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Request for Special City Council Meeting

Westmoreland, Kansas

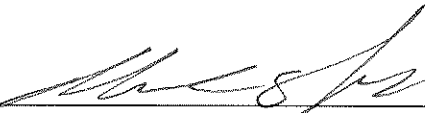
Dated: May 15, 2020

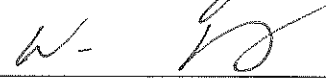
To: Mark A. Goodenow
Mayor of Westmoreland

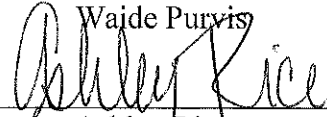
We, the undersigned, Council members of the City of Westmoreland, Kansas, hereby respectfully request you to call a Special Meeting of the Council for the object(s) and purpose(s) of:


Rescinding Section 2 of Resolution #01-20 regarding the Mayor's authority to close city facilities (in particular the city swimming pool) during the COVID-19 pandemic.
Scheduling budget work session for proposed 2021 city budget.

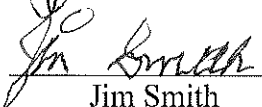
This meeting will take place at City Hall on May 18, 2020 at 5:30 PM.

Signed:  Council member
Mark Jack

 Council member
Wade Purvis

 Council member
Ashley Rice

 Council member
Jeff Rosell

 Council member
Jim Smith

Westmoreland City Council
Special Meeting Minutes
May 18, 2020

The Westmoreland City Council met on May 18, 2020 at City Hall for a special meeting.

Purpose of the special meeting: To rescind Section 2 of Resolution #01-20 regarding the Mayor's authority to close city facilities (in particular the city swimming pool) during the COVID-19 pandemic and to schedule a budget work session for the proposed 2021 city budget.

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

City Staff present: Pool manager, Amber Krohn and City Clerk, Vicki Zentner.

There being a quorum present, Mayor Goodenow called the special meeting to order at 5:30 PM.

Councilmember Purvis moved to repeal Resolution #01-20. Councilmember Rosell seconded the motion. The following discussion followed:

Councilmember Smith asked why certain councilmembers had voted to give the Mayor the authority to close city facilities due to the pandemic and now were wanting to pull that authority away.

Councilmember Purvis stated that he didn't agree with decisions that the Mayor was making lately concerning the closing of the pool for the 2020 season.

Councilmember Rosell stated that the previous special meeting held on May 3, 2020 was a nice meeting and he felt the decision was made at that meeting that the council would "wait and see" what happens with the pandemic before making the decision to close the pool. Then at the council meeting on May 14, 2020 the Mayor declared the pool would not open. There was no discussion prior or after the Mayor's declaration.

Councilmember Jack stated that the council had given the authority to the Mayor to make decisions and he, personally, trusts the Mayor to make a sound judgement. That was not to say that he or any other councilmember would agree with any decision the Mayor makes, but, just because you don't agree with the decision doesn't mean the council should "snatch" the authority away.

He continued that the Mayor has the authority to make decisions on the day to day workings of the city and staff and that councilmembers don't have the authority to instruct staff to do or not do something the Mayor has instructed.

Councilmember Rosell asked why, ten (10) days after the meeting on May 3rd the decision to close the pool was made when at the May 3rd meeting it was decided to wait and see?

Councilmember Jack stated that he had changed his mind after seeing the research the city clerk and city treasurer had done regarding cleaning and disinfecting and the knowledge that the city would not have enough certified lifeguards for the season, as well as the number of coronavirus cases changing.

Councilmember Purvis stated that even if the city has to wait until the beginning of July or middle of July to open, why make a decision now? He stated that with the possibility of the summer ball season being cancelled and the closing of the pool there is nothing for the kids to do. He said that kids need something to do after being "cooped up".

Councilmember Jack stated that the pool manager wouldn't be able to work at the pool until after 2:00 PM, and who was going to make sure the cleaning and disinfecting was being done properly?

Councilmember Rosell asked why couldn't the pool be open Thursdays through Sundays?

Councilmember Purvis asked why the council just couldn't wait it out before making a decision? He didn't feel the city would see an influx of patrons from other surrounding cities coming to our pool to swim.

Councilmember Jack said he had spoken with the Pottawatomie County Health Department director and was told that if someone got sick at the pool, she would close down the pool. Councilmember Rosell said are they going to close the pool if someone was killed in an accident on their way to the pool or if someone was diagnosed with cancer and came to the pool, the health department would make the city close the pool then?

Mayor Goodenow stated that he didn't make the decision to close the pool lightly, but if the council didn't want to close the pool, he would abide by their decision. He said that he just didn't see opening the pool, because of not having enough certified lifeguards and the cleaning and disinfecting requirements, etc.

Pool manager Krohn stated that she had contacted the lifeguards that would be returning and all said they would come back if the pool were to open. She had also

read through the CDC (Centers for Disease Control and Prevention) new guidelines regarding pools and had concerns about the policing, cleaning, etc. She also stated that with the plexi-glass for the concession stand, there would need to be some kind of cooling equipment to keep the air flowing. Patrons not in the same family, would still need to be 6' apart, even after the Phase Out part of the Governor's reopening plan. She also said that there could not be any kind of "shared" items at the pool (pool noodles, kick boards, floaties, etc.) and that the diving board, slide and water basketball would not be allowed to be used.

Mayor Goodenow stated that he was only trying to keep the community safe with his decision and that he would rescind his decision to close the pool.

Councilmember Purvis stated he was frustrated that a decision to wait had been made and then the Governor implemented Phase 1.5. Then ten (10) days later the Mayor closed the pool-no questions asked and no discussion was held.

Councilmember Rosell said if the council could have had a discussion it might have been different. He stated that if this is the decision of the Mayor to close the pool, he would stand behind the Mayor's decision.

The motion to repeal Resolution #01-20 was put to a vote with two (2) ayes [Councilmembers Purvis and Rosell] to three (3) nays [Councilmembers Jack, Smith and Rice]. The motion failed.

Councilmember Rosell moved to rescind Section 2 of Resolution #01-20. Councilmember Rice seconded the motion.

The Mayor informed the council that if they rescinded any or all of Resolution #01-20, they would need to replace it with another resolution.

Councilmember Rosell stated that he felt if the Mayor was going to make a decision that he should ask for discussion.

The motion to repeal Section 2 of Resolution #01-20 was put to a vote. The motion failed zero (0) ayes to five (5) nays.

(Councilmember Smith exited the meeting at 6:00 PM).

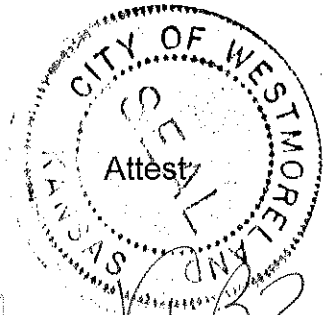
Pool manager Krohn stated she would like to have a plan for opening the pool in place. Councilmember Rosell suggested that Councilmembers Rice and Purvis, along with Krohn, put together a plan and give it to the city clerk to send out to the rest of the council.

The next item on the agenda was to set a date for a work session for the proposed 2021 budget. The council decided to hold this work session on June 9, 2020 at 6:00 PM.

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

Mayor Goodenow declared the meeting adjourned at 6:09 PM.

Approved by the Governing Body on June 11, 2020.



Vicki B. Zentner

Vicki B. Zentner, City Clerk

Signed: *Mark A. Goodenow*
