

Westmoreland City Council Meeting
September 9, 2021 minutes

The Westmoreland City Council met on September 9, 2021 at the Community Center for its monthly meeting.

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

Governing Body members absent: Councilmember Waide Purvis.

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

Others present: Alex Mittie with VonFeldt, Bauer & VonFeldt; Resident, Scott Schwinn; Kaylene Plummer, Terry Tabb, Volunteer Fire Chief, Kevin Umscheid and Cale Prater reporter for *The Smoke Signal*.

There being a quorum present, Mayor Goodenow called the meeting to order at 7:00 p.m. at which time he turned the floor over to Mr. Alex Mittie for the public hearing regarding exceeding the revenue neutral rate.

There were no public comments regarding the exceeding of the revenue neutral rate.

Councilmember Jack moved to approve Resolution #07-21 regarding the exceeding of the revenue neutral rate. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Next, Mr. Mittie presented the proposed 2022 city budget as prepared. Councilmember Rosell inquired if other cities comparable in size to Westmoreland had a comparable mill levy as Westmoreland. Mr. Mittie stated that they were.

There being no further comments, questions or discussion, Councilmember Rosell moved to adopt the 2022 proposed budget as presented. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

(Mr. Mittie exited the meeting at 7:04 pm).

Approval of minutes of August 12, 2021 regular meeting and August 24, 2021 special meeting:

There being no corrections to the minutes of the August 12, 2021 regular meeting or the August 24, 2021 special meeting, Councilmember Jack moved to approve both sets of the minutes as presented. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Payment of the monthly bills:

After a brief clarification on the Uni First bills, Councilmember Rosell moved to approve the payment of the monthly bills as presented. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Public comments on non-agenda items:

There were no comments from the public.

Scott Schwinn regarding the intent for the Westy Antiques building:

Mr. Schwinn informed the council that he and Mrs. Kaylene Plummer were in the process of buying the Westy Antiques building from Mr. Terry Tabb, but wanted some clarification as to the items that the council wanted fixed. He stated that he and Mrs. Plummer would begin the process of entering into an agreement with Mr. Tabb the next day but would like to have a time extension in order to fix any issues that the council feel needs to be fixed. There had been no guidance for either Mr. Tabb or Mr. Schwinn and Mrs. Plummer to go by from the hearing held on August 24, 2021.

One of the items Mr. Schwinn knew needed to be addressed was the condition of the roof, of which he was not able to do himself, and some minor other items that he could fix himself.

Attorney Dierks informed the interested parties that the council could make an exception to the previous ruling of the council and extend the time frame for the issues to be fixed if they deemed it permissible.

Councilmember Rosell stated he was fine with allowing extra time for fixing the issues if the council saw progress being made. He stated he didn't want to hold up the sale of the building to Mr. Schwinn and Mrs. Plummer, but he also felt that the council should be provided with a list of findings from a licensed contractor as to what items needed to be fixed to make the building safe to the public.

At the conclusion of more discussion on the property, and on what the council wanted from the licensed contractor, Councilmember Rosell moved to call a special meeting on September 23, 2021 at 4:45 pm. At that meeting, the list from the licensed contractor regarding the items that needed to be fixed to make the building safe would be provided for the council to consider. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

(Mr. Tabb, Mr. Schwinn, and Mrs. Plummer exited the meeting at 7:31 pm).

Discussion on ball diamond use/charge by Blue Valley High School:

Councilmember Rosell moved to allow the Blue Valley High School to use the ball diamond for their ball team games and practices for the 2021 season at a cost of \$1,000. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Replacement of the library sign:

After some brief discussion, the council requested that Maintenance Supervisor Krohn bring back costs for the replacement of the hanging library sign to the October 14, 2021 council meeting for review and consideration.

Review of applications:

Councilmember Jack requested that the review of applications for the city animal control officer and city agent be held later in the meeting in executive session.

