

Westmoreland City Council  
December 10, 2020 minutes

The Westmoreland City Council met on December 10, 2020 for its regular monthly meeting at the Westmoreland Community Center.

Governing Body members present: Mayor, Mark Goodenow; Councilmembers, Mark Jack, Jim Smith, Waide Purvis, Jeff Rosell and Ashley Rice.

City Staff present: Maintenance Supervisor, Robert Krohn; City Treasurer, Teri Varriale; City Attorney, Summer Dierks and City Clerk, Vicki Zentner.

Others in attendance: Liz Parthemer with the Pottawatomie County Health Department and Cale Prater, reporter for the Smoke Signal.

There being a quorum present, Mayor Goodenow called the meeting to order at 7:00 PM.

*Public hearing on KDHE (Kansas Department of Health & Environment) funding for the Rock Creek bank stabilization project:* Mayor Goodenow opened the floor for comments or questions from the public or the council at 7:00 PM. There being no comments or questions, Mayor Goodenow closed the public hearing at 7:01 PM.

*Passage of Resolution #07-20 authorizing filing of application with the Kansas Department of Health and Environment for a Loan under the Kansas Water Pollution Control Revolving Fund Act:*

Councilmember Purvis moved to pass Resolution #07-20 and authorize the Mayor to sign the Resolution. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Authorizing the Mayor and City Clerk to sign paperwork regarding the KDHE loan:* Councilmember Rosell moved to authorize the Mayor and City Clerk to sign all paperwork associated with the KDHE loan. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Additions/deletions to agenda:* Councilmember Rosell requested a discussion on a mask ordinance or mandate be placed on the agenda. This request was granted by Mayor Goodenow and placed under new business.

There being no further additions or deletions to the prepared agenda, Councilmember Purvis moved to approve the amended agenda. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Approval of minutes of November 12, 2020 regular meeting and November 18, 2020 special meeting:* There being no corrections or clarifications of the minutes of the November 12, 2020 regular meeting and November 18, 2020 special meeting, Councilmember Jack moved to approve the minutes of both meetings as presented. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Approval and payment of monthly bills:* Councilmember Rosell inquired about the payment for work being done at the Memorial Shelter at the RV Park and after receiving information from the Maintenance Supervisor, stated he felt an invoice for payment should be sent to Mr. Frank for payment of work completed to date.

Councilmember Jack asked about the money received from the State and then paid to The West Pharm. Clerk Zentner explained that it was for reimbursement from the CARES funding money allotted to the city to reimburse both the city and The West Pharm for expenses not budgeted due to the pandemic.

There being no further questions regarding the monthly bills, Councilmember Purvis moved to approve the payment of the monthly bills as presented. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Public comments on non-agenda items:* There were no comments.

*Update on funding for potential new business in town:* Clerk Zentner reported that she had spoken with Garrett Nordstrom, grant administrator, regarding the funding for the potential new business in town. Mr. Nordstrom informed the clerk that he had spoken with the owner, sent a proposal for services from his company, but had not received any further communication from the owner.

*Permission to destroy non-essential paperwork from 2015 and 2017:* Councilmember Purvis moved to allow the destruction of all non-essential paperwork from 2015 and 2017 as requested. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Recommendation from the planning and zoning commission regarding the zoning of the city cemetery:* Attorney Dierks informed the council that it was the recommendation of the planning and zoning commission to classify the zoning of the city cemetery as commercial. She also informed the council that the change in the zoning would need to

be published as an amendment to the zoning ordinance which would be presented to the council for approval at the January 14, 2021 meeting.

Councilmember Rosell moved to approve the recommendation of the planning and zoning commission regarding the zoning of the city cemetery as commercial and to have the amended zoning ordinance published once passed by the council at the January 14, 2021 meeting. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Discussion on a city ordinance or mandate regarding wearing of masks:*

Councilmember Rosell stated that he felt the council should have something regarding the wearing of masks in public and businesses due to recent outbreak of COVID-19 virus cases in the city. He felt that the wearing of masks was for the good of everyone.

Councilmember Rice stated she didn't want to see an ordinance, but agreed that the wearing of masks was for the protection of everyone from the COVID-19 virus.

Councilmember Jack said that businesses already had protection procedures established and they had the right to refuse service to anyone that does not follow the business' procedures. He said he felt that masks were very helpful; and that should the council pass an ordinance requiring the wearing of masks, there was no way it could be enforced.

Councilmember Rosell stated that he felt that perhaps a proclamation from the Mayor and council strongly encouraging the wearing of masks may be a better solution.

Liz Parthemer with the Pottawatomie County Health Department stated that the Health Department was currently struggling to keep up with the case loads in connection with the pandemic and that the hospitals in the county were seeing an increase recently of cases. She stated that the Health Department was encouraging persons to wear mask for protection for themselves and others. She suggested that the council implement a mask challenge as the City of Wamego and City of Manhattan had done recently.

After some more brief discussion, the council asked Ms. Parthemer to provide information on the mask challenge to the city clerk which would then be passed along to the council.

Ms. Parthemer exited the meeting at 7:23 PM.

*Future agenda items:* There were no items mentioned to be placed on future agendas.

