

Westmoreland City Council  
May 12, 2022 minutes

The Westmoreland City Council met for its monthly meeting at the Community Center on May 12, 2022.

Governing Body members present: Mayor, Mark Jack; Councilmembers, Ashley Rice, Jim Smith and Bruce Meininger.

Governing Body members absent: Councilmembers Waide Purvis and John Coleman.

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

City Staff absent: City Attorney, Summer Dierks.

Others present: Resident, Linda Asbury; Julie Wren, newly hired city clerk, Fire Chief, Kevin Umscheid and Cale Prater, reporter for The Times.

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

*Approval of the agenda:* Councilmember Meininger moved to approve the agenda as presented. Councilmember Rice seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

*Approval of minutes from April 14, 2022 regular meeting, April 21, 2022 special meeting and April 28, 2022 special meeting:* Councilmember Rice moved to approve the corrected minutes of April 14, 2022 regular meeting, the April 21, 2022 special meeting and the April 28, 2022 special meeting minutes. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

*Approval of monthly bills:* There being no questions regarding the monthly bills, Councilmember Smith moved to approve the monthly bills as presented. Councilmember Meininger seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

*Public comments on non-agenda items:* Amber Krohn, representing the Westmoreland Area Chamber, asked the council to consider donating a two (2) hour pool party to the chamber's car show on July 23, 2022 as a raffle item. Councilmember Rice moved to donate a two (2) hour pool party for the raffle at the Westmoreland Area Chamber's Car

Show on July 23, 2022. Councilmember Meininger seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

Resident, Linda Asbury, addressed the council regarding the cleaning of the storm water ditch in front of her property at 602 E. Main. She explained that she had been told when the sidewalk was erected from her property to the Care Home, that the city would be responsible for the cleaning of the ditch.

When Ms. Asbury inquired as to when the ditch would be cleaned after a recent rain and windstorms which collected trash, leaves, etc., she was told that the city does not maintain the drainage ditches and it was the responsibility of the landowners to maintain them. She informed the council that she had observed maintenance staff cleaning the culvert across her street and when she asked about her ditch, she was told that staff does not clean anything but the intersection culverts if they are clogged.

Maintenance Supervisor Krohn stated that the city does not clean/un-clog anything but intersection culverts. He also stated that once the present city attorney was hired, the council found out that there were certain things that had been done in the past that were not permissible and to be "fair" to everyone, some things had to be discontinued. Unfortunately, cleaning ditches were one of those things.

Ms. Asbury stated that there was a verbal agreement between herself and the city regarding the cleaning of the ditch. She also stated that she didn't see why she should be responsible for cleaning the drainage ditch when, in her opinion, it was part of the city's storm water drainage.

Mayor Jack responded that perhaps Ms. Asbury should come to the June 9, 2022 council meeting and hear what the city attorney has to say on this issue.

*Proposal for cyber-security from Networks Plus:* Due to the absence of the representative from Networks Plus on this issue, the proposal discussion was tabled until the June 9, 2022 council meeting.

*Election of President of the Council:* Councilmember Rice moved to elect Councilmember Purvis as the President of the Council. Councilmember Meininger seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

*Appointments:* Mayor Jack appointed the following for council's approval:

- City Clerk & Municipal Court Clerk-Vicki Zentner until June 30, 2022 then new the new City Clerk, Julie Wren, will fill the positions.

- City Attorney: Summer Dierks
- Municipal Court Judge: Judge Erich Campbell
- Farmers State Bank: Official Financial Institution for the city
- VonFeldt, Bauer, VonFeldt: Official auditing firm for the city
- The Times: Official newspaper for the city
- Planning and Zoning Commission members:  
Tanya Purvis, Ashley Smith, Jessica Jack, Jesse Rule and Kole Dierking

Councilmember Rice moved to approve the above appointments by the Mayor. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

*Approval of city cemetery lot map for Addition "C" of the city cemetery:* Due to the map not being readily available, this item was tabled until the June 9, 2022 council meeting.

*Review of land acquisition at the city cemetery:* In the absence of the city attorney, Mayor Jack informed the council that the attorney had spoken to him regarding this issue and recommended the council sign the agreement as written and revised.

