

Atwood City Council
May 17, 2018
Regular Meeting
City Hall, 7:00 PM

Atwood City Council met in **regular session** May 17, 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, Mark Mosley, Sandy Mulligan; 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. Also present were County Commissioners Craig Cox, Wilbur Henry and Lisa Woody and Corey Castens, Rawlins County Recycling Employee. Rawlins County Sheriff Ken Higley and Richard Pianalto arrived later during the meeting. Councilmembers Dietrich Kastens and Mark Vrbas were absent.

The **Agenda** was approved as amended with the addition of Todd Boldt's presentation of the Standard Service Agreement for New City Hall Renovations to Miller & Associates under New Business and a Library Board Member Appointment to New Business. Councilman Mark Mosley moved to approve the amended agenda, seconded by Councilwoman Sandy Mulligan, approved by all.

The **Minutes** of the regular meeting on April 19, 2018 were approved as circulated on motion of Councilman Gary Fisher, seconded by Councilman Mosley, approved by all.

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

Public Comments: None.

Appearances:

Atwood City Library President, Carl Dalcher accompanied City Librarian Grace Kastens to present the budget for 2019 and statistics of library usage. They had a total of 84 programs for all ages with 659 attendees. They started a Teen Tech program connecting teens with adults, a bi-monthly story time for babies and toddlers, a twice monthly preschool story time; Lego Club twice meets twice a month and Chess Club meets three times a month. New programs have been well received and library traffic has increased as more activities have been made available.

Vicki Hubin appeared before Council representing **Western Kansas Child Advocacy Center**. WKCAC has six 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 2019 budget.

Ken Higley, Rawlins County Sheriff was not present at this time.

Craig Cox, Wilbur Henry and Lisa Woody, Rawlins County Commissioners reviewed the status of the county recycling building renovations. Commissioner Lisa Woody stated that progress is being made on updates and improvements. City Clerk Keri Riener noted that Ana Vargas' last day as the City Recycling Manager is Wednesday, May 30th, as she is unavailable in June. County Commissioner Lisa Woody said applications will be reviewed soon so the new employee can work with Ana on the 30th and learn about the machines and sorting items. The Commissioners asked if the City would continue to pay the new employee through June, as the plan was to pay until moving at the end of June. Mayor Colgan stated the agreement would remain the same, that the City would pay a recycling employee the contracted amount currently being paid through the end of June. City Clerk Keri Riener said she would discuss the logistics of that with County Clerk Rachel Finley to make the transition of the new manager as easy as possible. The City Crew will also help County employees move the equipment and contents of the Recycling Building when a date has been determined. The County will provide a trailer to haul items, as the City does not have a trailer. The Mayor reviewed that all of the building contents are going to the new Recycling Center, there is no need to leave anything behind since the building will need to be cleared to begin renovations for city hall offices. County Commissioners thanked Council for their time and assistance.

Ken Higley, Rawlins County Sheriff arrived at this time and passed out the current City/County contract for jail and dispatch services which has remained unchanged since signed in 2004. The Sheriff would like to increase the monthly amount from \$2500 to \$3000. The Sheriff's department has control of the communications department and the sheriff's office. He stated that salaries have increased over the years and he has removed the jailer position and added a deputy position. Mayor Tim Colgan thanked the sheriff for addressing council prior to budget season and stated that any changes would become effective in January 2019. Council will consider the request as they review budget items in the annual workshop at the end of June.

Betty Wilkens did not attend the meeting.

Richard Pianalto had not arrived at the meeting at this time, but since it was listed on the agenda, Mayor Colgan reviewed the updated Standard Traffic Ordinance pertaining to **golf cart operation at night**. K.S.A. 2017 Supp. 8-15, 108 (c) has been amended to read as follows: A golf cart shall be operated on any public street or highway only during the hours between sunrise and sunset, *unless equipped with: (1) Lights as required by law for motorcycles; and (2) a properly mounted slow-moving vehicle emblem as required by K.S.A. 8-1717 and amendments thereto.* This act shall take effect and be in force from and after its publication in the statute book, which is approved in July. The Supplemental Note on House Bill No. 2486 stated that the bill was requested by Representative Adam Smith, who provided oral testimony in support of the bill in the House Committee on Transportation hearing and introduced two of his constituents from Atwood, who provided proponent testimony. No other testimony was presented.

To clarify, the articles referred to in this new amendment are as follows: Article 18, Section 183 regarding Motorcycle Head Lamps in the Standard Traffic Ordinance states (a) Every motorcycle and every motor-driven cycle shall be equipped with at least one head lamp which shall comply with the requirements and limitations of this article. (b) Every head lamp upon every motorcycle and motor-driven cycle shall be located at a height of not more than 54 inches nor less than 24 inches to be measured as set forth in subsection (b) of Section 145. (c) Any headlamp, required by this section, may be wired with a headlamp modulation system provided the headlamp modulation system complies with federal standards established by 49 C.F.R. § 571.108 (K.S.A. 8-1801). Section 184 states (a) Every motorcycle and motor-driven cycle shall have at least one tail lamp which shall be located at a height of not more than 72 nor less than 15 inches (K.S.A. 8-1802).

Richard Pianalto arrived at this time; Mick Moore did not attend the meeting. Richard asked if the newly amended statute could be approved by council at this time to allow citizens more summer nighttime driving. City Attorney Charles Peckham reviewed that new state laws come into effect on July 1st each year and therefore updated STO and UPOC books are approved at the July Council meeting. Mayor Colgan added that with the fee involved to publish a statute or ordinance in the newspaper, it wouldn't be cost effective to approve it at this time. Richard understood and thanked council for their time.

Old Business: None.

