

Atwood City Council
February 15, 2018
Regular Meeting
City Hall, 7:00 PM

Atwood City Council met in **regular session** February 15, 2018 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; Chief of Police Brian Withington; City Superintendent Rick Kramer; Rosalie Ross of the Rawlins County Square Deal.

The **Agenda** was approved with the addition of Resolution 18-04 to execute documents of the sale of real estate formerly known as Majestic Auto as a New Business item on motion of Councilman Mark Mosley, seconded by Councilman Gary Fisher, approved by all.

The **Minutes** of the regular meeting on January 18, 2018 were approved as circulated on motion of Councilman Mark Vrbas seconded by Councilwoman Sandy Mulligan, approved by all.

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

Public Comments:

Betty Wilkens appeared before Council to express concern regarding the condition of 7th Street following the recent snow. Last year three loads of crushed concrete were spread in the middle part of the street. This was not enough coverage in her opinion, as the holes and ruts are still getting deeper. Betty shared photos on her phone for councilmembers to view. She is requesting a more permanent fix for this street. City Superintendent Rick Kramer reported several streets are in poor condition following winter precipitation. As the weather continues to dry the city streets, the city crew will blade the roads, as they did last year. The city streets continue to concern Council; future street improvements are imperative, but expensive.

Appearances:

Jared Hurst, President of the Rawlins County Economic Development Board updated Council regarding lots at Greason Industrial Park. Eight lots remain; Two Homes LLC has paid for seven residential lots and only one industrial lot is still available for sale. Cahoj Earthmoving is about 95% finished with the project, with only street gravel application remaining. City Attorney Charles Peckham reviewed the need for Council to make a decision regarding lots at Greason Industrial Park. Councilman Kastens moved to **execute the warranty deed conveying the real estate from Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Block Six (6), Greason Industrial Park, Second Addition, to the Original Town (now City) of Atwood, Kansas, EXCEPT AND SUBJECT TO THE LISTED EASEMENT RESTRICTIONS. And The South One Hundred Thirty-Five feet of Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Block Four (4), Greason Industrial Park, Second Addition, to the Original Town (now City) of Atwood, Kansas, together with an easement to the public as listed in the Warranty Deed.** Councilman Vrbas seconded, approved by Councilmembers Fisher, Kastens, Mosley and Vrbas, with Councilwoman Mulligan abstaining due to a conflict of interest serving on both City Council and Economic Development Board. Abstained vote goes with majority, motion passed 5-0. Diana Tongish, RCED Treasurer,

requested a copy of the warranty deed for RCED when it is complete. Mayor Colgan signed the warranty deed.

David Blau with Miller & Associates did not appear for a Sewer Project Update.

Old Business:

Mayor Tim Colgan reviewed Library Board President Carl Dalcher's January appearance regarding renovations to the Atwood Public Library. Council agrees that recent library activities and community involvement are promising and new lighting and the portico area will be useful for patrons. The addition to the building will require further investigation and planning to be sure it will fit in the allowed space and be cost effective, but since it was suggested as a future endeavor, the council won't rule it out if the library board is able to find a way to complete it in years to come. Following discussion on the matter, Councilman Mosley **moved to give the Library Board formal Council approval to move forward with presented library projects with grant or library generated funding.** Councilwoman Mulligan seconded, approved by all.

New Business:

Mayor Colgan signed the proclamation designating May 4th, 2018 as Arbor Day in the City of Atwood. **Motion authorizing the mayor to sign the Arbor Day Proclamation** made by Councilman Fisher, seconded by Councilman Vrbas, approved by all.

City Clerk Keri Riener presented the **2017 USDA annual report** for approval from Council. Councilman Kastens **moved to approve the annual USDA report**, seconded by Councilman Fisher, approved by all. This is a required report for the length of a USDA loan.

Mayor Tim Colgan reminded Council that he met with City Department Heads to **discuss the recently Revised Employee Handbook last month.** Councilman Fisher requested clarification on the section regarding flexible scheduling. City Clerk Keri Riener reviewed the paragraph on flexible scheduling from the previous handbook and then read the updated section in the revised handbook that further defined the option and how it might be applicable in city job positions. As stated in the revised handbook, alternative schedules are discretionary and subject to approval by the department head. All jobs are not suitable to flexible scheduling. Councilman Fisher also asked about the classification of part and full time positions in the handbook. The city clerk reviewed the definitions in each handbook. The previous handbook defined part time as employees regularly scheduled to work fewer than 20 hours per week and full time as employees regularly scheduled to work at least 30 hours a week. These classifications left the timeframe between 20 and 30 hours undefined. Following discussions with the Kansas Department of Labor, KPERS, League of Kansas Municipalities and city auditors, the decision to average those two criteria was implemented in the revised handbook. Therefore the new definitions, as stated in the revised handbook, are part time as employees regularly scheduled to work fewer than 25 hours per week (students 18 years of age and under working between academic terms shall be considered part-time regardless of the number of hours worked) and full time as employees who work on a regular and continuing basis of at least 25 hours per week. Councilman Kastens commended the review panel for their thorough and succinct work on the updated handbook. When compared to other entities, he thought the City Handbook was well written and the changes were clear and necessary. Councilman Mosley commented that the updates are a sign of the times and modifications are important to keep up with other employment options in the area. Councilman Kastens **moved to approve the Revised Employee Handbook as presented,** Councilman Vrbas seconded, approved by all.