Councilmember Rice moved to approve the agreement between the city and the Roeder Trust parties along with the payment of \$3,000 for the land in question and authorize the Mayor to sign such agreement. Councilmember Meininger seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

*Review of contract for KAN-PAY:* After a brief discussion, Councilmember Meininger moved to enter a contract with KAN-PAY for on-line payments for residents to the city. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent. The city clerk will proceed to get all the necessary documents together and submit to KAN-PAY.

*Future agenda items:* Linda Asbury, sub-division regulations, Networks Plus cyber-security proposal and the cemetery lot map for Addition "C" will be added to the June 9, 2022 agenda.

### **Staff Reports:**

*Treasurer's Report:* Mayor Jack stated he had asked the new city treasurer to look at the reports in her report and see if there were any reports that she felt were redundant or not necessary. He asked the councilmembers to do the same thing.

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 three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

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

#### **Utilities-**

- ◆ Collected and sent monthly water bacteria samples to KDHE. Samples came back absent for any bacteria in the water
- ◆ Marked Dig Safe locate tickets
- ◆ Liquid engineering cleaned and inspected the water storage tank. No major issues were found during the inspection.
- ◆ Jadwin construction and Development, LLC will start the 4<sup>th</sup> Street sanitary sewer improvement project on May 9, 2022
- ◆ Fleming Brothers Construction framed and poured the replacement sidewalks from water service repairs at 5<sup>th</sup> and North Streets and 3<sup>rd</sup> and Armer Street
- ◆ Graded out for, backfilled, and seeded for replacement sidewalks at 5<sup>th</sup> and North Streets and 3<sup>rd</sup> and Armer Streets.

#### **Streets-**

- ◆ Regraded the gravel alleys throughout town due to the rain and potholes
- ◆ Pottawatomie County has put the Campbell Street improvement project out to bid with a bid opening date of May 23, 2022

#### **Parks-**

- ◆ Mowed, trimmed, and sprayed weeds
- ◆ Installed new solar score board control boxes and wiring at the T-Ball field
- ◆ Installed new electronic code door dead bolt lock at the south ball diamond concession stand at the request of the REC due to key issues

#### **Cemetery-**

- ◆ Mowed, trimmed, and sprayed weeds
- ◆ Fleming Brothers construction framed and poured the new sidewalk at the GAR monument
- ◆ Graded out for, backfilled, and seeded the new sidewalk at the GAR monument

#### **Pool-**

- ◆ Mowed, trimmed, and sprayed weeds
- ◆ Power washed and cleaned the pool
- ◆ Touch up painted the interior of the pool
- ◆ Filled and started running the pump and filters
- ◆ The pool heater is no longer usable due to failure of galvanized piping that was used when it was installed. The galvanized rusted due to chlorine causing it to expand damaging the plastic piping and the manifold in which there were installed into. Parts are no longer available for this model pool heater for repairs
- ◆ Attended commercial pool class to learn new uses of chemicals and operations of pools to keep chemical and operational costs to a minimum

### **Equipment-**

- ◆ KanEquip delivered the new 60" Kubota mower ordered in 2021
- ◆ REED Equipment is still working on repairs to the F650

### **Code Enforcement-**

- ◆ There are several inoperable vehicles that will need to have letters sent as the timeframe for remedying the issues has expired. There are two (2) vehicles that have not reached the end of the observation period
- ◆ There are several trash and debris issues that will either need to have letters sent to remedy the situation, or the observation period has not ended to date

Krohn also reported that Jadwin had finished the 4<sup>th</sup> Street sanitary extension project and only has gravel left to apply.

The pool heater is being worked on at this time, and Krohn hopes that it'll be fixed by the time the pool opens next week. A new heater will be expensive.

Councilmember Meininger moved to approve the maintenance supervisor's report as given. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

(Cale Prater exited the meeting at 7:40 PM).

*Clerk's Report:* City Clerk, Zentner, asked the council if they wished to place a \$20 ad in the WOW (Westy Official Weekly) newspaper for the graduation edition.

Councilmember Rice moved to place a \$20 ad in the WOW for the graduation edition. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

Zentner reminded the council that the new city clerk will begin training on Monday, May 23, 2022.

### **Councilmember's Reports-**

*Streets*-Councilmember Meininger stated that a resident had covered up part of the drainage ditch at the property to park his vehicles off the street. After discussion with Krohn regarding this issue, Mayor Jack will speak to the resident to see if a resolution can be made to not divert the rainwater running down the street.

