

Atwood City Council
October 25, 2018
Special Meeting
7:00 PM, City Hall

Atwood City Council met in **special session** October 25, 2018 at City Hall. The Honorable Mayor Tim Colgan called the meeting to order at 7:00 PM. Others present were Councilmembers Gary Fisher, Mark Mosley, and Sandy Mulligan; City Clerk Keri Riener; Rosalie Ross of the Rawlins County Square Deal. Taylor Vap was also present at the meeting. Councilmen Dietrich Kastens, Mark Vrbas; City Attorney Charles Peckham; Chief of Police Brian Withington and City Superintendent Rick Kramer were absent.

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

The purpose of the special meeting was the **discussion of the Zoning Board meeting held at 5:15 pm regarding the variance request of Brad and Mandy Leitner for their building on Sherman Street and approval of a general contractor for the City Hall renovation project after reviewing bids opened on Wednesday, October 24, 2018.**

Mayor Tim Colgan attended the Zoning Board meeting, along with Councilmen Mark Mosley and Dietrich Kastens. No one from the public attended the hearing; three letters of opinion were received and shared with the board. After discussion with the Zoning Board, **Leitners agreed with a suggestion to change their variance request to a residential home based business classification.** Per City Code: Home Occupation means a business, profession, service or trade conducted for gain or support entirely within a residential building. Section 46-245(b)(2) defines customary home occupations to include aerobics or exercise instruction, provided that instruction is limited to five pupils at a time. Considering the members of the gym will be coming and going randomly, this business should fit the criteria. The Zoning Board voted unanimously to approve keeping the new building classified as R-1 Home Based Business. **No action from City Council is required to approve this Zoning Board decision.**

Mayor Colgan moved on to discuss the City Hall Renovation project bid opening results. David Blau, Miller & Associates Engineer provided the Owner Award Letter for council review. The general contractors and their bids were listed as well as the architect's opinion of probable construction cost, which was \$257,000.00. The low bid of four bids received and the architect's recommendation, was received from Vap Construction, Inc. at \$337,272.00; 31.23% above the estimated cost. Councilman Mosley moved to **accept the bids as presented, award the contract to Vap Construction, Inc. in the amount of \$337,272.00 and authorize Mayor Tim Colgan to execute agreements to move forward.** Councilwoman Mulligan seconded, approved by all.

To remain transparent, Mayor Colgan informed Council that he put a bid in to Vap Construction, Inc. regarding the electrical subcontracting work required in the City Hall renovation. All documents have been previously filed to allow this action, which is common in small cities. A list of area general contractors and subcontractors were provided to Miller & Associates, who were then sent a letter about the project and the bid opening date. All were given the same opportunity to obtain project information and submit bids to the various general contractors, not knowing who else submitted bids or the amounts of those bids. The general contractors then took that information into consideration when calculating their project bid totals and will award the subcontractors they chose to complete the work. None of the subcontractor information was given in the submitted bids, just the overall price of the project. This process allows participation by all interested parties with no advantage to a specific entity.

Councilman Fisher moved to adjourn the meeting, seconded by Councilwoman Mulligan. The meeting adjourned at 7:15 PM.

Keri Riener, City Clerk

Tim Colgan, Mayor