

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

Atwood City Council met in regular session August 20, 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; Police Chief Brian Withington; Rosalie Ross of the Rawlins County Square Deal, Karla Heble Rawlins County Public Health Officer, Kathy Vrbas, Mallory Helms, Justine Hadley, Matt Wolters, JoAnn Reuber, Shannon O'Brien, & Mark McDermott.

The **Public Hearing on the 2021 Budget** was held. John Mapes with Mapes & Miller was present to answer any questions. The hearing was opened at 7:00 PM. There were no comments made. The hearing closed at 7:04 PM. Councilman Dietrich Kastens moved to **adopt the 2021 Budget** as published, seconded by Councilwoman Mulligan, approved by all.

Council President Mark Vrbas amended the agenda removing VII:b as this is already covered in the employee handbook and does not need a vote to move forward. Councilman Mark Mosley moved to approve the amended agenda, seconded by Councilwoman Mulligan, approved by all.

The **Minutes** of the regular meeting on July 16, 2020 were approved as circulated on motion of Councilman Fisher, seconded by Councilman Vrbas, approved by all.

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

**Public Comments:** Diana Tongish addressed council as representative of responsible pet program she implemented in 2009. She was here to educate the public on the program. The program was set-up to get strays vaccinated & neutered/spayed and tagged with the city. She primarily has been concentrating on cats so occasionally she will feed the cats and trap them so she can take them to the vet. This is a catch and release program once they are vaccinated and spayed or neutered, she will bring them back and release them where she picked them up at. She has been working with both vets to get this done at discounted rates and last year 2<sup>nd</sup> Century donated \$300.00 last year to assist with the program. If the money is not available, she will cover the cost.

**Appearances:**

**Shannon O' Brien** - addressed the council regarding the Options program and her concerns about the city sending money to help fund the program. She felt that there were inappropriate things that happened when her granddaughter was there.

**Matt Wolters** – addressed the council as a representative of the Smoking on the Beaver board. He explained the modified plans as they did not feel having the traditional barbeque competition at the K of C hall would be a safe option this year with the Covid pandemic. This year they will be providing a free concert at the gazebo at the lake on Saturday, September 26<sup>th</sup> from 5:00 p.m. -10:00 p.m. They will not be providing alcoholic beverages. They will be selling t-shirts leftover from previous years.

**Jo Ann Reuber/Thrift Shop**- addressed the council after receiving 3 letters of complaints from the code enforcement officer. Because they accept all donations, many times we are not open and a lot gets left in front of our building. They have an old-fashioned flower garden between the buildings that has seasonal flowers that bloom at different times of the year. Like many flower gardens they do have a few weeds. The garden was put in to discourage traffic we use to have of people helping themselves. All the workers are volunteers and we are a service to the community or at least we try.

**Karla Heble/Rawlins County Public Health Department** – addressed the council to let them know the county has purchased the Finley building formerly the Fitness Center and will be asking to purchase the Scott & Ginny Howard building for plans to demolish and create a drive thru access for a point of dispensing vaccines. She was asking if council would

have any objections to this as they would need to tear out the curb & gutter and it would take out 2 parking spaces on 4<sup>th</sup> street. Council did not see any reason to object. City Superintendent Rick Kramer told them that owner is responsible for the cost to take out the curb & gutter and he will inspect the flow line, City Attorney Charles Peckham said that they did not need to approve anything tonight but to be ready to once everything is in place and to note in the minutes along with obtaining a city building permit.

**Mallory Helms** – addressed the council to request a credit for the water leak on the Karen Horinek Trust account. The leak was underground, and they did not realize it until the ground was saturated and the truck that was parked on the ground was sinking. After discussion, Councilman Kastens asked them to be patient and that the issue be tabled to allow them to review the policy and municipal code that addresses the responsibility of the owner for the leaks.

**New Business:**

**Water policies:** Deputy Clerk, Ana Vargas addressed the council concerning accounts with additional meters to get clarification on how they are billed. There seems to be some discrepancies on the accounts with additional meters. Following discussion, Councilman Kastens made a motion to change the policy of additional meters to a full base rate, all meters are to be charged the full base rate seconded by Councilman Fisher, approved by all. Councilman Kastens asked that a letter be sent to all customers with additional meters.

