

Westmoreland City Council  
June 9, 2022 minutes

The Westmoreland City Council met for its monthly meeting at the Community Center on June 9, 2022.

Governing Body members present: Mayor, Mark Jack; Councilmembers, Waide Purvis, John Coleman, Jim Smith, and Bruce Meininger.

Governing Body members absent: Councilmember Ashley Rice.

City Staff present: Maintenance Supervisor, Robert Krohn; City Treasurer, Amanda Reese; Pool Manager, Amber Krohn and City Clerk, Vicki Zentner; City Attorney, Summer Dierks.

Others present: Resident, Scott Garman; Julie Wren, newly hired city clerk; Fire Chief, Kevin Umscheid; Alex Mittie and Houston Pierce, with VonFeldt, Bauer & VonFeldt, and Cale Prater, reporter for The Times.

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

*Additions/Deletions to the agenda:* Deletions to the agenda were as follows- Networks Plus- Adam Boyle proposal for cyber-security, discussion on drainage ditch at 602 E. Main, Approval of special event CMB permit for Car Show by the Masons, and approval of city cemetery lot map for Addition "C".

Addition to the agenda as follows- Discussion on monthly meeting start time, discussion on water bill late fees with companies, adding an executive session regarding non-elected personnel and discussion with the City Attorney regarding legal matters.

*Approval of the agenda:* Councilmember Purvis moved to approve the agenda as amended. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

*Approval of minutes from the May 12, 2022 meeting:* Councilmember Meininger moved to approve the minutes of May 12, 2022 meeting minutes. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

*Approval of monthly bills:* There being no questions regarding the monthly bills, Councilmember Purvis moved to approve the monthly bills as presented. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmembers Rice being absent.

*Public comments on non-agenda items:* Scott Garman, resident. Drainage issue on property, potential structural damage to the house with recent rains. Stated his location is at the lowest point of an intersection and there's no curbing. Scott spoke with the County, and they told him to start with the City. He also purchased the property adjacent from his and the culvert is rusting out. Mayor Jack suggested to have Bob look at it and see what steps to take as the City.

*Presentation of the 2021 Audit by Alex Mittie with VonFeldt, Bauer & VonFeldt:* Mr. Mittie presented the 2021 City Audit to the Council. After the presentation and there being no questions from the Council, Councilmember Purvis moved to approve the 2021 Audit as presented. Councilmember Meininger seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmembers Rice being absent.

*Presentation of the proposed 2023 Budget by Houston Pierce with VonFeldt, Bauer & VonFeldt:* We are still waiting on county treasurer for more information.

Mr. Pierce informed the council that due to increase of Bond and Interest payments on the KDHE loan, the fund had seen a decrease in the cash flow. He recommended that the Council consider taking 2 mils from the general fund and transferring them to the Bond and Interest fund raising the mil levy from 4 mils to 6 mils.

Mr. Pierce asked the council if there were any projects they were considering for the next few years. The Council informed him that they would be starting on the Campbell Street improvements this year and the obligated cost to the County for the next five years would be \$100,000. Councilmember Purvis said he would like to overlay more city streets and estimated it could cost \$100,000 per street.

Mr. Pierce stated he would build these two projects into the budget as best as he could.

The Council asked Mr. Pierce to prepare the proposed 2023 budget with no increase in the mil levies and with the transfer of two mils out of the general fund to Bonds and Interest Fund as Mr. Pierce recommended.

The proposed budget will be brought before the Council at the July 14<sup>th</sup> meeting and a public hearing will be set for the August 11<sup>th</sup> meeting.

*Discussion on draft Ordinance #589 “Regulation of driveway culverts, tubes and paving”-* Council had no questions regarding the wording of the Ordinance #589, and it will be presented at the July 14, 2022 meeting for passage.

*Discussion on monthly meeting start time:* Councilmember Purvis motioned to move the Council Meetings time to 6:30 pm. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

*Discussion on water bill late fees with companies:* Mayor Jack brought up water bill for companies who’s accounts payable doesn’t fall before due date, should we wave late fee. No action was taken on this matter.

