

Atwood City Council  
February 20, 2020  
Regular Meeting  
City Hall, 7:00 PM

Atwood City Council met in **regular session** February 20, 2020 at City Hall. The meeting was called to order by the Honorable Mayor Janet Stice at 7:00 PM. Others present were Councilmembers Gary Fisher, Dietrich Kastens, Mark Mosley, Mark Vrbas; City Clerk Keri Riener; City Attorney Charles Peckham; Chief of Police Brian Withington; Rosalie Ross of the Rawlins County Square Deal. Councilwoman Sandy Mulligan and City Superintendent Rick Kramer were absent.

Councilman Dietrich Kastens moved to approve the **Agenda** as amended with an added Executive Session after the Mayor's notes, seconded by Councilman Mark Vrbas, approved by all.

The **Minutes** of the regular meeting on January 16, 2020 were approved as circulated on motion of Councilman Vrbas, seconded by Councilman Mark Mosley, 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:**

Michelle Indermuhle and Jolene Singhateh discussed a water leak at the house the Indermuhles rent on Plumb Street. Their first water bill reflected a significant water leak, resulting in a bill of \$723.31 for the first month and then \$537.74 for the second month, lower because they fixed the leak partway through the second month. The City Clerk provided billing history for the property and explained that the city will still be paying sales tax on the water that went through the water meter. Following questions and discussion from council, Councilman Mosley moved to **revise the bill total for Jeremy Indermuhle from \$1261.05 to \$220.00, as the monthly average of the previous tenant was \$110.00/month.** Councilman Gary Fisher seconded, approved by all.

**Old Business:**

**New Business:**

City Clerk Keri Riener reviewed a quote from CK Technologies for a desktop computer including installation and configuration. The city clerk computer has been having issues and updating the current computer isn't a long term solution that will fix the problem. Councilman Kastens moved to **approve purchasing the recommended computer on Quote #1198 from CK Technologies,** Councilman Vrbas seconded, approved by all.

City Clerk Keri Riener presented the **2019 USDA annual report** for Council approval. Councilman Kastens **moved to approve the annual USDA report,** seconded by Councilman Mosley, approved by all. This is a required report for the length of a USDA loan.

**Resolution 20-04** supporting a federal legal holiday for Native American Indians was discussed. Councilman Kastens moved to **approve Resolution 20-04 in support for a federal legal holiday for Native American Indians,** Councilman Mosley seconded, approved by all.

A **policy for public use of the City Council meeting room was reviewed.** Following discussion, Councilman Kastens moved to **approve the city council meeting room policy as amended,** Councilman Mosley seconded, approved by all. In summary, city related organizations or mayor approved groups may use the council room, with reservations granted on a first come, first served basis. Regularly scheduled meetings can establish a regular meeting day for room use. One of the organizers of the meeting shall obtain a key from the City Clerk's office and it will be left in the meeting room and the door will be locked at the close of the meeting. The group is responsible for leaving the meeting room and other open areas in as good a condition as they found them. Failure to abide by this policy may result in the organization or group being denied use of the meeting room.

**A policy regarding temporary shut off of water meters was reviewed.** The policy states that in the event that it is necessary to temporarily disconnect water service to repair or replace water lines, the water service may be temporarily disconnected and reconnected with no bill for the water service during that time. This period shall not exceed 60 days, if it exceeds 60 days, a reconnect fee will be required to resume services. Councilman Vrbas moved to **approve the city policy for temporary shut off of water meters**, Councilman Fisher seconded, approved by all.

**Charter Ordinance #9 was reviewed, exempting the city from a portion of K.S.A. 15-204 requiring that City Officers be appointed at the first meeting of the governing body in May of each year and amending Section 2-60 of Article III of the City Code.** Changes are as follows, Section 2-60, Article III: "The mayor, at the first regular meeting in January of each year, shall appoint, by and with the consent of the council, persons to fill such offices as created by the city council from time to time consistent with state law. These officers shall be a city clerk and city treasurer. The mayor may appoint a city attorney, municipal judge, chief of police and such other officers as may be deemed necessary for the best interest of the city..." Section 3: "Those city officials elected after November 2019 election shall take office at the first regular city council meeting in December after the election." Councilman Mosley moved to **approve Charter Ordinance #9 regarding election cycle changes**, seconded by Councilman Vrbas, approved by all. A Charter Ordinance must be passed by a 2/3 vote of the governing body. It must be published once each week for two consecutive weeks in the official city newspaper and there is a 60 day period after publication of the charter ordinance to allow time for the public to petition for a referendum on the matter. If no petition is filed, the charter ordinance becomes effective on the 61<sup>st</sup> day after publication. The city clerk will send a copy of the charter ordinance to the Secretary of State's office at that time.