The **three year Airport Farmland Lease** was briefly discussed. Lankas Farms is the Lessee and the document covers 159.38 acres of cropland for the sum of \$8,426.42, which is \$52.87 per cropland acre, to be paid on or before March 1. Councilman Kastens **moved to approve the Airport Farmland Lease as written, Councilman Vrbas seconded, approved by all.**

City Attorney Charles Peckham presented **Resolution 18-04** authorizing the Mayor and City Clerk to execute all documents for sale of real estate formerly known as Majestic Auto, where blighted structures have been removed and Creative Movements Gymnastics has paid for the property to construct a new building. Councilwoman Mulligan **moved to approve Resolution 18-04 authorizing the Mayor and City Clerk to execute all documents necessary to finalize the sale of real estate formerly known as Majestic Auto to Creative Movements Gymnastics**, Councilman Mosley seconded, approved by all.

Department Reports:

City Clerk Keri Riener reported she will be attending the spring City Clerks and Municipal Finance Officers Association Conference March 21st – 23rd. The Kansas Rural Water Conference is scheduled for March 27th – March 29th. Councilmembers planning to attend should turn their registration forms in to the city clerk by the end of February. An advertisement has been placed in the Square Deal for lifeguards for the 2018 summer season. Mapes & Miller sent their annual letter requesting various documents to start the city audit. The revised employee handbook was completed and sent to council. A tour of six city hall buildings in western Kansas has been scheduled for February 27th. The police chief, city clerk and possibly the mayor will travel to other cities to get ideas to use when designing Atwood's new city hall. A form for in-house diversions has been received by the city clerk and will be compared to documents from other cities before starting to handle diversions at the beginning of court instead of at the city attorney's office.

City Attorney Charles Peckham shared his activities for the month. He finalized the quiet title action and got the order of quiet title for the Persinger Property, which allowed for the closing of the sale on that property to Creative Movements Gymnastics Group. He reviewed an open records issue for the city clerk's office, prepared journal entries, talked to defendants, policemen, issued bench warrants and set cases for trial. The City Attorney also met with the airport board to discuss the farmland lease, previously approved.

Police Chief Brian Withington presented his report. His department worked 4 reports from January 18, 2018 to February 15, 2018. There was 1 arrest made, 15 warnings given and 8 tickets issued. Other patrol activity included 211 public relations and 28 miscellaneous complaints.

City Superintendent Rick Kramer presented his report showing the areas where the city crew has spent their time since the last meeting. The water report shows the amount of water pumped and sold for the month. The month of January showed a 12% water loss, but this increased loss always seems to happen at the beginning of the year and then averages out over time through the end of the year. The depth to the water in city wells has remained consistent. The crew continues to work in the shop when the weather is too cold to be outside. They are getting the fire barn ready to install new doors when it's warm enough to open the doors for an extended time period. Rick reported that the county still hasn't opened up the main road leading to the well field northwest of town. The city crew has to drive around to enter through Gerard Pochop's property. The mayor discussed the importance of access to the well field as the city's water supply. He asked City Attorney Charles Peckham to check if that specific road is officially an "open road" prior to contacting the County Commissioners to resolve this situation. A Foley technician will be at the city shop to work with the city crew as they perform routine maintenance on the loader next week. Councilman Mosley asked about ice in the streets following winter weather. Mayor Tim Colgan reported having conversations with some individuals that were moving snow and asking them to pile it on the

owner's property as the ordinance states - instead of in the streets, which refreeze and then create further issues in the driving areas. This has been a long-term concern and while the city crew tries to clear paths in the right of way on the city streets after they have completed work in the downtown business area, it is nearly impossible to clear everything, as vehicles are parked on the streets and if passes are made by individual driveways, it usually causes the driveway to be blocked again. Councilmembers commended the city crew on their timely cleanup of the snow. It is appreciated and the new snow blower attachment for the Bobcat seems to be highly effective.

Council Reports:

Councilman Gary Fisher had nothing to report for the Housing Authority. Atwood has been recognized for Tree City USA designation for the 22nd year. Atwood did not have a district conservation poster winner this year. Councilman Fisher requested permission to attend the Arbor Day Tree City USA Recognition Event in Lawrence with his wife, Millie. It will be at the end of March. The City Clerk stated mileage and hotel costs for the trip can be paid from the Tree Board Fund.

Councilman Dietrich Kastens had nothing to report.

Councilman Mark Mosley had nothing to report.

Councilwoman Sandy Mulligan had nothing to report.

Councilman Mark Vrbas had nothing to report.

Mayors Notes:

Mayor Colgan reminded Council to contact the City Clerk regarding their interest in the Kansas Rural Water Conference.

With no further business to come before Council, Councilwoman Mulligan moved to adjourn, seconded by Councilman Mosley. The **meeting adjourned at 8:15 PM.**

Keri Riener, City Clerk

Tim Colgan, Mayor