

Westmoreland City Council Meeting  
August 13, 2020 minutes

The Westmoreland City Council met for its monthly meeting on August 13, 2020 at the Community Center.

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

Governing Body members absent: Councilmember Waide Purvis.

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

Others present: Richard Wege, Ken Pendleton, Josh Boswell, Bryon Brown, Amanda Brown, Sarah Blenn, Johnny Eichem, Cherie Eichem, Eric Eichem-residents; Shane Jager, Doug Adams, Chris Schmidt with the Pottawatomie County Sheriff's Department; Dustin Newman and Peter Clark with Pottawatomie County Public Works; Luke Goodenow with Westy/Seven Township Fire 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.

*Approval of agenda-additions/deletions:*

Additions to the prepared agenda are as follows:

- Review of agreement with Pottawatomie County on Campbell Street improvements
- Entering into a lease/purchase agreement with Farmers State Bank for the acquisition of a 2020 Silverado ½ Ton pickup truck
- Passage of Resolution #06-20 authorizing the lease/purchase agreement for the acquisition of a 2020 Silverado ½ Ton pickup truck
- Calling of an executive session to discuss non-elected personnel and to protect their privacy

There being no further additions or deletions to the prepared agenda, Councilmember Jack moved to approved the amended agenda. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*Approval of minutes of July 8, 2020 special meeting, July 16, 2020 regular meeting and July 28, 2020 special meeting:*

Councilmember Jack moved to approve the minutes from the above-mentioned meetings as presented. Councilmember Rosell seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*Approval of monthly bills:*

Councilmember Jack moved to approve the payment of the monthly bills as presented. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*Public hearing on the 2021 proposed city budget:*

Mayor Goodenow opened the public hearing for discussion regarding the 2021 proposed city budget at 7:05 PM. There being no comments or discussion regarding the 2021 proposed city budget, Mayor Goodenow closed the public hearing at 7:06 PM.

Councilmember Jack moved to approve the proposed 2021 city budget as presented. Councilmember Rosell 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 public comments on non-agenda items.

*Discussion with Pottawatomie County Sheriff and Public Works Director re: speeding of county vehicles and general public vehicles on Campbell Street:*

Mayor Goodenow informed Sheriff Jager that residents with small children and pets that live along Campbell Street were concerned about the speeding of vehicles. He then turned the floor over to Mr. Ken Pendleton to elaborate on the concerns the residents had.

Mr. Pendleton stated that several county employees, as well as other drivers, were "rolling" through the stop signs. He stated that he would like to see the speed limit reduced from 30 MPH to 20 MPH for the safety of the children in the neighborhood. He also stated that there are several "blind" spots along Campbell Street which make it hard to see speed zone signs as well as traffic coming from the west or east.

Councilmember Jack inquired as to the type of county vehicles that Mr. Pendleton was referring. Mr. Pendleton replied they were dump trucks and semi-tractor trailers for the most part.

Sheriff Jager asked if the vehicles were seen coming from both directions and Mr. Pendleton responded that they were.

Sheriff Jager stated that if the city did not lower the speed limit, that perhaps more stop signs could be installed, rumble strips and speed bumps and perhaps the temporary electronic speed control sign the county uses could be placed along Campbell Street to make drivers more aware of their speed compared to the actual speed limit. He also stated that this was the first time his department had been given notice that there was an issue that the residents were concerned about. He asked that the city and the residents give the Sheriff's Department a few weeks to do more patrolling of the area to see if their presence makes any difference.

Councilmember Rosell stated that he wasn't against lowering the speed limit on Campbell Street or installing more stop signs, he just felt that without tickets being issued these possible solutions wouldn't do any good.

Dustin Newman with Pottawatomie County Public Works, stated that he had spoken to the county drivers and informed them that not obeying the speed limit and completely stopping at stop signs would not be tolerated.

There being no further discussion regarding the Campbell Street issue, Sheriff Jager, Undersheriff Adams, Captain Schmidt, Ken Pendleton, Josh Boswell, Bryon Brown, Amanda Brown, Sarah Blenn, Johnny Eichen, Cherie Eichen and Eric Eichen exited the meeting at 7:31 PM.

*Campbell Street improvements agreement with Pottawatomie County:*

City Attorney Dierks presented the council with the original agreement drawn up between the city and Pottawatomie County regarding the improvements and responsibilities of Campbell Street for their consideration. She pointed out a few edits that she felt needed to be made.

After some brief discussion and revisions, Councilmember Jack moved to authorize Attorney Dierks to make the said revisions to the agreement and discuss the agreement with County Attorney John Watt to review and present to the Pottawatomie County Commissioners and bring back the amended agreement to the September 10, 2020 council meeting for approval. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

(Mr. Clark and Mr. Newman exited the meeting at 7:49 PM).

