

Westmoreland City Council
January 13, 2022 minutes

The Westmoreland City Council met on January 13, 2022 at the Westmoreland Community Center for its regular monthly meeting.

Governing Body members present: Councilmembers: Mark Jack, Jim Smith, Ashley Rice and Waide Purvis.

Governing Body members absent: Former Mayor, Mark Goodenow and Councilmember Jeff Rosell.

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

Others present: Dalton Whitworth, for Senior Exit Project proposal; residents, Amber Krohn and John Coleman; Tanya Purvis and Jessica Jack, Planning and Zoning members; Jill Overkamp, business owner and Gayli Harman, potential RV Park camp host.

There being a quorum present, Councilmember Jack, as President of the Council and in the absence of the former Mayor, called the meeting to order at 7:00 PM.

Swearing into office of council members:

City Clerk, Vicki Zentner, swore in Mark Jack as the new Mayor and Ashley Rice and Jim Smith as re-elected councilmembers.

Approval of the agenda:

There being no additions or deletions to the prepared agenda, Councilmember Smith moved to approve the agenda as presented. Councilmember Purvis seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Approval of the December 9, 2021 minutes:

There being no corrections to the minutes of the December 9, 2021 council meeting, Councilmember Rice moved to approve the minutes as written. Councilmember Purvis seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Approval of payment of the monthly bills:

There being no discussion regarding the payment of the monthly bills, Councilmember Purvis moved to approve the payment of the monthly bills as presented. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Public comments on non-agenda items:

Jill Overkamp addressed the council regarding the issue of having her water service being shut off for non-payment at her business. She stated that in the 7 ½ years of being a business owner, she had never been late with paying her bill and felt the procedure for shutting off her service wasn't right. She felt that someone should have called her, texted her or emailed her to remind her that she had not paid her bills and that she was in danger of having the services terminated. She also stated that there had been no previous communication of the date of the service termination before it was done.

Mayor Jack informed Mrs. Overkamp that he felt that the council and city attorney probably need to re-visit the policy and make changes if needed.

Mrs. Overkamp stated that she also felt that tenants should be informed by the city ahead of time of the possibility of the service being shut off and that maybe the city should put reminders on customer's doors a few days before the shut off date.

(Mrs. Overkamp exited the meeting at 7:24 PM)

Discussion with applicant for the RV Park host position:

Councilmember Purvis asked Ms. Harman what she was looking for from the city regarding payment, hours, responsibilities, etc., should the city accept her as the RV Park host.

Ms. Harman stated she would like to have a rent-free site that the council decides upon and that she would prefer not to have to use her personal cell phone for any RV Park business. She also wanted to know if she would be expected to be "on call" 24/7.

Mayor Jack stated he felt that at this time, all reservations would still be made through city hall. He stated that maintenance personnel would still mow the grounds and do any maintenance that needed to be done.

Ms. Harman could contact Krohn for any maintenance that needed his attention and that he would be responsible, at least for now, for continuing to place reservation signage on sites that are reserved through city hall.

Ms. Harman stated that usually camp hosts sites are closer the entrance of the RV Park, but she understood that the sites closest to the self-check-in station were popular and she felt that perhaps a site further to the north, for instance site #9, would be fine as it would allow her to see the whole park.

Councilmember Purvis felt that the council still needed to talk about what they wanted in a park host and asked Ms. Harman if she could attend the February 10, 2022 council meeting to speak further about the position and responsibilities, etc., with the council. Ms. Harman stated she would be fine with coming back to the February 10, 2022 council meeting.

Dalton Whitworth's Senior Exit Project Proposal:

Dalton Whitworth proposed erecting a dog park at the Oregon Trail RV Park for the city as his senior exit project.

He stated that he was looking at ¼ to ½ acre area for the dog park. He listed benefits of such a dog park for example to help decrease the number of dogs running loose by their owners, that the dog park would help the owners have a controlled area for their dogs to run off leash and get exercise; that it would help with dogs' social interaction with other dogs and people and that it would be a good area for RV Park campers to exercise their camping companions.

Dalton explained that Aaron Keller, city maintenance personnel, would be his mentor and that he was prepared to ask business owners in the city to help with donations towards the construction of the dog park.

Councilmember Purvis asked Maintenance Supervisor, Krohn, if there was plenty of room to build the dog park. Krohn stated there was and that he suggested it be located closer to the hand dug well property.

There being no further discussion, Councilmember Purvis moved to allow Dalton Whitworth to build a dog park in an area designated by the city maintenance supervisor for his exit project. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Passage of Resolution #01-22 "...waiving the requirements of K.S.A. 75-1120a(a) as they apply to the City of Westmoreland...":

Councilmember Purvis moved to approve Resolution #01-22 as presented. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Acceptance of the memorandum to the Waste Collection Agreement:

Mayor Jack informed the council that he had asked the city clerk to check with other cities in the area that were serviced by Tri-County Waste as to the rate they were paying for waste collection and found that Westmoreland was indeed paying a lesser amount as Tri-County Waste had informed the council at the December meeting.