*Future Agenda items:* Review of new Subdivision Regulations.

## **Staff Reports:**

*Treasurer’s Report:* Mandi found that there were three reports that aren’t necessary due to same information located on other Reports.

There being no questions concerning the treasurer’s report, Councilmember Smith moved to approve the treasurer’s report as given. Councilmember Meininger seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

*Maintenance Report:* Maintenance Supervisor, Krohn, reported the following:

### **Utilities-**

- Jadwin Construction and Development has finished the 4th St. sanitary sewer improvement project. Road rock will be placed on street when house construction has been completed.
- Assisted the City of Onaga with cleaning/unplugging an 8” sanitary sewer main above a lift station.
- B&B Services completed annual preventative maintenance for the valves at the water vault.

### **Streets-**

- Pottawatomie County has moved bid opening for the Campbell St project for 6/6/22.
- Materials for installation of new street intersection culvert at Walnut/Campbell have been delivered and will be installed as soon as time allows.

### **Parks-**

- Mowed/trimmed and sprayed properties.
- Rock Creek students/teachers assisted with the planting of annual flowers in planters throughout town.
- Discuss trimming of dead limbs in the trees at City Park.

### **Cemetery-**

- Mowed/trimmed and sprayed weeds.
- Backfilled grave settlement due to rain.

### **Pool-**

- Mowed/trimmed and sprayed weeds.

### **Buildings-**

- Alternative Air completed annual air conditioning preventative maintenance at all properties.

### **Planning and Zoning-**

- Sent a violation letter for an accessory use building moved onto property without a permit at 210 S. 2nd #10.
- Sent a violation letter for an accessory use building/carport built on property to cover inoperable vehicle without a permit at 107 N. 6th.
- Issued a building permit for an accessory use building at 210 S. 2nd #10.
- Issued a building permit for an accessory use building at 107 N. 6<sup>th</sup>

### **Equipment-**

- REED Equipment is still working on repairs to T3 (F650). When it was picked up it was undrivable due to all the play in the steering wheel. It was found that the kingpin needed to be replaced and a parts list along with cost of repairs will be given before repairs are made. No issues were seen when the truck was originally delivered and installing new steer tires may have brought the problem to be found.
- Replaced rear tires on T2 due to sidewall blow out and wrecker tow from Wamego due to spare tire having to be cut out once towed back to the shop.

### **Code Enforcement-**

- There is one vehicle that is inoperable and has until the middle of the month to remedy the issue.

- Three yards still needing mowed. Councilmember Purvis asked that City Clerk to contact someone with MKC regarding the building and what their plans are for it as well as the mowing.

**MISC-**

- Discuss proposed driveway culvert ordinance/application that would transform unwritten policy into ordinance to help relieve issues.

Krohn reported that he would like to trim the Maple Tree located in the City Park. Councilmember Purvis motioned to allow Krohn to trim Maple Tree with a budget of up to \$1,500. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Krohn reported Dump truck had been repaired, however upon driving back, Krohn realized there was an issue with the drivability, and he is now waiting for a cost for that repair.

(Cale Prater exited the meeting at 8:15 PM).

*Clerk's Report:* City Clerk, Zentner, asked the council if they were going to have Juneteenth be a paid Holiday. Councilmember Purvis motioned to have Juneteenth (June 19) be a paid Holiday. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Zentner brought to the council's attention that Christmas Eve and New Years Eve falls on a Saturday, wondering if the Friday before would be a ½ workday and the other ½ paid. Councilmember Purvis motioned to allow December 23<sup>rd</sup> and December 30<sup>th</sup> be ½ workdays and other ½ paid Holiday pay. Councilmember Meininger seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Zentner asked the Pool Manager if there was a decision made for campers who are staying at the RV Park and wish to go to the pool at a discount. Pool Manager responded they get half off each day they go.

