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Request for Special City Council Meeting

Westmoreland, Kansas

Dated: May 12, 2016

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:

Holding a public hearing on the proposed 2017 city budget.

This meeting will take place at 7:00pm on July 14, 2016
at the Community Center, 201 Main St.

Signed: [Signature] Council member
Mark Jack

[Signature] Council member
Jim Moore

[Signature] Council member
Waide Purvis

[Signature] Council member
Jeff Rosell

[Signature] Council member
Jim Smith

Westmoreland City Council Meeting
July 14, 2016 Minutes

The Westmoreland City Council met on July 14, 2016 for its regular monthly meeting at the Westmoreland Community Center.

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

Governing Body members absent: Councilmember, Waide Purvis.

City Staff present: City Attorney, John Watt; City Maintenance Supervisor, Robert Krohn; City Treasurer, Lindsay Elliott and City Clerk, Vicki Zentner.

Others present: Residents, Jeff Zimmerman, Dorothy Campbell, Wendy Hudson, Janet Goodenow, Elmer Smith, Bill Prinz and Wayne Roberts; Todd Burrus with George K. Baum and Company; Todd Anderson with SMH Consultants; Gina Roberts and Jim Gordon with Sink, Gordon and Associates and Erica Cobb, reporter for The Smoke Signal.

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

Public Hearing on proposed city budget for 2017: Mayor Goodenow turned the public hearing over to Mr. Gordon and he stated that the city council couldn't raise the published proposed mill levy without re-publishing the proposed budget for 2017. He asked for any questions from the council or the general public in attendance.

Councilmember Moore asked if the resolution the council was to vote on after the public hearing was a requirement of the new tax lid law. Mr. Gordon stated that if the council adopted the proposed budget, that the resolution on notice of vote would both need to be published. He stated that this year was the last year that the resolution could be used, that in the future if the mill levy was raised above the consumer price index, then there would need to be an election by the voters.

Councilmember Moore also stated that the auditors had gotten his attention when they informed the council at the work session where the funds were in relation to last year's budget. Mr. Gordon stated that it didn't mean that the city spent too much money, just that the "carry-over" funds were spent more than the following year and cautioned the council they needed to be careful going forward.

There being no further questions or comments from the council, Mayor Goodenow opened the floor for any public comments or questions. There being none, Mayor Goodenow closed the floor for the public comments.

Councilmember Moore moved to approve the published proposed 2017 city budget and the passage of Resolution #02-16 regarding the raise in the mill levy. Councilmember Jack

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

Additions/deletions to agenda: Councilmember Moore asked to add a discussion of refinancing city bonds with Todd Burrus and executive session at the end of the council meeting.

Councilmember Smith moved to approve the amended agenda. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Approval of minutes of the June 9, 2016 regular meeting and special meetings on June 13, June 21 and June 28, 2016: Councilmember Jack moved to approve the corrected minutes of the June 9, 2016 regular meeting and the special meeting minutes of June 13, June 21 and June 28, 2016 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: Councilmember Moore moved to approve the payment of the monthly bills. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Public Comments: Resident Elmer Smith presented those in attendance with a letter to the editor he had written concerning the disparity between the different classes of people paying taxes and asked if the council and those in attendance thought it sounded fine. There were no objections to it.

Mr. Smith thanked the council for their time and exited the meeting at 7:15 PM.

Bond re-financing: Todd Burrus with George Baum and Company present the council with figures for re-financing the city's bonds with pay back in 20 years or 25 years options.

The council asked Mr. Gordon his opinion on the figures and which option he would recommend the council pursue if they so wished. Mr. Gordon stated that he felt that it would be beneficial to re-finance the bonds and suggested they re-finance them at the 20 year rate.

Councilmember Moore moved to proceed with re-financing of the city's bonds with George Baum and Company and bond counsel Jonathan Small for 20 years. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

(Mrs. Roberts, Mr. Gordon and Mr. Burrus exited the meeting at 7:53 PM).

Update on city projects with Todd Anderson of SMH Consultants: Todd Anderson stated that the KDHE loan for the sewer pipe lining was waiting for the city to sign the paperwork. He also stated that, as had been discussed earlier regarding applying for the CDBG grant for the project, the application would be submitted again. He stated that if the city proceeded with the design of

the project there might be a small advantage over other applicants, but he didn't think the city should proceed with the design as the city would've received the grant last year if some paperwork had been submitted that was over-looked. He stated he couldn't guarantee the city would get the grant this next time, but he felt very confident that they would.

Mr. Anderson stated that the interest rate on the KDHE loan as of the end of June was 2% and suggested that if the council wished to "lock" this rate in, they should sign the loan paperwork as soon as possible. He also stated that the city didn't have to guarantee an upfront payment of \$25,000 at this point, that it could be added to the KDHE loan and paid off (the loan) over 20 years.