*Request of more time to clean up property by Richard Wege:*

Mr. Wege asked the council for more time to decide what to do with the property in question. He stated he didn't know how to fix the issues that were addressed in the letter he received.

Councilmember Rosell gave several suggestions to Mr. Wege regarding fixing the house up or demolishing it. Mr. Wege stated that there was some furniture inside that he would like to keep but wasn't sure he would have room to store these items in his present house to the east.

After some brief discussion, Councilmember Rosell volunteered to meet with Mr. Wege the Saturday following the council meeting to see if he and Mr. Wege could come to some sort of decision on what to do with the house. The council gave Mr. Wege until August 21, 2020 to make a decision and inform the city clerk of the decision.

(Mr. Wege exited the meeting at 8:05 PM).

*Revised agreement with Manhattan Animal Control Services Contract:*

Councilmember Rosell moved to terminate the contract between Manhattan Animal Control Services and the city due to the city not having an animal control officer to take dogs that were running loose with no owner contact for boarding. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*Authorization to apply for Kansas Department of Health and Environment (KDHE) revolving loan regarding Rock Creek Bank Stabilization project:*

Councilmember Rosell moved to authorize applying for a KDHE revolving loan for \$100,750.00 for the Rock Creek bank stabilization project with no sewer rate increase to the residents and businesses at this time. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*Entering into a lease/purchase agreement with Farmers State Bank for the purchase of a 2020 Chevrolet Silverado ½ Ton pickup truck:*

Councilmember Rosell moved to enter into a lease/purchase agreement with Farmers State Bank for the purchase of a 2020 Chevrolet Silverado ½ Ton pickup truck for maintenance staff in the amount of \$31,930.00. Councilmember Jack seconded the

motion. The motion passed for (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*Resolution #06-20:*

Councilmember Rosell moved to approve Resolution #06-20 authorizing the lease/purchase of a 2020 Chevrolet Silverado ½ Ton pickup truck. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*Luke Goodenow with Westy/Seven Township Fire Department:*

Mr. Goodenow stated that the fire fighters had assumed that they would be covered under the city's workman's compensation policy should they be hurt while responding to a fire call within the city limits, but had been informed recently that they are not. He stated that the Seven Township Board was willing to cover the fire fighters under the Township's workman's compensation policy if the city would pay for half of the premium.

The Seven Township Fire Board would like to have a special meeting between their board members and the city council to discuss this issue and other items in the near future.

Mr. Goodenow is to contact the fire board as to when they would like to hold this meeting and get with the city clerk to set it up.

(Mr. Goodenow exited the meeting at 8:20 PM).

*Results of rate increase for recycling survey:*

City Clerk Zentner informed the council that she had received 37 responses from residents that are currently signed up for the recycling program to continue it, and 29 responses for not continuing the program.

Zentner reminded the council that Tri-County Waste owner, Christie Hitch, attended the July 16, 2020 council meeting and informed the council that she would need to have half of the current recycling patrons wish to continue the service to make it feasible for her to continue to offer the service. The survey that was sent out to those patrons stated that if they did not respond back by July 31, 2020 the council would assume that they wished to continue recycling. Fourteen (14) patrons did not respond one way or the other, so if added to the 37 that did respond, that would bring the number of patrons wishing to continue with the recycling program to 51 which was 11 more than required.

Councilmember Rice moved to increase the recycling cost for those patrons wishing to continue recycling from \$6.00 to \$9.50 on their city utility bill. Councilmember Rosell seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*RV Park gathering structure costs:*

Maintenance Supervisor Krohn informed the council that the estimated cost for the gathering structure at the RV Park was \$74,000.00. This cost will be paid for by the Frank family as a memorial to a family member as has been discussed at previous council meetings.

Councilmember Rosell moved to authorize the city attorney to draw up a pledge document between Mr. Frank and the city on the payment amount to solidify that the cost will be paid before beginning construction on the project. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*Future Agenda items:*

There were no future agenda items brought up at this time.

**Staff Reports**

*City Agent:*

Jeff Zimmerman stated that the lot at the corner of 3<sup>rd</sup> and Campbell had been mowed but there were still tree limbs down and weeds around the trunk of the tree that had not been taken care of. The council instructed the city attorney to take the land owner to municipal court.

The property at 306 North was still out of compliance. The council gave this property one (1) more week before taking the resident to court.

Mr. Zimmerman stated he had talked to several residents about mowing their properties and had given them until the end of the weekend to mow before he writes them up.

