

Westmoreland City Council Meeting
October 12, 2017 minutes

The Westmoreland City Council met on October 12, 2017 at the Community Center for its regular monthly meeting.

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

City Staff present: City Agent, Jeff Zimmerman; City Maintenance Supervisor, Robert Krohn; City Attorney, John Watt and City Clerk, Vicki Zentner.

City Staff absent: City Treasurer, Teresa Varriale.

Others present: Resident, Terry Nelson and Cale Prater, reporter for *The Smoke Signal*.

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

Additions/Deletions to prepared agenda: Request for a CMB license for Rock House Antiques 1880 and Terry Nelson regarding water bill of a family member.

There being no further additions/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 September 14, 2017 regular meeting and September 26, 2017 special meeting: Councilmember Smith moved to approve the corrected minutes of the September 14, 2017 regular meeting and the minutes of the September 26, 2017 special meeting as presented. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Approval of payment of monthly bills: Councilmember Purvis moved to approve payment of the monthly bills as presented. Councilmember Moore seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Public comments: There were no comments for the public in attendance on non-agenda items.

Passing of Ordinance #557 regarding fee for filing plats: Councilmember Rosell moved to approve Ordinance #557 as presented. Councilmember Purvis seconded the motion. The motion passed four (4) ayes [Councilmembers Rosell, Purvis, Smith and Jack] to zero (0) nays and one (1) abstention due to conflict of interest [Councilmember Moore].

Laptop purchase for Fire Department: After some brief discussion regarding the type of laptop computer needed by the fire department, Councilmember Jack moved to purchase an Acer Aspire notebook with Microsoft Office for a total amount of \$434.88. Councilmember Moore

seconded the motion. The motion passed four (4) ayes [Councilmembers Rosell, Jack, Purvis and Moore] to zero (0) nays and one (1) abstention due to conflict of interest [Councilmember Smith].

Pool items: Councilmember Rosell moved to purchase a basketball goal and four (4) lounge chairs for no more than \$600, which is half of the total cost of the items with the pool manager holding fundraisers for the other half of the cost. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Authorizing Mayor to sign request letter for fire department radios on State radio system: Councilmember Jack stated that a “secure” channel was needed for communications between the fire department and the sheriff’s office when the fire department or first responders were responding to a call.

Councilmember Rosell moved to authorize the Mayor to sign a letter of request for being part of the State’s radio system. Councilmember Jack seconded the motion. The motion passed four (4) ayes [Councilmembers Rosell, Jack, Moore and Purvis] to zero (0) nays and one (1) abstention [Councilmember Smith due to conflict of interest].

Terry Nelson: Resident Terry Nelson requested the council to waive the late fees accumulated on his brother’s water bill stating that the water heater in his brother’s residence had sprung a leak and that payments had been made towards the bill and that he felt the late fees that were charged were excessive.

Councilmember Rosell informed Mr. Nelson that the late fees were charged on the past due balance and not on the current charges. He also stated that this was the wording of the ordinance regarding the accessing of late fees on unpaid balances.

Mr. Nelson stated that he understood this, but felt that it hindered people on a limited income to get their balances paid in full if a late fee is added each month.

After some brief discussion, Councilmember Rosell moved to allow this time only for part of the late fees waived with the understanding that the council will not do it again and the remaining balance to be paid in full by October 15, 2017 and to be paid on time going forward. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

On an unrelated issue, the council thanked Mr. Nelson for the removal of the burnt house on 4th Street.

Approval of CMB license request: Councilmember Moore moved to approval the CMB license request from Jill Lenauer-Overkamp for Rock House Antiques 1880. Councilmember Purvis seconded the motion. Councilmember Rosell stated that even though the CMB license had been approved, that should Mrs. Overkamp wish to have streets blocked off for an event at the property, she would still need to ask for the council’s permission to do so. The motion passed five (5) ayes to zero (0) nays.

City Agent: City Agent Jeff Zimmerman reported he had nothing new to report this month.

He was still attempting to serve one resident but was having a hard time finding the resident at home. He will keep trying.

Mr. Zimmerman planned to do more observations on the mowing of properties over the weekend.

Mr. Zimmerman stated that the digital camera purchased by the city for him to use wasn't working anymore and asked if the council would allow the purchase of a new one.

Councilmember Rosell moved to allow the purchase of a new digital camera for the city agent for no more than \$100. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Councilmember Moore stated he would contact Mr. Coleman regarding a time line to finish cleaning up his property on Walnut Street.

