

July 16, 2020
Atwood City Council
Regular Meeting 7:00 PM

Atwood City Council met in regular session July 16, 2020 in Council Chambers. The meeting was called to order by the Honorable Mayor Janet Stice at 7:00PM. Present were Mayor Janet Stice: Councilmembers Gary Fisher, Dietrich Kastens, Mark Mosley, Sandy Mulligan, Mark Vrbas; City Clerk Dana Philpott; City Attorney Charles Peckham; City Superintendent Rick Kramer; and Police Chief Brian Withington.

The **Agenda** was approved as circulated on motion of Councilman Kastens, seconded by Councilman Mosley, approved by all.

The **Minutes** of the regular meeting on June 18, 2020 were approved as circulated on motion of Councilman Vrbas, seconded by Councilwoman Mulligan approved by all.

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

Public Comments: Mark McDermott, Rick Oliver and Larry Aldrich appeared to council to voice concerns over the nuisance procedures.

Appearances:

John Mapes with Mapes & Miller reviewed the 2019 city audit, discussing each area of the audit by fund. Copies of the audit were provided to the council members. There were no statutory violations. The general fund balance was down \$53,000 due to the \$275,000 expenditure for City Hall and the \$50,000 that was moved out of the general fund to the Street Improvement Fund. The sewer fund was level and water fund was down \$134,00 due to expenditure for city hall. Councilman Vrbas moved to accept the audit reports and to authorize filing them with the state, seconded by Councilman Mosley, approved by all. John Mapes noted that all wage increases need to be noted in the minutes. Councilman Vrbas made a motion to approve a five-year contract with Mapes & Miller seconded by Councilman Mosley, approved by all. Councilwoman Mulligan moved to keep the mil rate the same as last year at 50.243 mils and to approve the 2021 budget for publication at 50.243 mils seconded by Councilman Vrbas, approved by all.

Keri Riener- appeared to council because of the lack of discussion last month following her recommendations. Charles has received a letter from her attorney. She asked the council to review the letter during the executive session.

Lisa Woody- appeared before council about notices they received from the city's compliance officer. She asked council if nuisance complaints were public record. City Attorney Charles Peckham explained that once a complaint goes to court it then becomes public record. Lisa asked that the nuisance officer be consistent and treat all fairly.

Old Business.

Tom Trail of Jamboree Foods – appeared to council requesting a credit on the water bill from the leak that begun in November 2019. The council was provided a billing history and following discussion, Councilman Vrbas made a motion to do a 12 month average of the water usage and to adjust the bill at 100% of overage starting with the November 2019 bill seconded by Councilman Mosley approved by all.

New Business:

Memorandum of Understanding NW Local Environment Protection Group – motion was made by Councilman Mosley to formalize sanitary standards performed by county within the boundaries of the city seconded by Councilwoman Mulligan. Motion was made by Councilman Mosley to allow the Mayor to sign the memorandum and seconded by Councilwoman Mulligan, approved by all.

Bids from Vap Construction for \$23,058.00 & Weigel Concrete for \$19,867.50 were reviewed for the concrete work at city hall to repair surface entrance. Councilman Kastens made a motion to accept the bid from Weigel Concrete for \$19,867.50, seconded by Councilwoman Mulligan, approved by all.

Charles Peckham representative of Jayhawk Theater reported that the theater needed equipment updates to renew certificates in order to get the keys to download movies. The Jayhawk board recommended to go with option 2 to replace the Gore Board plus 2 TB server and power cabinet with total cost of \$13,380. Councilwoman Mulligan reported that Rawlins County Economic Development board approved donating \$15,000 and the Travel & Tourism board approved a \$2500 donation. Councilman Kastens made a motion to approve the \$2500 donation from the Travel & Tourism fund and the \$15,000 from Rawlins County Economic Development to the theater board, seconded by Councilman Vrbas, approved by all.

Department Reports:

City Clerk Dana Philpott reported that quarterly reports have been submitted. Made the yearly payment on the police charger and made the final payment on the police pick-up. We had 2 days of onsite training with Pat from G Works. 1 day of training was concentrated on Court Management so we are currently in the process of switching over from the old court system, Ana has been working on transferring the information.

City Attorney Charles Peckham shared his activities for the month—had various communications with the former clerk's attorney, negotiated with attorney's and defendants regarding cases, prepared journal entries, sent out 30 day notices, worked on revision of airport lease, answered questions on door to door sales in Atwood. Charles reported that theater will proceed with the summer rec movies and working on upgrading projector and server so they can show first run movies.

Police Chief Brian Withington His department worked 9 reports from June 18, 2020 to July 16, 2020. There was 1 arrest made, 15 warnings given and 8 tickets issued. Other patrol activity included 146 public relations, 38 miscellaneous complaints and 12 business checks.

City Superintendent Rick Kramer, presented his report of where their time was spent. They finished up Logan street & have been cleaning out drainage ditches. The month of June showed an increase in water loss but will likely average out over next month. The depth to the water wells has remained consistent. All equipment is in good working order.

Council Reports:

Councilman Gary Fisher nothing to report

Councilman Dietrich Kastens nothing to report

Councilman Mark Mosley shared the airport board meeting is next week. He also asked council about meeting at some point and the need to decide on how we are going to handle citizen's concerns about nuisance complaints.

Councilwoman Sandy Mulligan nothing to report

Councilman Mark Vrbas nothing to report

Mayors Notes: Mayor Stice reported the city received a letter from KDOT that we were awarded a \$1 Million CCLIP grant for 6th & 7th streets going up Highway 36. Engineer application was \$942,375.00. The inflation is built into it so the project will be covered by the grant.

Jan Ackerman addressed the council about the citizen's concerns of the nuisances and the procedures she uses to enforce the nuisance codes. She has not had any major problems with complaints. Council has been very supportive. The owner of the property is irrelevant, she only goes off the date and site. Jan Ackerman asked for the continued support of the council.

Councilwoman Mulligan moved to go into executive session for the reason of Attorney/Client Privilege for 20 minutes with the Mayor, Council, and City Attorney present. Seconded by Councilman Vrbas, approved by all. Executive session began at 8:35pm. Council came out of executive session at 8:55 PM and returned to regular session. Councilman Mosley moved to pay former clerk Keri Riener for 30 days accumulated sick leave at 33.3% of her hourly pay of \$30.08 which figures out at \$10.02 an hour, seconded by Councilwoman Sandy Mulligan, approved by all. Mayor Stice will split up and transfer the requested sick leave of 210.5 hours to 4 employees that the former clerk chose.

With no further business to come before Council, Councilwoman Mulligan moved to adjourn, seconded by Councilman Vrbas. The **meeting adjourned at 9:00 PM.**

Dana Philpott, City Clerk

Janet Stice, Mayor