The property at 406 Campbell had been mowed in the front, but there were still weeds and areas between trees on the back side of the property that need to be taken care of. The city clerk will call the property owner and inform him of these issues.

*Pool Manager:*

In absence of the pool manager, Councilmember Rice informed the council that the pool was now open weekends only.

Maintenance Supervisor Krohn stated that the power switch on the pump was in need of repair at a cost of \$600.00 but would be fine until the end of the season.

Councilmember Rice stated that the city may not have enough guards to stay open until Labor Day due to the lack of guards available once school starts. She will get with the pool manager and they will decide on a date to close the pool for the season.

*Treasurer:*

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

*Maintenance:*

Maintenance Supervisor Krohn reported the following:

UTILITIES-

- Collected lead/copper water samples and sent to KDHE. All samples were below the limits allowed by KDHE
- Collected monthly water bacteria samples and sent to KDHE
- Fabricated and installed locking clasp on the Wilson lift station. This was the only recommendation made by KDHE during their recent inspection and was not known or talked about until the written report was received by KDHE
- Attended a 5-hour KRWA online class for wastewater license
- USDA began preliminary site survey to create the plans for the repairs at the lagoons

STREETS-

- Will begin street patching on Main St., Oregon Trail Dr., Scott Dr., Skene St., Frontier Ave., and 1<sup>st</sup> St. as soon as time allows and materials can be hauled in

PARKS-

- Ordered two (2) new custom skylights for the pool roof due to hail damage
- Mowed and sprayed weeds

- Built building pad and gravel parking area for the Marilyn Frank Shelter building at the RV Park. Gave Fleming Brothers Construction the approval from Daryle Frank to start ordering materials for the shelter building

#### CEMETERY-

- Mowed and sprayed weeds
- Opened/closed one (1) cremation grave
- Removed sapling trees throughout the cemetery

#### BUILDINGS-

- Hail damage repairs to city buildings bids as follows:
  1. Adjusters Estimate \$17,827.31
  2. Fleming Brothers \$19,389.66
  3. Weddle and Sons \$18,022.00
  4. McGee \$15,102.93

#### PLANNING AND ZONING-

- Issued one (1) building permit for a deck at 406 W. Skene
- Issued one (1) building permit for a deck at 604 Scott Dr.

#### EQUIPMENT-

- Hail damager repairs to 2008 GMC 2500hd as well as possible rocker panel rust repair at the same time in order to save on labor costs

Councilmember Rosell moved to award the bid from McGee for hail damage roof repairs at City Hall, storage garage, and the ball diamond restrooms as well as the guttering at the storage garage in the amount of \$15,102.93. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Krohn stated that he had ordered a new street school zone light clock as the original broke.

Discussion was held on the hail damage repairs for the 2008 GMC 2500hd truck. Councilmember Rosell stated he would be in favor to fix the hail damage but not the rust. No decision was made.

#### *City Clerk:*

City clerk Zentner asked the council if they would agree to a reduced nightly rate for a sub-contractor for Bluestem Electric to stay during the late fall to early spring. Councilmember Rosell moved to reduce the nightly rate from \$35.00 to \$30.00. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent. Zentner will contact the sub-contractor with the council's decision.



## **Councilmembers 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.

*Pool*-Councilmember Rice stated she would get with the pool manager to set a closing date for the pool.

*Fire Department*-Councilmember Jack had nothing to report.

*Mayor*-Mayor Goodenow had nothing to report.

*City Attorney*-Attorney Dierks had nothing to report.

Councilmember Rice moved to enter into an executive session at 9:05 PM for 15 minutes with the Mayor, Councilmembers, Clerk and Treasurer present for the purpose of personnel matters of non-elected personnel and to protect their privacy. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Councilmember Rice moved to exit from the executive session at 9:10 PM. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

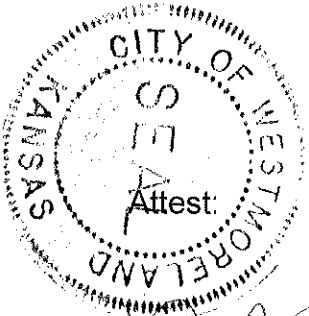
As a result of the executive session, Councilmember Rice moved to pay the pool manager full salary for four (4) pay periods and half salary for one (1) pay period and any hours worked the next two (2) pay periods would be paid at an hourly rate. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

There being no further business before the council, Councilmember Rice moved to adjourn the meeting. Councilmember Rosell 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 9:10PM.

Approved by the Governing Body on September 10, 2020.

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



Vicki B. Zentner  
Vicki B. Zentner, City Clerk