He stated that the only thing that SMH had done so far on the project was the engineer's report. The design paperwork would show which sewer lines are to be re-lined along with which manholes are to be replaced along with a map of the project area. When asked what the engineering and bidding cost would be, Mr. Anderson stated he thought the cost was \$8,400 in the previous engineering report.

Councilmember Moore stated he felt the city needed to apply for the grant again in order to get the city's utilities in good shape for the future.

There being no further discussion or questions for Mr. Anderson, he exited the meeting at 8:06 PM.

Ordinance #551-chickens: Attorney Watt informed the council that per their instructions, he had drafted an ordinance to allow chickens in the city limits. The ordinance would limit the number of chickens to four (4) and provides for a permit and fee for having the chickens. Roosters would not be allowed and the chickens would be for personal use and consumption only.

Councilmember Moore pointed out that there was no mention of the number of chicks, only chickens, in the ordinance and wanted to know what the limit number was for chicks as well. Attorney Watt stated that chicks would also be counted in the limit of four (4) chickens.

Resident Bill Prinz asked whose idea it was to allow chickens in the city. Mayor Goodenow stated that it was brought before the council by an individual and the majority of the council had indicated they would be receptive to allowing chickens in the city limits.

After some brief discussion, the council directed Attorney Watt to make revisions to the ordinance for passage consideration at the August 11, 2016 council meeting.

(Jeff Zimmerman exited the meeting at 8:22 PM).

Animal Control Discussion: Councilmember Smith informed the council that due to the health of the current animal control officer, his family members were providing animal control services for the city.

(Residents Janet Goodenow, Bill Prinz and Chick Roberts exited the meeting at 8:30 PM).

Discussion on ball field concession stand: In the absence of Councilmember Purvis, Maintenance Supervisor Krohn reported to the council that should the council purchase the metal container from Chuck Henry's, that maintenance staff would set the building and pour the foundation for it. He cautioned that the placement of the building would need to be situated so as not to infringe upon the existing parking area at the elementary school.

Councilmember Rosell stated that should the council purchase the building, the existing restrooms would need to be remodeled.

Councilmember Moore stated that Farmers State Bank would donate \$3,000 towards the purchase of the building if the city could purchase it for around \$6,000.

Councilmember Rosell moved to purchase the concession stand building from Chuck Henry's at a cost not to exceed \$6,500. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

"I AM Responding Program": Councilmember Smith stated that the Seven Township board had not made a decision on cost sharing the program with the city. Councilmember Moore stated the city should send a bill to the board for half of the cost of the program since firefighters from the seven townships also use the program to respond to pages.

Future agenda items: Mayor Goodenow requested that the council allow him to appoint a committee to make recommendations to the council on how to proceed with getting the library open more days and hours.

Councilmember Moore stated he felt the council should meet with the regional director again. Councilmember Rosell stated he would like to talk to the director and board to see if it can be made a branch.

Attorney Watt stated that the director had met with the county commissioners with a request from the library board for an increase in their budget. He stated that everything pointed to nothing being done and the library director had nothing in the budget request for funding for more staff. He felt that someone from the council should go talk to the county commissioners and the county administrator about the city's concerns. Councilmember Moore and Rosell volunteered to have a meeting with the commissioners and county administrator.

Staff Reports:

Treasurer's report: Councilmember Rosell questioned the negative difference in the utility report. It was pointed out that the figures he was referring to were from 2015 and that the utility report for 2016 showed positive figures.

Councilmember Moore moved to pay the three (3) full-time employees wages 50% from the utility fund and 50% from the general fund beginning with the first pay period of August 9, 2016. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

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

Pool manager report: Manager Elliott reported that 1,853 patrons had used the pool so far this season. Nine (9) family passes had recently been purchased, 30 more public lessons and 12 private lessons had been scheduled. Two (2) scheduled pool parties had taken place with three (3) more parties booked for the near future.

Resident Dorothy Campbell asked what the guard to patron ratio was. Elliott replied 1-15 patrons requires one (1) lifeguard, 16-30 requires two (2) lifeguards and 31 or more requires three (3) guards.

Councilmember Moore stated that Elliott needed to be careful regarding scheduling of pool staff. Elliott replied that she had been made aware of a recent issue of over-staffing and had gone to the pool and sent extra guards home.

Councilmember Moore also stated that he felt any patron that uses the pool, whether they have a pass or not, should sign in so the council could have a better idea how many patrons use the pool. Elliott stated she would address this issue with the staff the next day.

