

Atwood City Council  
July 23, 2019  
Regular Meeting  
City Hall, 7:00 PM

Atwood City Council met in **regular session** July 23, 2019 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 Mosley, seconded by Councilman Mark Vrbas, approved by all.

The **Minutes** of the regular meeting on June 20, 2019 were approved as circulated on motion of Councilman Dietrich Kastens, seconded by Councilwoman Sandy Mulligan, approved by all.

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

**Public Comments:** None.

**Appearances:**

**John Mapes with Mapes & Miller** reviewed **2018 city audit**, discussing each area of the audit by fund. Copies of the audit were provided to council members. The only statutory violation noted in 2018 was one payment of bond and interest to the Kansas State Treasurer's Office received and posted less than 20 days before the due date as required. In 2018, the general fund balance increased by about \$36,000, after the \$50,000 Street Improvement Fund transfer. The sewer fund maintained a steady position and water funds increased. Councilman Mosley moved to **accept the audit reports and authorize filing them with the required state and federal entities**, seconded by Councilman Gary Fisher, approved by all. The 2020 Budget in the state format was reviewed for approval to publish. The tax lid for the city is 56.230 mills for 2020; the mill levy amount sets the starting point for the allowable tax lid the following year. Council discussion included the objective of keeping the mill levy rate even with the rate of current inflation. Following dialogue, Councilman Vrbas moved to **approve the 2020 budget for publication, set at 50.243 mills**. The motion was seconded by Councilwoman Mulligan, approved by all. The auditor will submit the budget to be published in the local newspaper next week. Following the budget hearing in August, the 2020 budget can be approved. The **public budget hearing is set for 7:00 PM, August 15<sup>th</sup>** at the regular council meeting.

**Old Business:**

The topic of **combined water meter fees** was revisited following last month's discussion. In the past, there has not been a set standard for the process of billing for multiple water meters at a single location, which has led to some properties paying for each meter on their property and others having a "combined meter charge" that allowed the second meter at no base rate charge, only actual usage. Councilwoman Mulligan moved to **approve a utility billing policy change to charge the first meter on a property the full monthly base rate and additional meters associated with that particular first meter to be charged half of the monthly base rate, effective September 1, 2019. The fee schedule will be amended accordingly**. Councilman Vrbas seconded, approved by all.

**New Business:**

**David Blau with Miller & Associates** presented Vap Construction Pay Application #6 for the amount of \$38,383.59 for work completed through June 24, 2019, including all finishing work to complete the project. Councilman

Kastens moved to **pay the total due on Vap Construction Application for Payment #6 in the amount of \$38,383.59**, seconded by Councilman Vrbas, approved by all. The mayor signed the pay application. Miller & Associates Invoice #19-0690 in the amount of \$1,276.40 for city office construction phase services included review of submitted documents, attendance at meetings and construction administration services for the months of May, June and July 2019. The invoice total was \$1,819.30, but per the project maximum fee agreement total of \$16,500.00, only \$1,276.40 was due. Councilman Vrbas moved to **approve payment of Miller & Associates Invoice #19-0690 in the amount of \$1,276.40**, Councilwoman Mulligan seconded, approved by all. David presented a certificate of substantial completion for the City Hall Renovation Project. Councilman Mosley moved to **approve the certificate of substantial completion as presented**, seconded by Councilwoman Mulligan, approved by all. Mayor Tim Colgan signed the certificate of substantial completion.

City Attorney Charles Peckham provided the Long Term Lease Agreement between the Atwood-Rawlins County Airport and SureFire Electronics, LLC. The rental agreement is for 30 years and six months, with base rent of \$2,500 per year, due on January 1, 2020 and then every succeeding year. The lease shall begin on July 1, 2019 with the initial payment of \$1,250 made by the tenant. Additional details are included in the lease document and the City Attorney recommends the land be surveyed to be sure all details are clearly recorded to lessen the probability of future confusion or liability. The cost of a land survey should be around \$2,000. Councilman Mosley moved to **approve the long term lease agreement with SureFire Electronics, LLC, with the understanding that a land survey will be completed**, Councilman Vrbas seconded, approved by all. Based on the city/county airport agreement, costs of the survey should be equally shared between both entities. Mayor Colgan signed the agreement. The City Attorney will return the signed lease to the county clerk.

The FAA Grant Agreement for the Airport Improvement Program project was discussed. The project includes rehabilitating runway 16/34, connecting taxiway and apron (crack fill and sealcoat) and changing runway 16/34 end designator numbers to runway 17/35. The FAA agrees to pay 90% of the allowable costs incurred accomplishing the project, the city and county will split the other 10% of the associated costs equally. Councilman Kastens **moved to approve the mayor signing the FAA Project Grant Agreement as presented**, Councilwoman Mulligan seconded, approved by all. Mayor Colgan signed the document. It will be returned to the county clerk's office.

MASA Medical Transport Solutions offers coverage against unplanned medical emergencies that includes emergent ground and air transportation and repatriation. The cost for the proposed plan is \$160/year per employee. Councilman Kastens moved to approve **adding MASA Medical Transport Coverage to the employee benefit package effective October 1, 2019**, Councilman Vrbas seconded, approved by all.

