

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

Atwood City Council met in **regular session** March 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 as circulated on motion of Councilman Mark Vrbas, seconded by Councilwoman Sandy Mulligan, approved by all.

The **Minutes** of the regular meeting on February 15, 2018 were approved as circulated on motion of Councilman Dietrich Kastens, seconded by Councilman Vrbas, approved by all.

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

**Public Comments:** none.

**Appearances:**

**Gaye Dill** appeared before Council to request a temporary CMB permit to serve beer at a family wedding at the Atwood Lake Pavilion on June 23, 2018. Approval for use of the pavilion area has been granted by the township supervisor who suggested asking for council approval for temporary CMB permit. Following discussion, Councilwoman Mulligan moved to **approve Dr. Rodney and Gaye Dill for a temporary beer license at the Atwood Lake Pavilion on June 23, 2018, from 6 pm to 2 am**, seconded by Councilman Kastens, approved by all. A temporary beer license will need to be obtained from the City Clerk.

**Rebecca Vyzourek, Atwood Town and Country Guild member**, presented the suggestion of installing a dog waste station at Kelley Park. It would be ordered through the Atwood Township so it would match the dog waste stations at the lake and use the same bags. The station is \$140 and 2,000 bags are \$40. 4H groups use Kelley Park for a practice area and other people walk through the park with their family pets. City Superintendent Rick Kramer suggested installing the station north of the pool on a corner sidewalk, away from the picnic tables and high traffic areas so they are not vandalized. Rick said the city crew could check the box as they work in the park and contact someone if it's empty so new bags may be ordered. Councilman Kastens moved to **approve the Atwood Town and Country purchase of the dog waste station and refill bags for Kelley Park**, Councilman Vrbas seconded, approved by all. The station may be delivered to the City Shop when it arrives. Rebecca asked about the construction status of the Kelley Park Restrooms. Mayor Tim Colgan reviewed the delays that have happened and expects the project to start as soon as the weather stays warm, with the goal to finish by the fall at the very latest.

**Brad Leitner** inquired about the city's ability to purchase a drainage tube to be installed in the ditch by 9<sup>th</sup> Street in the Greason Industrial Park. He purchased the Cabrinha house at 506 North 8<sup>th</sup> Street and at the time of purchase, had full access to his property from 9<sup>th</sup> Street. Following the Greason Industrial Park land elevation process, that access has been blocked. Brad contacted Cahoj Earthmoving for a proposal on installing a 100 foot long, 18" diameter drainage tube and filling in dirt on both ends. The tube is \$4047.50 and the dirt work is \$1000.00. He requested the city purchase the drainage tube and volunteered to pay for the dirt work and buffalo grass seed to cover the area. Rawlins County Economic Development has granted permission for use of leftover dirt from the Greason Industrial project, which is less expensive than if it had to be delivered. Mayor Tim Colgan stated that the area discussed was cut very deep. City Attorney Charles Peckham specified that it is on city property and although the city did not directly authorize the deep cuts in the ditch, it was allowed to happen. Councilman Kastens **moved to pay for the drainage tube with City budgeted street funds in the amount of \$4047.50 to provide access to 802 Sherman**, Councilman Vrbas seconded, approved by all. Brad will have the City of Atwood put on the proposal for the drainage tube and it will be paid upon completion.

**Todd Boldt, Architect from Miller & Associates, accompanied David Blau to this month's council meeting to view the preliminary ideas for the office space in the Recycling Building** when City Hall moves to that location later this year. Mayor Colgan reminded council that he accompanied the city clerk and police chief on a tour of six city halls in the area. The top priority noted in all six buildings was employee safety. A rough drawing has been submitted to Todd Boldt, who was present to take photos of the recycling building and discuss building needs with department heads. At this time no plans have been made for the current city hall building. **David Blau reviewed the progress of the Sewer Project.** David Barber, USDA-RD contacted Blau to approve the two remaining manholes if they are completed soon. After installation of the two manholes, the sewer project is basically finished. The preliminary GIS mapping system data has been delivered to the City Superintendent. He will review the information in the fall/winter when projects slow down for cold weather. The data is also backed up on the cloud.

#### **Old Business:**

Since Street Improvements were noted earlier in the meeting, Mayor Colgan allowed more discussion about this topic at this time. Councilman Mark Mosley asked about a solution to 7<sup>th</sup> Street near Betty Wilkens' property since she appeared last month about her street condition. The City Superintendent and Mayor Colgan agreed that the way 7<sup>th</sup> Street is elevated, if it's built up higher, the drainage issue will worsen. Councilmembers Mosley and Kastens drove down 7<sup>th</sup> Street following the February meeting. Rick Kramer proposed cutting out the high spot in the street and creating a ditch on the west side of the 7<sup>th</sup> Street and try to get it to drain near the property owned by Midwest Energy, Inc. Crushed concrete will be laid from Betty Wilkens' property line north as far as necessary, costing approximately \$30/ton. However, if drainage isn't improved on her property that area will likely continue to hold water. Rick and Tim will measure and mark the boundary lines prior to starting the project. Council also talked about the streets north of Highway 36 that are often submerged after accumulated precipitation. Consensus was that street issues inevitably require a sales tax or bond issuance, which involves a county vote. The current rural economy isn't likely to favor this ballot item at this time. Councilman Mosley asked about the agreement made between the City and KS Department of Transportation many years ago. He asked if this agreement concerning highways joining city streets could be reviewed and possibly updated.