#### **Department Reports:**

**City Clerk Keri Riener** reported she will be attending the spring City Clerks and Municipal Finance Officers Association Conference March 10<sup>th</sup> – 14<sup>th</sup>. The Kansas Rural Water Conference is scheduled for March 24<sup>th</sup> – March 26<sup>th</sup>. The City software company, Simple City will be having a user group training in Scott City on March 24<sup>th</sup>. Both Keri and Ana will attend this seminar, so city hall will be closed that day. The Governing Body Institute will be in Manhattan April 24<sup>th</sup>-25<sup>th</sup>. The agenda is available and if councilmembers are interested in attending, they should let the city clerk know as soon as possible. Census 2020 will be happening in April this year. More information will be posted on social media and other media outlets as the deadline approaches. Census counts are used in distributing over \$6 billion in federal funds EVERY year in Kansas. This translates to \$2,082 per person per year. There are ten questions, which should take about ten minutes per person and all data is confidential for 72 years by law. An advertisement has been placed in the Square Deal for lifeguards for the 2019 summer season. Mapes & Miller sent their annual letter requesting various documents to start the city audit. The second annual pet vaccination clinic was held at the City Shop on Saturday, February 29<sup>th</sup>.

**City Attorney Charles Peckham** has conducted routine monthly court documentation, negotiated with attorneys regarding municipal court cases and prepared a draft ordinance and policies. Charles informed council that the American Legion will be sponsoring a showing of the movie The Last Full Measure at the Jayhawk Theater toward the end of March. The City did not win the case regarding the Ratcliff buildings. The city council will need to advise the nuisance/code enforcement officer about how they'd like to proceed.

**Police Chief Brian Withington** presented his report. His department worked 8 reports from January 16, 2020 to February 20, 2020. 3 non-custodial arrests were made, 15 warnings given and 12 tickets issued. Other patrol activity included 201 public relations, 41 miscellaneous complaints, 34 business checks and 1 agency assist. Brian reported that the city police car that was hit in the last snow/ice storm has been fixed and is in use.

**City Superintendent Rick Kramer** was absent and did not have a report for council.

#### **Council Reports:**

**Councilman Gary Fisher** reported that the Housing Authority is having regular meetings and Cassidy will contact him if anything new comes up. The Tree City USA report has been submitted. The Tree City USA Appreciation Day will be held in Salina on March 25<sup>th</sup> – 26<sup>th</sup>, Gary and Millie plan to attend this event. The Tree Board is seeking new board members.

This board is a working board with members assisting in pruning, cleaning tree boxes and other activities. Gary is considering running a few newspaper ads in an effort to find new board members.

**Councilman Dietrich Kastens** shared that the fire department is evaluating a potentially large repair for the 1985 fire truck, hopefully having a recommendation for the 2021 budget. The pool board met to discuss possibilities for a rotary funded project in the amount of \$12,000. The board is considering removing the dumping buckets feature and putting in a more appropriate option for small children. If there is money remaining, shading the southeast corner of the pool spectator area would be considered.

**Councilman Mark Mosley** attended the airport board meeting. The airport was awarded a KDOT grant for a generator to operate the runway lights in the case of a power outage. Councilman Kastens asked how grant funds for such a project are tracked; Councilman Mosley will ask at the next meeting and report back with an answer. The runway sealing project will begin after the Rod Run.

**Councilwoman Sandy Mulligan** was absent.

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

**Mayors Notes:**

Mayor Stice asked council opinion on publication of the city fee schedule. Following discussion, it was decided that the city fee schedule will be published on the city website so viewers can click on a link to see it in its entirety. The mayor will talk to Eric at KDOT regarding the responsibility of right of way on Highway 25. There are numerous dead and downed trees that should be cleared and mowing will start soon. She will also contact Miller & Associates for assistance with a KDOT connecting link grant that would be for the 2022-2023 year. It is a \$1,000,000.00 geometric improvement grant intended to address safety, capacity or operational needs. This project would correct the hospital hill elevation grade. A special meeting may be necessary to approve filing the application when it is complete.

Councilman Kastens moved to **go into executive session to discuss non-elected personnel to not exceed 10 minutes**, seconded by Councilman Mosley, approved by all. City Attorney Peckham and City Clerk Keri Riener were asked to remain. Executive session began at 9:01 pm. The regular meeting resumed at 9:05 pm. Councilman Vrbas moved to **accept the mayor's appointment of Denise Maaske as the new city treasurer**, Councilman Mosley seconded, approved by all.

With no further business to come before Council, Councilman Vrbas moved to adjourn, seconded by Councilman Kastens, approved by all. The **meeting adjourned at 9:07 PM.**

Keri Riener, City Clerk

Janet Stice, Mayor