-year term**, Councilman Mosley seconded, approved by all. The mayor stated that Scott Howard submitted a letter of resignation from the Library Board so there are still positions to be filled on that board if anyone is interested.

Old Business:

Charter Ordinance #9, regarding Bed Tax was briefly discussed. The approval of a Charter Ordinance requires a 2/3 vote to pass, since only three of five councilmembers were present at the meeting, this was not possible. Councilman Fisher moved to **table action on Charter Ordinance #9 until the May City Council meeting**, Councilman Kastens seconded, approved by all.

New Business:

City Clerk Keri Riener presented **Cahoj Earthmoving Invoice #3394** for work completed on the Greason Industrial Street Project, which is being funded through a Dane G. Hanson grant. Councilman Kastens moved to **pay the total due on Cahoj Earthmoving Invoice #3394 in the amount of \$14,250 for project work completed**, Councilman Mosley seconded, approved by all.

City Attorney Charles Peckham introduced a **new policy for changes of occupancy in rental properties pertaining to utility billing**. The policy states that when the City is notified that the occupancy of a rental property will change, the city will shut the water off on the date of change. The occupant or owner of the property must notify the city to request the water service to be reconnected in either their name or a new tenant's name. Two courtesy shutoffs will be allowed each year for a specific rental property; in excess of two will be charged a reconnect fee each time. Councilman Fisher moved to **adopt the City Policy on Change of Occupancy for Utility Services pertaining to Rentals**, Councilman Mosley seconded, approved by all.

Department Reports:

City Clerk Keri Riener reported attending the spring City Clerks and Municipal Finance Officers Association Conference in March. She accepted a position on the CCMFOA Board of Directors, after discussing it with the Mayor. Thirteen lifeguards have been hired for the 2017 Season and Jen Melia has accepted the manager position. A lifeguard orientation meeting is scheduled for May 10th at City Hall to discuss requirements and expectations. The Theater marquee has been damaged by BB's; BB guns are not allowed to be fired in the city. Certification of the three City Council positions to be voted on at the November 7th General Election was delivered to the County Clerk's office last week. Gary Fisher, Dietrich Kastens and Mark Vrbas were informed that if they choose to run for another term on City Council, they must file with the County Clerk's office before noon on June 1st.

City Attorney Charles Peckham had a trial out of town all day, so he did not have a report to handout. However, City cases are continuing at the average pace and he had nothing out of the ordinary to report. His son will be returning to the states from deployment in June, so it is likely that Charles will miss that month's Council meeting.

Police Chief Brian Withington presented his report. His department worked 11 reports from March 16, 2017 to April 20, 2017. There were 4 arrests made, 26 warnings given and 7 tickets issued. Other patrol activity included 118 public relations, 27 business checks and 72 miscellaneous complaints. Both Brian and JT have attended various training classes this month to fulfill annual education requirements.

City Superintendent Rick Kramer was absent, but provided the monthly reports for Council.

Council Reports:

Councilman Gary Fisher did not have anything to report regarding the Housing Authority. He shared information about pine wilt disease and a wildfire awareness class happening in Colby on May 10th. Arbor Day activities taking place at Rawlins County Elementary School on May 5th include planting trees with 5th graders and honoring another district poster winner, Payton Smith.

Councilman Dietrich Kastens had nothing to report.

Councilman Mark Mosley stated the library has not hired a new director yet. The Airport Board was updated on the taxiway project, which is currently on schedule to start in the fall. The board discussed the budget timeline and plans to submit requests before June. Councilman Mosley attended KRWA Conference in March and found it very interesting and informative.

Councilwoman Sandy Mulligan was absent.

Councilman Mark Vrbas was absent.

Mayors Notes: A police officer candidate was interviewed earlier this week. Mayor Colgan asked City Attorney Charles Peckham to look into closing 9th Street between Sherman Street and Highway 36 and having that block abandoned. There are no utilities in that area, which is currently platted as a street. This would allow the owner of the house that is currently for sale to have more property for their backyard. Councilman Kastens agreed that if no one in the area is opposed to the idea, it would be fine to make the change. The City Attorney will check to be sure the city can make that decision and follow up with Council at the May meeting. The Mayor revisited earlier Recycling comments and advised Council to spend time considering solutions and asking citizens for opinions, as it is a large expense and will require extensive discussion.

With no further business to come before Council, Councilman Mosley moved to adjourn, seconded by Councilman Fisher. The **meeting adjourned at 9 PM.**

Keri Riener, City Clerk

Tim Colgan, Mayor