New Business:

Miller & Associates Architect Todd Boldt reviewed the Standard Agreement for Professional Services for the City Hall Renovation Project, which had been emailed to Councilmembers prior to the meeting. Todd has been discussing office layout options with the city clerk and after the addition of a second floor storage area, which will be included in the schematic design phase, the project should be ready to begin with advertisement for competitive bids. Following discussion, Councilman Mosley moved to **authorize Mayor Tim Colgan to execute the agreement between the City of Atwood and Miller & Associates for City Hall Renovations.** Councilman Fisher seconded, approved by all. The Mayor thanked Todd for attending and completing the drawings in a timely fashion. Todd left the meeting and Council moved on to sewer project invoices from Miller & Associates.

After reviewing the invoices presented, Councilman Fisher moved to **pay Miller & Associates Invoice #18-0206 for additional construction services attempting to obtain quotes from BSB for additional work, preparing an operation and maintenance manual and project management for the months of November 2017 through March 2018 in the amount of \$2,527.25,** seconded by Councilwoman Mulligan, approved by all. Councilman Fisher then moved to **pay Miller & Associates Invoice #18-0207 for preparation of final GIS documents, survey for GIS mapping, generating GIS basemaps**

and providing setup with City staff for the months of November 2017 through March 2018 in the amount of \$1,641.25, seconded by Councilman Mosley, approved by all. The invoices will be reviewed by David Barber of USDA for approval before being paid.

City Attorney Charles Peckham reviewed an **ordinance amending section 40-36 (c) of the Atwood Municipal Code.** Complaints have been made about a refrigerated trailer being left running throughout the night, disrupting others in the area. Past complaints regarding idling trucks have been heard over the years as well. Councilman Mosley commented that this is more of a good neighbor issue than a truck technicality issue, but without regulations, good citizenship isn't always enforceable. Following discussion, the City Attorney will make proposed changes to the amendment for next month's meeting. A notice will be placed in the newspaper prior to that meeting in case citizens would like to appear at the June meeting for public comment on this topic.

Mayor Colgan recommended appointing Harrison Kogl to the library board to fill a recently vacated position. Councilwoman Mulligan moved to **accept the Mayor's recommendation of Harrison Kogl to the library board,** Councilman Mosley seconded, approved by all.

Mayor Colgan presented his **Department Head Appointments** of Keri Riener, City Clerk; Charles Peckham, City Attorney; Rick Kramer, City Superintendent; Brian Withington, Chief of Police; Paul Mews, City Treasurer; Richard Ress, Municipal Judge and Terry Britt, Fire Chief. Councilman Mosley moved to **approve Mayor Colgan's 2018 Department Head Appointments,** seconded by Councilwoman Mulligan, approved by all.

Department Reports:

City Clerk Keri Riener requested that all budget requests be turned in to her office so they can be reviewed for 2018 budget preparation. The City Audit has begun, all requested documents have been forwarded to Mapes & Miller and they were at city hall earlier this week. The revised water conservation plan will be emailed to council for review and will be put on the June agenda for approval. A lifeguard meeting was held earlier this month to discuss expectations for swimming pool employees. The pool is scheduled to open on Saturday, May 26th.

City Attorney Charles Peckham shared his activities for the month. He worked with the nuisance officer regarding blighted structures and nuisances, prepared journal entries and talked to defendants. He prepared a draft ordinance for council concerning a technical issue with semi-trucks and trailers. The City Attorney reviewed community service policies and followed up with KDHE on the topic of the "old city dump" land and although the land may be sold, the city will always own the trash that is buried there and any liability associated with that trash. Charles also commented on hearing complaints about an increase in engine brake usage in city limits, which is prohibited.

Police Chief Brian Withington presented his report. His department worked 14 reports from April 19, 2018 to May 17, 2018. There were 5 arrests made, 19 warnings given and 11 tickets issued. Other patrol activity included 108 public relations, 91 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 April showed a 14% water loss but some of this is attributed to filling the pool for the summer. Depth to the water in city wells has remained consistent. Concrete work at the industrial park is almost complete. The city crew has been mowing draws and cleaning for Rod Run all week. Will Ginther has returned as summer help on the city crew and has been mowing consistently.

Council Reports:

Councilman Gary Fisher reported that Kathy Green has resigned as the Housing Authority Board Chairperson and JoEllyn Argabright has resigned from the Tree Board. Gary received his Arborist certificate and celebrated Arbor Day with the 5th Graders on May 4th.

Councilman Dietrich Kastens was absent.

Councilman Mark Mosley had nothing to report.

Councilwoman Sandy Mulligan had nothing to report.

Councilman Mark Vrbas was absent.

Mayors Notes: Mayor Colgan updated Council regarding the Kelley Park Restroom Project. The electric and plumbing have been roughed in and base concrete work is complete. He spoke to the bricklayer, who plans to order block and start laying it following Memorial Day. Vap Construction, Inc. has ordered the door and roof components. The restrooms will have small heaters inside, but will still be closed during some winter months when the park is less likely to be used. A water fountain will be installed at the sidewalk junction near one of the picnic structures.

Deone Horinek has requested lighting at the Kelley Park basketball court. A pole saved from the downtown street pole renovation will be used to mount a new light next to the picnic area by the court. The light will be on a resettable one hour timer to reduce wasted electricity. Recreation Commission Funds will pay for the project.

In other Kelley Park news, the mayor stated the recently installed Town & Country dog waste station has been removed due to kids filling the bags with mulch from the playground area and leaving the bags lying around the park. The Town & Country Guild will be contacted about the situation to see if a different solution is possible.

With no further business to come before Council, Councilman Mosley moved to adjourn, seconded by Councilman Fisher. The **meeting adjourned at 8:45 PM.**

Keri Riener, City Clerk

Tim Colgan, Mayor