*Utilities*-Due to absence of Councilmember Coleman, there was no report given.

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

*Planning and Zoning*-Councilmember Smith had nothing to report.

*Pool*-Councilmember Rice relinquished her report to the pool manager, Amber Krohn.

Krohn stated that a discussion was held on saving wages this summer and suggested that the assistant pool manager be placed on salary.

The pool will now be open seven (7) days a week as there are plenty of guards to man the pool.

Discussion was held on limiting the number of family members on a family season pass to four (4) and charging an additional \$10 per person above the four (4) limits. There was no decision made on this, but it was mentioned that perhaps it should be looked at for the 2023 pool season. Mayor Jack felt that a public informative meeting should be held in 2023 before the pool season to get input from the patrons.

Krohn asked the council for a budget of \$200 for food for the guards at the End of School Bash on Friday, May 20, 2022 since the guards will be working right after getting out of school until midnight.

Councilmember Meininger moved to allocate up to \$200 for food for the guards at the End of School Bash on Friday, May 20, 2022. Councilmember Rice seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

*Cemetery*-Due to the absence of Councilmember Purvis there was no report given in addition to the issues mentioned earlier.

*Parks*-Due to the absence of Councilmember Purvis there was no report given.

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

Chief Umscheid stated that he felt, along with the Seven Township Board members in attendance, that the special meeting held between the city council and the township board went well.

Chief Umscheid had found eight (8) radios and was having TBS in Topeka look at them to see if they are worth fixing. TBS felt it would cost approximately \$125 to fix the radios and informed the council that he would not spend over this amount on them to be fixed.

With the new volunteers for the fire department, Chief Umscheid said he would like permission to purchase three (3) sets of bunker gear instead of the two (2) that the council authorizes each year. The cost of the bunker and grass gear sets was approximately \$3,195.48 for each set. Umscheid stated he was getting the price that the company charges the City of Topeka's fire department.

Councilmember Meininger moved to allow Chief Umscheid to purchase three (3) complete sets of bunker and grass gear from 1<sup>st</sup> Due in Topeka at a cost of \$3,195.48 for each set. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

Chief Umscheid informed the council that the fire department would be participating in the "Emergency Day" at the Westmoreland Elementary School and had purchased some "give-away" items for the students. He was asking that the council reimburse the fire department in the amount of \$1,130.87 for the items.

Councilmember Smith moved to approve the reimbursement to the fire department for the give-away items for the "Emergency Day" function at the Westmoreland Elementary School. Councilmember Rice seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

Hose testing will have to be done by a private company. Chief Umscheid stated he would bring the amount to the council in the future for budgeting purposes. Mayor Jack stated he felt the council should budget for the testing every year as it is a necessity.

*Mayor*-Mayor Jack informed the council present that he had attended the Mayor's conference recently in Manhattan. He stated that he had learned a few things, one of

which was having "Consent Items" on the agenda-this would include the approval of minutes and monthly bills-which he felt would help with moving the meetings along. This item will be discussed at a future council meeting.

(Chief Umscheid and Linda Asbury exited the meeting at 8:34 PM).

Councilmember Rice moved to enter an executive session at 8:35 PM for 15 minutes with the Mayor, Councilmembers, Pool manager, Maintenance Supervisor, City Treasurer, City Clerk and Julie Wren for personnel matters of non-elected personnel and to protect their privacy. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman absent.

Councilmember Rice moved to exit the executive session at 8:47 PM. Councilmember Meininger seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

Mayor Jack declared the regular meeting in session at 8:47 PM.

As a result of the executive session, Councilmember Rice moved to pay the assistant pool manager an hourly rate of \$13.00 until May 23, 2022 for all work performed at the pool and then on salary for each 40-hour work week and pay the co-assistant manager an hourly rate of \$10.25 for the 2022 pool season. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

There being no further business before the council, Councilmember Rice moved to adjourn the meeting. Councilmember Meininger seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Purvis and Coleman being absent.

Mayor Jack declared the meeting adjourned at 8:50 PM.

Approved by the Governing Body on June 9, 2022.



Signed:   
Mark S. Jack, Mayor



*Vicki B. Zentner*

Vicki B. Zentner, City Clerk