Zentner ask the Council if, for the Westmoreland Car Show, they should block Main to 4<sup>th</sup> Street? Councilmember Purvis motioned that it's ok to block Main to 4<sup>th</sup> Street for Car Show. Councilmember Meininger seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

## **Councilmember's Reports-**

*Streets-* Councilmember Meininger reported that he had looked at the drainage ditch between Main and S 1<sup>st</sup> St and came to the conclusion that the work the resident had done had not impacted the flow of the drainage water. That the gravel from the alley behind the Methodist Education Building had been washed due to recent rains causing it to look like the work had redirected the water.

*Utilities-* Councilmember Coleman had nothing to report.

*Animal Control-*Councilmember Smith had nothing to report.

*Planning and Zoning-* Councilmembers need to read over the new subdivision regulations before next meeting, July 14. Councilmember Smith had nothing to report.

*Pool-* Due to the absence of Councilmember Rice, the Pool Manager gave the following report. Next Wednesday (June 15) the Sheriff's Department will be doing training with a drone. They wanted all to be forewarned so that the community knew it was them if spotted near the Pool.

The Pool Manager also stated one day there were 75 patrons all at once and extra staff was needed.

The Pool Manager asked the Council if the City would be willing to help pay for the bouncy houses that'll be used for the Westmoreland Car Show in July. For the four bouncy houses it'll be a total of \$1,165.00. Councilmember Smith motioned that the City donates \$300 towards the bouncy houses. Councilmember Meininger seconded the motion. The motion passed three (3) ayes (Councilmembers Smith, Coleman, and Meininger) to one (1) nay (Councilmember Purvis) with Councilmember Rice being absent.

*Cemetery-* Councilmember Purvis said the new cement pad looks good.

City Attorney said she was still working on filing the Deed.

*Parks-* Amber Krohn stated that the work for the Dog Park will begin tomorrow (June 10, 2022). Councilmember Purvis had nothing to report.

*Fire Department-*Councilmember Smith relinquished the floor to Volunteer Fire Chief, Kevin Umscheid.

Chief Umscheid gave an update that the Seven Township Board was willing to pay ½ the cost of gravel to make more parking at the Fire Station. After some brief discussion,

the Council decided they were willing to pay up to \$750 for the gravel to be taken out of the Fire Department Capital Outlay Fund.

*Mayor-Mayor* Jack reported that the Farmers Market had requested setting up in the City Park this year. The Council did not see any concerns with this.

( Mr. Garman exited the meeting at 8:42 pm)

Councilmember Purvis moved to enter into executive session at 8:45 PM for 15 minutes with the Mayor, Councilmembers, City Clerks Zentner and Wren, City Treasurer, and City Attorney in attendance for Consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship. Councilmember Coleman seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Councilmember Purvis moved to exit the executive session at 9:00 PM. Councilmember Meininger seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

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

Councilmember Purvis moved to enter into executive session at 9:01 PM for no more than ten (10) minutes with the Mayor, Councilmembers, City Clerks Zentner and Wren and City Treasurer in attendance for personnel matters of non-elected personnel and to protect their privacy. Councilmember Meininger seconded the motion.

Councilmember Purvis moved to exit the executive session at 9:07 PM. Councilmember Meininger seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

As a result of the executive session, Councilmember Purvis moved to increase the hourly wage for the City Treasurer \$1.00 effective with the next pay period. Councilmember Meininger seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Councilmember Purvis also moved to pay the retiring city clerk (Zentner) for any untaken Personal Leave Time not used at her retirement date due to not being able to use the total accrued Personal Leave Time before retiring due to circumstances beyond her control. Councilmember Meininger seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

There being no further business, Councilmember Smith moved to adjourn the meeting. Councilmember Purvis seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Mayor Jack declared the meeting adjourned at 9:10 PM.

Approved by the Governing Body on July 14, 2022.

Signed: \_\_\_\_\_  
Mark S. Jack, Mayor

\_\_\_\_\_  
Julie Wren, City Clerk