The STO and UPOC Ordinances need to be adopted by the city annually when the new books are published by the League. **Ordinance #887 Standard Traffic Offense Code for Kansas Cities** was adopted and **Ordinance #888 Uniform Public Offense Code for Kansas Cities** was adopted on motion of Councilwoman Mulligan, seconded by Councilman Vrbas, approved by all. These ordinances shall take effect after publication in the city newspaper.

#### **Department Reports:**

**City Clerk Keri Riener** discussed activities at City Hall this month. The budget workshop was held on June 25<sup>th</sup>. On June 26<sup>th</sup>, city court happened as well as moving furniture to the new building while CK Technologies set up the new computer server system and police department computers. Quarterly reports were submitted, the sewer GO bond was paid for the year, as were the police vehicle payments. Employees have been settling in and organizing the space of the new building. Citizens that have come in to pay their bills have been offered tours if requested and have made positive comments about the look, layout and improved smell of the newly renovated facility. There is a **KS Department of Transportation consult meeting in Hays on August 29<sup>th</sup> that will share information about current projects and then examine long-term and emerging trends and infrastructure investments that may be made to help cultivate prosperous Kansas communities**. This meeting was suggested by KDOT engineers

as a possible avenue of funding for a street improvement project. The mayor and city clerk plan to attend this meeting, Councilwoman Mulligan volunteered to attend. Councilmembers were asked to contact the city clerk by July 31<sup>st</sup> if they are interested in going.

**City Attorney Charles Peckham** expressed appreciation to the police department for their continued coverage during the Lake Atwood Day and ten mile race. He worked on the airport lease agreement, prepared journal entries, exchanged discovery in the Ratcliff buildings case. He has been informed that the three buildings are on the Kansas Historical Society registry. Charles will need to submit a formal project plan to the state historical society following a court judgement. There's a possibility that the city attorney's involvement in the case may be found to be a conflict of interest due to previous legal work completed for the property owner's family members many years ago. Charles has contacted the St. Francis City Attorney who will take over if necessary.

**Police Chief Brian Withington** presented his report. His department worked four reports from June 20, 2019 to July 23, 2019. There were no arrests made, 18 warnings given and 20 tickets issued. Other patrol activity included 278 public relations, 87 miscellaneous complaints. The police chief announced that City Officer, Payton Beims graduated from KLETC last Friday and will resume duties next week.

**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 June showed an increase in the amount of water loss. It will likely average out over the next month or two. The depth to the water in city wells has remained consistent.

#### **Council Reports:**

**Councilman Gary Fisher** stated that he is available to offer tree information or recommendations if needed.

**Councilman Dietrich Kastens** had nothing to report, just commented that a property with nuisance issues has made some noticeable progress.

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

**Councilwoman Sandy Mulligan** has spent time sorting out the remaining Greason Industrial properties so they will be correctly filed in the future. The City Attorney might need to follow up with the appraiser's office to ensure the taxes are clear and will be mailed to the correct entities next year.

**Councilman Mark Vrbas** attended the solid waste committee meeting and commended the City Attorney for leading an informative forum regarding the situation and necessary future action.

#### **Mayors Notes:**

Mayor Colgan shared that councilmembers have expressed interest in moving forward with a street project to address the current state of city streets. Miller and Associates Engineer David Blau was asked to look into the previous street survey that was completed in 2008 and probable construction costs. The street condition has changed since that survey, but it will offer a base point to move forward and determine what additional work needs to be included. The City has been transferring General Fund Reserves to a Special Street Improvement Fund in an effort to build a sum that might be used to match other grant funds, but without sales tax revenue, the amount necessary to complete this endeavor will not be reached in a realistic amount of time. The City Attorney shared that council would need to vote to approve the proposed sales tax by resolution before the notice of intent to impose sales tax would be set for a special election. This would be published in the newspaper twice. The matter would go to a vote and if passed, city council would pass an ordinance for the implementation of the added sales tax. City Superintendent Rick Kramer added that curb and gutter would need to be included in the project, as the drainage has changed and changes are needed. Councilman Kastens shared that his preference would be to

complete the project in one comprehensive step if possible instead of doing small portions for a long period of time. The Mayor added that one project instead of multiple phases would likely reduce costs for mobilization of crews to return for several segments. He indicated that the streets from Highway 25 to Creighton Memorial Drive should be included in the project as well, since drainage in that area is terrible and has been for a very long time. Other asphalt streets will likely be considered so they can be improved at the same time as the rest of the city streets. Discussion followed on the definition of a “connecting link”, as 8<sup>th</sup> Street from Highway 36 leading out of the city on East Hill Drive has been debated as a connecting link for years. The City Attorney will look into what is necessary to officially define that street as a connecting link in an effort to obtain shared funding to fix it. As more current information is available, this topic will continue to be discussed to prepare for a special election in April.

An open house will be held at the newly renovated city hall building toward the end of August. The city clerk will send potential dates to councilmembers via email and a date will be set and the newspaper will be notified.

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

Keri Riener, City Clerk

Tim Colgan, Mayor