Councilmember Purvis moved to accept and approve the memorandum with Tri-County Waste as presented. Councilmember Rice seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Passage of Ordinance #584 regarding the rate increase for waste collection:

Councilmember Purvis moved to approve Ordinance #584 as presented. Councilmember Rice seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Authorizing the Mayor to sign agreement with SMH Consultants regarding the 4th Street sewer extension project:

Mayor Jack inquired if the sewer extension project could be paid for with the ARPA (American Rescue Plan Act) grant funds. Maintenance Supervisor Krohn stated that could and that the project would not cost as much as the sewer extension project on Scott Drive. He stated that the landowner was okay with the revised project and that Krohn was still waiting on KDHE (Kansas Department of Health and Environment) to approve the project before work would begin.

Councilmember Purvis moved to authorize Mayor Jack to sign the agreement with SMH Consultants for the 4th Street sewer extension project. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

(Ms. Harman exited the meeting at 7:40 PM).

Discussion on water rate increase:

Mayor Jack stated that due to the increase to the city from Rural Water District #4 of \$0.25 per 1,000 gallons, that the city had no choice but to raise the rates to the city's customers.

Councilmember Purvis moved to raise the city water rate to its customers \$0.25 per 1,000 gallons usage effective March 1, 2022. Councilmember Rice seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Authorization to destroy non-essential paperwork from 2018-2021:

Councilmember Purvis moved to allow the city clerk to destroy all non-essential paperwork from 2018-2021 as requested. Councilmember rice seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Setting date for re-scheduled employee evaluations:

Due to the cancellation of the previously scheduled employee evaluations due to inclement weather, Councilmember Purvis moved to re-schedule the evaluations for January 19, 2022 beginning at 6:00 PM. Councilmember Rice seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Future agenda items:

Councilmember Purvis stated the council needed to re-visit the application for the city agent and asked if Mayor Jack had any recent attempted communications with an applicant. Mayor Jack stated they had not, but he was willing to contact the applicant again.

The matter of the RV Park camp host will be added to the February 10, 2022 agenda.

Discussion was held regarding the placing of employment opportunity for city treasurer position. Councilmember Purvis moved to have the city clerk place an advertisement in the Wamego Smoke Signal, Times and the Manhattan Mercury as well as posting it to the city's website and Face Book page with a due date of February 4, 2022 for all applications. Councilmember Rice seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Councilmember Purvis also moved to allow the city clerk to place an advertisement in the Wamego Smoke Signal, Times and the Manhattan Mercury three

(3) months prior to the retirement date of July 1, 2022 for the city clerk position. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Staff Reports-

Treasurer's Report:

Councilmember Smith moved to approve the treasurer's report as prepared and presented by the city clerk. Councilmember Purvis seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Clerk Zentner informed the council that she was not confident in preparing the W2's and 1099's and requested that the council approve the city's auditing firm of VonFeldt, Bauer & VonFeldt preparing these for the city. She stated that the quoted cost for VonFeldt, Bauer & VonFeldt to prepare the forms was between \$150.00 to \$200.00.

Councilmember Purvis moved to have VonFeldt, Bauer & VonFeldt prepare the W2's and 1099's for the city for no more than a cost of \$250.00. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Maintenance Report:

Supervisor Krohn reported the following:

UTILITIES

- There will be a rescheduled KDHE inspection of the water system on January 18, 2022
- Krohn is waiting on water line fittings that have been ordered for several months for installation of water service installation at 700 N. 4th
- A recent water leak had been fixed after having to procure some parts from the City of Onaga to complete the repairs
- Recent wastewater samples had been sent and found to be acceptable

STREETS

- Will be removing Christmas lights and banners and installing all occasion banners on Main Street on January 15, 2022 or the following Saturday due to the weather forecast and procurement of equipment
- Removed tree limbs from the recent windstorm
- Installed a new stop sign at 4th and Main due to it being blown over from the recent windstorm

- Cleared snow from streets and city property sidewalks on January 1, 2022
- Hauled snow pile off Main Street on January 4, 2022
- Have been informed that Pottawatomie County intends to let bids in February for the Campbell Street project and the project starting in March, 2022. Due to this, street improvements from 2022 will be minimal. The project should be done in three (3) stages with some residents possibly not being able to access their property for a week.