Discussion on offering a Fall clean up day:

Councilmember Rosell moved to offer a Fall clean up day for residents on Saturday, October 23, 2021 with two (2) roll off containers being offered and sending of post cards to residents. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Update from Kevin Umscheid on the fire department:

Chief Umscheid informed the council that the city's fire engine (Engine One) recently had an issue with the wiring shortening out which caused the yearly pump testing to be delayed until the wiring was fixed.

Chief Umscheid would also like to purchase two (2) sets of bunker gear and will bring quotes back to the council.

The volunteer firemen had participated in an "Active Shooter" training exercise in June at Rock Creek High School. He felt the training went well and that the firemen learned useful information from the training.

On September 11, 2021 in memorandum of the firefighters, first responders and victims of the New York twin tower attacks, there will be a 10 second air horn blast at the fire station.

There being nothing further reported by Chief Umscheid, he exited the meeting at 7:42 pm.

City Attorney report:

Attorney Dierks informed the council she had researched the legal placement of the security cameras at the city pool and stated that they could be placed anywhere but in the shower house rooms.

Attorney Dierks recommended that an engineer look at the low water crossing bridge between the ball diamond and the old football practice field for any requirements that may have to be followed for the flow of the water in the creek.

Letters will be sent to the landowners for the sewer line extension on Scott Drive granting the city an easement on their properties for the extension.

Attorney Dierks has been working for several months on the correct legal description of the cemetery for the city to annex the cemetery into the city. She is in hopes that the correct legal descriptions have been found and that this issue can be remedied soon.

There is still an issue on the tract of land by the cemetery with the property line and she wanted to know if the council wished to put the total tracts for the cemetery annexation in the final documents. The council agreed this would be the proper way to handle it.

Attorney Dierks wanted the council to be aware that the animal control officer could not be a breeder nor have an adoption business or pet store.

The issue with crosswalks had been researched and she found that if there was not signage in place that pedestrians must yield to vehicles. Her recommendation to the council was to place signs at each entrance to the crosswalks.

(Cale Prater exited the meeting at 7:47 pm).

After some brief discussion on the cost for crosswalk signs, Councilmember Rosell moved to allow Maintenance Supervisor Krohn to purchase no more than \$1,000 of crosswalks signs and place them at the most important intersections. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

The owners of the property located at 204 S. Walnut had not been present at the hearing on August 24, 2021 as summoned. The council would now need to pass Resolution #06-21 ordering the owners to either repair or demolish the structure within 30 days, or the city would demolish the structure and charge the owners the cost for doing so.

Councilmember Rosell moved to approve the passage of Resolution #06-21 “..causing the repair or demolition of the structure located at 204 S. Walnut by the owners within 30 days...”. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Cost estimates for ADA accessible entrance doors for the Community Center:

Maintenance Supervisor Krohn stated that the cost for two (2) ADA accessible entrance doors would be \$8,500.

After some brief discussion, it was decided that staff would make another opening for access to the Community Center.

Staff Reports:

Pool Manager: In the absence of the pool manager, Councilmember Rice, liaison, presented the pool manager’s report.

The Rock Creek Endowment Fund was asking for donations for their upcoming fundraiser and the pool manager felt a family pool pass and a two (2) hour pool party would be a nice donation.

Councilmember Rice moved to donate a family pool pass and a two (2) hour pool party for the 2022 pool season to the Rock Creek Endowment Fund. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Pool staff haven’t picked the colors for the painting of the concession stand area, but were still planning to paint the area before the next pool season.

Staff has indicated that all but two (2) guards plan to return for the 2022 pool season.

Revenue from concessions, swimming lessons, and passes increased this year, but expenses also increased due to having more guards this year and pay increases.

Councilmember Rosell stated that the pool manager and the council needed to keep an eye on spending especially with all the wanted improvements and maintenance to the pool. He would also like to see a survey sent to pool patrons asking them for improvements to the pool they would like to see be implemented.

(A request to have a discussion regarding the pool be put on the December 9, 2021 council meeting was made and noted).