**Staff Reports:**

*Treasurer's report:* Councilmember Rosell commented that he felt the city would going to end the year in good shape despite the pandemic.

Councilmember Jack moved to approve the treasurer's report as presented. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Maintenance Supervisor's report:* Maintenance Supervisor Krohn reported the following for November, 2020:

### UTILITIES

- Removed hedge trees along the road at the lagoons.
- Collected and sent monthly water bacteria samples to KDHE with both tests coming back absent for bacteria.
- 4<sup>th</sup> quarter lagoon sample report came back from Pace Analytical with all levels being under our permit limits.
- Replaced meter pit lid at 404 Main with a new plastic lid and reducer ring that was fabricated to locate the AMR water meter sensors under the lid so that snow could be removed from the sidewalk without damaging the sensors.

### STREETS

- Completed one (1) work order to clean the drainage ditch at 301 Armer to keep the storm water from washing out the property's off street parking area.
- Completed one (1) work order to install a new driveway culvert for the property owner at 301 Armer.
- Completed one (1) work order to install a new driveway culvert for the property owner at 401 Skene.
- Shilling Constructions is going to finish patching areas we could not get to this year due to equipment being down for two (2) months. They were in town working for the county so we will not have to pay any mobilization fees for them to come to town. There are two (2) large patches on Oregon Trail Drive and one (1) large and one (1) small patch on Main Street. The cost for them to patch is \$4,500.00, with them milling out the areas and placing approximately 20 tons of asphalt.

### PARKS

- Installed and poured concrete pad for new BBQ grill at the Frank Memorial Shelter at the RV Park.

- Installed Christmas lights and banners throughout town.
- Fleming Brothers Construction built the new Frank Memorial Shelter at the RV Park and will finish after the stone mason has built the fireplace surround and the electrician has installed all the electrical.
- Installed the new wood burning fire place and flue at the Frank Memorial Shelter at the RV Park.

### CEMETERY

- Finished inputting burial date into the GPS cemetery map.
- Opened/closed one (1) cremation burial.

### BUILDINGS

- Installed new metal siding and trim to the front fascia of the storage garage.

### PLANNING AND ZONING

- Issued a building permit for a fence at 505 Main Street.
- Planning and zoning commission approved a lot split at 406 Campbell and a lot split at 609 N. 1<sup>st</sup>.
- Planning and zoning commission approved incorporating the cemetery into the city limits with a recommendation to classify it as a commercial district.

*City Clerk's report:* City Clerk Zentner informed the council that the resident whose abandoned house is scheduled for demolition had indicated that the demolition would begin the beginning of the next week.

Zentner also informed the council that she would be out of the office on Friday, December 18, 2020 with the city treasurer working in her place.

### **Councilmember's Reports:**

Streets: Councilmember Rosell stated he had nothing more to report.

Utilities: Councilmember Jack had nothing to report.

Planning and Zoning: Councilmember Smith had nothing to report.

Pool: Councilmember Rice had nothing to report.

Parks: Councilmember Purvis had nothing to report.

Fire Department: Councilmember Jack turned the floor over to Councilmember Smith. Councilmember Smith informed the council that he would be retiring on June 1, 2021 as the city fire chief. He stated that he planned to stay around to help whomever was appointed chief for a while.

Councilmember Jack stated he would like to see documentation on responding to fires and attendance at fire meetings by two (2) of the present firemen that would be considered by the Mayor for appointment of fire chief and the council to review.

Cemetery: Councilmember Purvis stated that a corrected map for the newest addition, aka "C", was still being drawn up by the surveyor.

Mayor: In regards to the fire department, Mayor Goodenow stated he would like to have an update on fire runs and personnel presented to the council at the first of year.

City Attorney: Attorney Dierks stated that one (1) resident would be summoned to municipal court for violations and trash and debris as well as an inoperable vehicle.

Executive Session: Councilmember Rosell moved to hold an executive session at 7:40 PM for 20 minutes with the Mayor and Councilmembers present for the purpose of discussing personnel matters of non-elected personnel and to protect their privacy. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

(All others present exited the meeting).

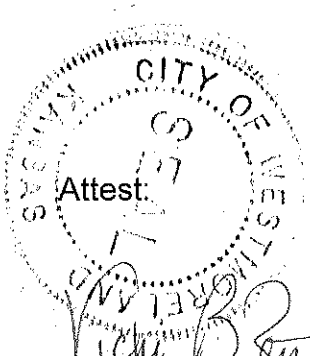
Councilmember Rosell moved to exit the executive session. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays. Mayor Goodenow declared the executive session out at 8:00 PM.

Councilmember Jack moved to pay city employees \$100.00 bonus after taxes. Councilmember Rosell seconded the motion. The motion passed five (5) ayes to zero (0) nays.

There being no further business brought before the council, Councilmember Smith moved to adjourn the meeting. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Mayor Goodenow declared the meeting adjourned at 8:05 PM.

Approved by the Governing Body on January 14, 2021.



*Vicki B. Zentner*  
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Vicki B. Zentner, City Clerk

Signed: *Mark A. Goodenow*  
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Mark A. Goodenow, Mayor