#### **New Business:**

Mayor Colgan suggested appointing Kim Marshall and Jessica Mews to the library board as requested by the library director. Councilman Vrbas **moved to accept the Mayor's recommendation of Kim Marshall and Jessica Mews to the library board**, Councilman Mosley seconded, approved by all.

#### **Department Reports:**

**City Clerk Keri Riener** reported that lifeguard applications are due by noon on April 13<sup>th</sup>. Documents have been sent to Mapes & Miller for the annual city audit. A dog tag and vaccination clinic will be held at the recycling center on Saturday, March 24<sup>th</sup> from 9:00 am – 12:00 pm. Dr. Melody Bearley will be available for vaccinations and Keri will have city dog tags for purchase. The six city hall building tour was successful last month, with layout options observed and discussed.

**City Attorney Charles Peckham** shared his activities for the month. He worked with the nuisance officer regarding a blighted structure, prepared journal entries, talked to defendants, set a case for trial and moved the city court date to Thursday, March 29<sup>th</sup> to allow attendance at KS Rural Water Association Conference. The City Clerk requested an ordinance for a fine to be associated for failure to register a dog for city tags. This may encourage citizens to purchase their dog tags in a timely manner and keep them current, as there currently isn't a fine unless the dog is at large or vicious. The Rawlins County Appraiser contacted the City/County Attorney regarding a records request about ATV/UTV permits issued by the city. The City Clerk had advised the Appraiser's office of protocol to charge all entities the records request fee after talking to the City Attorney. Following discussion, Council agreed that reciprocity would be beneficial to all parties; records will be shared freely between entities as long as requests don't become excessive. The City Attorney also noted that Municode.com, the site hosting the City Ordinances and Codes, can be translated into other languages with the click of a link on the webpage.

**Police Chief Brian Withington** presented his report. His department worked four reports from February 16, 2018 to March 15, 2018. There was one arrest made, nine warnings given and six tickets issued. Other patrol activity included 265 public

relations and 79 miscellaneous complaints. The body and dash cameras have been installed and are being used. The clarity and range is impressive; these will be useful tools in future cases.

**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 February showed a water loss of 14%, which is higher than average, but will likely come down as the year progresses. The depth to the water in city wells has remained consistent. The city crew has started cleaning the swimming pool and fertilizing the park areas. The water main on Logan Street has been installed. It will be flushed on Monday; required to pass two bacterial tests before it is complete. They have begun sweeping the streets but have encountered numerous low hanging branches. City Attorney Charles Peckham reviewed Ordinance 739a, which states that owners of any tree overhanging any street or right-of-way within the city shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of ten feet above the surface of the street. Owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs that constitute a menace to the safety of the public. The City Superintendent commented that ten feet isn't really enough clearance for most large equipment. The City Attorney will look into amending the current ordinance to fifteen feet instead of ten feet. He will bring the amended ordinance to the April Council meeting for approval. Following approval, the City Clerk will put an advertisement in the newspaper in an effort to inform property owners. Councilman Kastens asked if Jan Ackerman could put white notices on doors as a courteous request of tree trimming. Council agreed this would be an efficient means of communication in case individuals haven't noticed the issue.

#### **Council Reports:**

**Councilman Gary Fisher** had nothing to report.

**Councilman Dietrich Kastens** reminded Council that Jan Ackerman will begin spring/summer code enforcement site checks soon.

**Councilman Mark Mosley** shared that the airport needs to update their credit card software for fuel purchases. The airport is in the process of acquiring permits for future development. The library has been busy with Lego Club, Chess Club and other fun activities. Their March calendar is full of guest appearances/performances. Some estate and other monetary donations have been received by the library.

**Councilwoman Sandy Mulligan** had nothing to report.

**Councilman Mark Vrbas** had nothing to report.

**Mayors Notes:** Mayor Colgan stated that Monday is the airport construction project start date. It's a 25 day project. He also read an email from the International Institute of Municipal Clerks Association congratulating City Clerk Keri Riener on her Certified Municipal Clerk designation. There are 4,706 CMCs worldwide and only 136 CMCs in Kansas. Keri will begin building credits toward a Master Municipal Clerk designation.

With no further business to come before Council, Councilman Vrbas moved to adjourn, seconded by Councilman Gary Fisher. The **meeting adjourned at 8:40 PM.**

Keri Riener, City Clerk

Tim Colgan, Mayor