The next item was the policy for issuing credit for water leaks. City Clerk, Dana Philpott read the municipal code Sec. 42-55 – Responsibility of property owner for services lines states that there shall be no reduction in a water bill for used, lost or wasted through leaks, carelessness, neglect or otherwise after the same have passed through the meter. Following the discussion, council asked if there were reports for high consumption usage. Deputy Clerk explained that we do print out a report with a high consumption usage.

**Memorandum of Understanding -SPARK Funding:** City Clerk Dana Philpott explained that we submitted expenses to be reimbursed for public health expenditures associated with the COVID and that we needed the Memorandum of Understanding with the county to be eligible to receive the grant funds. Councilman Kastens made the motion to allow the mayor to sign the memorandum of understanding seconded by Councilman Mosley, approved by all.

**Department Reports:**

City Clerk Dana - reported that they were working on accounts with additional meters and we went through all accounts and updated the trash rates as there are two trash rates one for single and one for family. The way the system is set-up, the rate is tied to the premise, so it needs to be updated accordingly each time a new customer moves in.

**City Attorney Charles Peckham** – shared his activities for the month. He reviewed real estate that a couple would like to donate to the city due to not being capable to maintain the mowing and upkeep on. City Superintendent reported that they do the mowing on the bottom of the drainage ditch but would not be able to mow the north bank that would require them to weed eat it. Following discussion, Councilman Kastens said he would like to take a 1<sup>st</sup> hand look at the property. Jayhawk Theater – had the last summer rec movie last Thursday. The projector upgrade is mostly done and should be finished up this week or next. They will be installing sneeze guards and putting up signs to limit the number of people in the lobby to keep the staff safe. Received thank you notes from kids who showed appreciation for having the theater available and the importance of why our community needs our theater. Reported that they received a renewal to extend the contract with Commercial Sign to continue with the maintenance agreement. Councilman Kastens made a motion to continue the contract with Commercial Sign, Councilman Mosley seconded, approved by all.

**Police Chief Brian Withington** presented his report. His department worked 11 reports from July 16 to August 20. There were 0 arrests made, 22 warnings given and 8 tickets issued. Other patrol activity included 211 public relations and 62 miscellaneous complaints and 15 business checks.

**City Superintendent Rick Kramer**, presented his report showing the amount of water pumped and sold and the areas where the city crew has spent their time since the last meeting. They have been busy mowing since the summer help is back at college, doing street repairs & tree trimming. The pool has been drained and they will need to winterize. Miller & Associates came to inspect the paint on the water tank. The paint should be good for another 5 to 7 years, the wells were tested, and meters are working properly. There was discussion on the topic of mowing and hauling off the downed trees along highway 25 and who is responsible for it. Mayor Stice will talk to Eric at KDOT to see if they can come figure out who is responsible to maintain it.

#### **Council Reports:**

**Councilman Gary Fisher** nothing to report

**Councilman Dietrich Kastens** - pool had a great season. They purchased a new water feature and it will be installed next season. They upgraded the sound system and everything is working great. Fire department report- they have a truck that needs repairs and would like to continue to keep all equipment updated.

**Councilman Mark Mosley** asked about holding a code enforcement workshop. Mayor Stice said she was planning to organize a workshop this fall.

**Councilwoman Sandy Mulligan** nothing to report

**Councilman Mark Vrbas** nothing to report

#### **Mayors Notes:**

Mayor Stice stated she is happy with all the departments. Everything is working great. KDOT agreement was sent – Chris Miller with Miller & Associates has been helping with the paperwork. Had a report that the lights on the islands going up to the high school were not working. Superintendent Rick Kramer said he would take care of it. Would like to setup dates for the employee handbook & nuisance ordinance workshops. They will look at their calendars and send out some possible dates. Councilmembers were all given a copy of the current handbook to review.

Kathy Vrbas representative of the Jayhawk Theater board addressed council to thank them for the faithful support of the theater. Kathy commended theater manager Ana Vargas for the great job she has done through the COVID shut-down and dealing with the repairs that were needed to upgrade the equipment. She encouraged the council to read the letters that were addressed to the council from the kids on the importance of theater to them.

With no further business to come before Council, Councilman Vrbas moved to adjourn, seconded by Councilman Fisher. **The meeting adjourned at 8:55 PM.**

Dana Philpott, City Clerk

Janet Stice, Mayor