Councilmember Rosell inquired if the RV camper had moved as had been requested from the RV Park. City Clerk Zentner replied that it had been moved that morning but they had not paid for their stay.

Councilmember Moore stated that he felt the city could sell the bill to a collection agency and the agency could then go after collection of the bill. He stated that Farmers State Bank had a contact for a collection agency and that he would provide that information to the city clerk.

Councilmember Moore then moved to sell the unpaid camping bill to the collection agency. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Continued discussion on the library: Mrs. Goodenow was absent but had asked the Mayor to relay to the council that the committee had not met as they were waiting to see what the outcome of the mill levy ballot question will be. She will attend the Westmoreland Service Club meeting to present information to the members on the library ballot question.

Future agenda items: A special meeting will be arranged for discussion on the PLT/ESL issue with the city treasurer as soon as possible before November 1, 2017.

Staff Reports:

Treasurer: Councilmember Purvis moved to accept the treasurer's report as provided to the council. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Maintenance: Maintenance Supervisor Krohn reported the following:

- UTILITIES- Installed a sewer line on Pine Street to a new house
Pricing for a new sewer jetter would be \$60,000 to \$75,000
- STREETS-A resident had asked if the city would remove a tree in the right of way just east of his driveway. The tree removal would cost \$500 to \$1,000. Krohn stated the city's policy was not to remove trees unless they were hanging over the street or could possibly fall into the street. Attorney Watt asked if the tree in question was dangerous or rotting, stating that if the insurance company knew the city knew the tree was dangerous and didn't do anything about it and it does damage that the city would be liable.

Councilmember Rosell stated that he had an issue with the city taking down the tree, citing that other citizens would expect the city to remove their trees as well.

Mayor Goodenow stated that the right of way was only for utilities, for which the city is responsible.

Councilmember Rosell moved for the city to pay half of the cost of the removal of the tree in question only if the resident pays the other half of the cost. Councilmember Smith seconded the motion. The motion passed four (4) ayes [Councilmembers Rosell, Moore, Smith and Jack] to one nay [Councilmember Purvis].

- PARKS-Mowed and trimmed weeds
Watered flower planters
Winterized the ball diamond concession building
- CEMETERY-Mowed and trimmed weeds
- POOL-Winterized the pool pump plumbing
Repaired/replaced expansion joint between brick and concrete deck
- BUILDINGS-Installed ac/heat unit in the ball diamond concession building
- PLANNING/ZONING-Issued one (1) permit for a garage addition at 404 S. 4th
- EQUIPMENT-Reed installed flatbed on the GMC
Installed fuel tank, warning lights and tool boxes on the GMC

(Mr. Nelson exited the meeting at 7:40 PM).

City Clerk: Zentner asked the council for permission to purchase QuickBooks software upgrade for three (3) years at a cost of \$559.95 for the office computers. Councilmember Rosell moved to purchase QuickBooks upgrade for three (3) years for the office computers. Councilmember Purvis seconded the motion. The motion passed five (5) ayes and zero (0) nays.

Zentner asked permission to close city hall on November 9, 2017 at 1:45 PM to allow the treasurer, maintenance supervisor and herself to attend a meeting regarding the new process for public assistance through FEMA after a disaster. Councilmember Moore moved to allow city staff to attend the FEMA meeting and close city hall at 1:45 PM on November 9, 2017. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Zentner informed the council that they would either need to change the date of the January, 2018 meeting or hold a special meeting to swear in new councilmembers due to the change of terms. The council decided they would hold a special meeting for the swearing in and keep the date and time of the regular January meeting as set.

Discussion on the application received for the RV Park host was tabled until the first of the year.

Councilmember's Reports:

Streets: Councilmember Moore stated he was still waiting to hear back from Pottawatomie County regarding the agreement for the upkeep of Campbell Street.

Utilities: Councilmember Rosell had nothing to report.

Animal Control: Councilmember Smith had nothing to report.

Planning & Zoning: Councilmember Smith reminded the council that there will be a public hearing on the platting of the Farmers State Bank land in the Industrial Park on November 17, 2017 at 7:00 PM.

Pool: Councilmember Jack had nothing more to report.

Cemetery: Councilmember Purvis had nothing to report.

Parks: Councilmember Purvis had nothing to report.

Mayor: Mayor Goodenow had nothing to report.

City Attorney: Attorney Watt had nothing to report.

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

Mayor Goodenow declared the meeting adjourned at 7:53 PM.

Approved by the Governing Body on November 9, 2017.



Vicki B. Zentner
Vicki B. Zentner, City Clerk

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