Treasurer's Report:

Councilmember Smith moved to approve the treasurer's report as given. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Maintenance Report:

Supervisor Krohn reported the following:

UTILITIES

- Repaired 6" water main leak at 504 N. Walnut due to incorrect installation of the water main over a rock ledge and the use of large rock material for backfill
- Collected and sent TTHM and HAA5 water samples to KDHE
- Repaired broken water meter service shut off with a meter resetter at 502 E. Campbell
- SMH is still finalizing paperwork and plans for the Scott Drive sanitary sewer extension, and we have received a legal description for the easement needed for the project

STREETS

- Removed tree limbs throughout town from storm damage on August 13, 2021
- Installed fall banners on Main Street

PARKS

- Removed tree damage from storm on August 13, 2021
- Mowed and trimmed
- Removed weeds out of flower beds
- Watered flower planters
- Prepped/backfilled and Fleming Brothers Construction poured the ADA concrete parking area for the RV Park Frank Memorial Shelter

CEMETERY

- Mowed and trimmed

POOL

- Repaired damage to sunshades caused by storm on August 13, 2021
- Installed security cameras at the pool
- Energy Center has looked at the pool and will get an estimate for the replacement of the brick cove around the pool, fence between the pools, and the depth/no diving tiles. Recommended we wait and repair as needed for a couple of years to budget for the improvements and because they would be at least a year to a year and a half from being able to start the project. At that time, they would pressure test all the plumbing lines for leaks before replacing the brick cove around the pool. Had the same recommendation on the pool heater, to use it until it needs replaced due to cost and availability. They were able to detect a small leak in one of the skimmer baskets that can be repaired when the pool is dry. They are not interested in quoting/installing a new pool slide and recommended purchasing one and installing it or contacting an out of state commercial pool company that might be willing to quote a price/installation for one. A commercial splash pad that is ADA accessible would cost a minimum of \$65,000 and would be a separate system than what currently operates the pool. An estimated cost for a simple enclosed slide would be \$15,000 not including installation or making room for installation.

BUILDINGS

- Installed new signage for the brush burn site at the shop
- Replace the entryway window at the Community Center
- Having trouble finding a contractor that will return phone calls/emails for replacement/installation of new doors/ADA openers

at the Community Center. For the city to purchase the two (2) doors/ADA openers from a vendor the estimated cost will be \$8,500

PLANNING AND ZONING

- Issued a building permit for an accessory use building with conditions at 303 W. State
- Issued a building permit for a duplex at 201/203 N. 6th that had previously expired

EQUIPMENT

- Replacement of 60" mower with currently 1276 hours for a cost of \$8,500

Krohn stated that the mower would be received within three (3) months to six (6) months after purchase.

Councilmember Rosell moved to purchase a 60" mower at a cost of \$8,500 with the payment being split half from the general fund and half from the utility fund. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

SMH is waiting for approval from KDHE on the sewer project. They estimate the project to cost \$20,000.

Councilmember Rosell would like for Krohn to talk to other cities around for contractors they used for their pool improvements.

City Clerk's Report:

Due to the city clerk having surgery in the next few days and not being able to attend the October 14, 2021 council meeting, she asked which reports she provides to the council for meetings they would like the treasurer to provide in the clerk's absence.

Councilmember's Reports:

Streets: Councilmember Rosell had nothing more to report.

Utilities: Councilmember Jack had nothing more to report.

Animal Control: Councilmember Smith had nothing to report.

Planning and Zoning: Councilmember Smith had nothing to report.

Fire Department: Councilmember Jack had nothing more to report.

Pool: Councilmember Rice had nothing more to report.

Mayor: Mayor Goodenow had nothing to report.

Councilmember Jack moved to enter an executive session for personnel matters of non-elected personnel and to protect their privacy for 12 minutes beginning at 8:11 pm with the council, Mayor, Maintenance Supervisor, City Treasurer and City Clerk in attendance. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Councilmember Jack moved to exit the executive session at 8:23 pm. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Mayor Goodenow declared the executive session adjourned at 8:23 pm.

There was no action taken as a result of the executive session.

Councilmember Rice moved to adjourn the meeting. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Mayor Goodenow declared the meeting adjourned at 8:24 pm.

Approved by the Governing Body on October 14, 2021.



Vicki B. Zentner, City Clerk

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