PARKS

- Removed tree limbs from windstorm
- Removed a large cedar tree at the west entrance property due to being blown over from the windstorm
- Took down Christmas lights

CEMETRY

- Opened/closed one (1) full burial
- Bell memorials will be out in the next couple weeks, weather permitting, to complete repairs to monuments that were approved in 2021

PLANNING AND ZONING

- A meeting was held before the council meeting for a lot split request at 203 S. Highway 99

CODE ENFORCEMENT

- Will have five (5) more properties that will be turned in after the 30-day waiting period for inoperable vehicles and/or trash and debris

MISCELLANEOUS

- Demolished and removed the house at 204 S. Walnut with a total cost of demolition being \$4,273.24

Mayor Jack stated that he felt a letter to the residents that would be affected by the Campbell Street project should be sent inviting them to a special meeting to be informed of what will be happening. Krohn stated that the city needed to get with the county first to see what their plans are.

Krohn informed to council that the water line at the fire department needs to be re-plumbed so that the firemen can fill the trucks without the fear or possibility of falling off a ladder while filling the water tank. Krohn has called the plumbing company and estimates a cost of \$2,000 to \$2,500.

There is a property that has too many chickens, has not obtained a chicken permit and the chicken house is not placed correctly on the property. Another property has erected a shed with no building permit issued and the city attorney will be taking care of both issues soon.

Krohn stated he was still waiting for Force Surveying to get a revised map for the new lots and road for the 2nd Addition ("C") at the cemetery. He said that the first few rows were correct on the current map, but the rest of the area was incorrect, and the city cannot sell any of those lots until there is a correct map.

Councilmember Purvis moved to allow the city clerk to send a letter to Force Surveying requesting a new map of the 2nd Addition ("C") of the cemetery soon as possible. Councilmember Rice seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

There being no further discussion, Councilmember Purvis moved to accept the maintenance report as given. Councilmember Rice seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Clerk's Report:

Clerk Zentner informed the council that the auditors requested that a motion be made and noted in the minutes that Krohn to be paid time and half for being the temporary city agent and for attending zoning and planning meetings as the zoning administrator.

Councilmember Rice moved to pay Krohn time and half as the temporary city agent and for attending zoning and planning meetings as the zoning administrator. Councilmember Purvis seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Zentner asked the council if they wished to renew dues to belong to the Flint Hills Regional Council and if so, they would need to appoint a representative from the council to attend the meetings. After some discussion, the council declined to renew the membership to the Flint Hills Regional Council.

Zentner asked the council to consider purchasing a new fax/copy machine for the city office. She stated that the last time Krohn had purchased ink cartridges for the current machine, he was told that the cartridges would become hard to get and they suggested purchasing a machine that used the ink bottles instead. She had researched a new machine and the cost was \$349.00. The council asked Zentner to get with Councilmember Rice regarding a company the county uses to see if a less expensive price could be found.

The last item Zentner reported was that the auditors had begun the 2021 city audit and was satisfied that everything looked fine to this point. They will be returning on February 23, 2022 to finish the audit.

Council Reports-

Streets: Due to Councilmember Rosell being absent, there was nothing more to report that hadn't been reported by Krohn.

Utilities: Mayor Jack had nothing to report. Krohn did mention that there was a sewer line that backed up on Fulton Street, but it was opened now, and the landowner was responsible for getting the line cleaned out.

Animal Control: Councilmember Smith had nothing to report.

Planning and Zoning: Councilmember Smith had nothing more to report.

Pool: Councilmember Rice stated that the council needed to have a meeting to discuss hiring of staff, and to discuss any other issues regarding the opening of the pool. The council decided to hold this discussion/executive session at the end of the February 10, 2022 council meeting.

Fire Department: Mayor Jack informed the council that a nozzle for the E-One fire engine had to be repaired recently.

(Dalton Whitworth and Amber Krohn exited the meeting at 8:31 PM).

City Attorney: Attorney Dierks stated she had researched the requirements for eminent domain and found them to be quite lengthy and she advised the council against exercising this process at this time.

Councilmember Purvis stated he wanted Attorney Dierks to re-offer the city's original purchase price for the 0.3 acres in question at the cemetery and that the city would erect their own fence. He also wanted Attorney Dierks to tell them that if they did not accept this final proposal that the city would then proceed with the eminent domain proceedings.

Councilmember Purvis then moved to re-offer the city's original purchase price of \$2,400 for the 0.3 acres at the cemetery with no reimbursement for half of the price of the fence the adjoining landowner erected and no maintenance by the city on that fence with the city erecting their own fence and if they do not accept this offer, the city will proceed with eminent domain proceedings. Councilmember Smith seconded the

motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Cemetery: Councilmember Purvis had nothing more to report.

Parks: Councilmember Purvis had nothing more to report. He will be meeting with the city clerk regarding the RV Park host responsibilities, etc., before the February 10, 2022 council meeting.

Mayor: Mayor Jack had nothing more to report.

There being no further business to discuss before the council, Councilmember Smith moved to adjourn the meeting. Councilmember Rice seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmember Rosell being absent.

Mayor Jack declared the meeting adjourned at 8:45 PM.

Approved by the Governing Body on February 10, 2022.



Vicki B. Zentner
Vicki B. Zentner, City Clerk

Signed: [Signature]
Mark S. Jack, Mayor