Maintenance: Supervisor Krohn reported the following:

Utilities:

- Jetted/cleaned plugged sewer main at 2nd & State
- Pumped out upper chamber of the lift station at the RV Park due to the backwash valve at the pool being left on for an hour and overwhelming the lift station pumps
- Finished transferring all of the water lines, sewer lines, fire hydrant locations, water valves locations, and water meter locations to google satellite maps for easy access over the computer, tablet or smart phone
- Repaired water service leak in the alley behind 101 Main
- Installed new water service/meter at 405 Rock Creek Dr.

Streets:

- Replaced stop sign at Red Bud and Pine due to being run over
- Trimmed trees hanging low over the streets and sidewalks on all the east/west streets
- Removed tree saplings from signs and intersection culverts

- Installed culverts for the sidewalk project at 6th and Armer and Walnut and Armer Streets
- Repaired washout and regraded ditch at 6th and Armer as per meeting with Todd Anderson
- Regraded ditch between 5th and 6th on Armer and between Armer and North on 5th Street

City Buildings:

- Sprayed weeds
- Valburg Electric finished the installation of new fuse panel and electrical service for the shop
- Removed birds from the attic of City Hall and repaired the hole where they were getting in and out

Parks:

- Mowed
- Trimmed trees at the RV Park and Dechairo Park
- Removed dying pine trees at the pool and the RV Park
- Sprayed weeds
- Watered flowers throughout town
- Pulled weeds in flower beds
- Trimmed bushes at City Park and the west entrance into town

Cemetery:

- Mowed
- Sprayed weeds
- Removed items not allowed by the ordinance and removed flowers from around the headstones that were placed on the ground. Placed removed flowers and personal items in vases of the stone where it was applicable
- Installed deck box to store items for pick up by families, removed from the cemetery that are not allowed according to the ordinance
- Opened/closed one cremation grave

Pool:

- Mowed
- Fabricated and installed roof over the new storage lockers at the pool
- Sprayed weeds

Zoning:

- Mowed one out of compliance yard at 101 Main
- Issued one building permit for a building at 405 Rock Creek Dr.

Equipment:

- Replaced worn and leaking hydraulic hoses for the side loader grapple

Krohn stated that the Armer Street sidewalks should begin the middle of the month by the Fleming Brothers and that Pat Weixelman indicated that the rest of the Main Street sidewalk project should begin in the next two (2) weeks.

He also stated that chip and seal would not be done this year if the county could not help by September 1, 2016.

Clerk: City Clerk Zentner informed the council that she would be taking a few days the beginning of August off. Treasurer Elliott asked what the dates were so she could inform her full-time job supervisor the days she would be at City Hall while Zentner was absent.

Councilmember's Reports:

Utilities: Councilmember Rosell had nothing to report.

Streets: Councilmember Moore stated that if residents know of potholes to let either himself or Krohn know.

He also stated that Attorney Watt was working on a written agreement between the city and county to share the cost for chip and sealing of Campbell Street 50-50 and patching every year of the Street.

Animal Control: Councilmember Smith had nothing more to report.

Zoning: Councilmember Smith and Chairperson Wendy Hudson stated the zoning commission was working on temporary containers. Clerk Zentner informed the council and Ms. Hudson that there may be a request for re-zoning of a property for the commission to consider.

Pool: Councilmember Jack stated he had nothing more to report.

Cemetery: There was no report due to Councilmember Purvis being absent.

Fire Department: Councilmember Smith said that a grant application for 2017 from Kansas Gas might be for \$1,000. Elliott stated that she was researching grants that she had applied for \$10,000 grant for the fire department and was working with Bruce Brazzle to find more grants.

Councilmember Smith stated that the fire department was not applying for a Forestry Grant this year due to being told other cities in the State had been targeted to receive grants due to recent fires.

Discussion was held between the Councilmembers and Chief Smith regarding the recent fire west of town and how it was handled.

Mayor: Mayor Goodenow had nothing to report.

City Attorney: Attorney Watt had nothing to report.

Councilmember Moore moved to go into executive session with the Councilmembers, Mayor Goodenow, Attorney Watt and Treasurer Elliott in attendance for the purpose of discussing non-elected personnel and to protect their privacy for 10 minutes beginning at 9:06 PM. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero nays with Councilmember Purvis being absent.

(Due to the executive session, all remaining public in attendance, Clerk Zentner and Supervisor Krohn exited the meeting.)

Councilmember Rosell moved to exit the executive session at 9:16 PM and enter into another executive session with the same persons in attendance for five (5) more minutes. Councilmember Moore seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Councilmember Jack moved to exit the second executive session at 9:30 PM. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Mayor Goodenow declared the executive session closed at 9:30 PM.

There being no action taken due to the executive session, Councilmember Rosell moved to adjourn the regular meeting. Councilmember Smith 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 9:31 PM.

Approved by the Governing Body on August 11, 2016.



Vicki B. Zentner
Vicki B. Zentner, City Clerk

Signed: _____

Mark A. Goodenow
Mark A. Goodenow, Mayor