

Westmoreland City Council Meeting  
February 13, 2020 minutes

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

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

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

Others present: Justin Kuzila with Flint Hills Regional Council; Peter Clark with Pottawatomie County; Residents Jesse Rule and Richard Grime; and Cale Prater, reporter for *The Smoke Signal*.

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

*Approval of agenda-additions/deletions:*

Councilmember Jack moved to approve the agenda as presented. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Approval of January 9, 2020 minutes:*

Councilmember Jack moved to approve the minutes of the January 9, 2020 council meeting as corrected. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Approval of the monthly bills:*

Councilmember Purvis moved to approve the payment of the monthly bills. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Public Comments on non-agenda items:*

There were no public comments.

*Justin Kuzila with Flint Hills Regional Council:*

Mr. Kuzila presented the council with the housing assessment prepared by the Flint Hills Regional Council for Pottawatomie County emphasizing the assessments for Westmoreland in particular.

He stated that numbers from the 2010 census were estimates due to not every resident responding to the census. He emphasized that it was very important for every resident to respond as it helps the city with funding for projects, such as improvements of infrastructure, and he hoped that the residents would all respond to the 2020 census.

Flint Hills Regional Council had received a grant to do the housing assessment and the FHRC (Flint Hills Regional Council) was partnering with Federal Home Loan Bank in Topeka for funding to rehabbing homes. They were starting with Wabaunsee County first to see how the program works and if it does well, the FHRC will then begin to offer the program to other cities in Pottawatomie County.

Mr. Kuzila informed the council that this would be his final presentation as a representative of FHRC as he had taken a job in Texas in the same capacity for them.

There being no questions of Mr. Kuzila, he exited the meeting at 7:17 p.m.

*Jesse Rule- Concerns of new county fleet building:*

Mr. Rule addressed the council with a few concerns he had with Pottawatomie County's new fleet building being erected across from his residence.

His first concern was with the proposed parking area. He stated that with the drawing layout, vehicles parked at the fleet building on the west side of 6<sup>th</sup> Street would have to back up until the vehicle cleared the back bumper of the vehicle parked next to the first vehicle, thus making the backing up vehicle encroach upon his property to the east. He stated that the drainage ditch in that area is quite deep as well.

Mr. Rule's second concern was with the storm water run off onto his property. He stated that currently, storm water run off from the Justice Center, as well as other properties, flows from the west down to his property and he felt the 30" drainage tube that is currently installed at his property, would not hold the additional run off from the fleet building thus causing flash flooding which in turn would not allow any grass to grow in the area.

His final concern was with the closing of Cochrun Street between 5<sup>th</sup> and 6<sup>th</sup> Streets. He felt that by closing that block of Cochrun Street would cause more traffic to travel on 6<sup>th</sup> Street and there could potentially be a safety concern. He also wanted to know where vehicles either travelling down 6<sup>th</sup> Street or pulling out from the new fleet maintenance building would turn around.

Councilmember Jack stated that the closing of the block of Cochrun Street would not change the traffic; that most of the county vehicles that exit the existing county shop's yard would do so on Campbell Street.

Maintenance Supervisor Krohn stated that the storm water run off could potentially be an issue.

Peter Clark, with Pottawatomie County, stated traffic on 6<sup>th</sup> Street could use the city shop drive as a turnaround if needed. He also stated that the parking spaces could be angled and eliminate one stall at the end.

As for the drainage issue, Mr. Clark stated that the county was committed to increase the size of the tube to accommodate the extra flow of storm water.

Councilmember Rosell stated that he asked Mr. Rule if he would be in agreement to allow county and or city staff access to his property to work on any storm water drainage issues that may arise. Mr. Rule stated he was in agreement with this.

Councilmember Rosell also stated that the county, city and residents that are affected by the building of the fleet maintenance facility, work together. Mr. Clark responded that the county was committed to making things right for all those involved.

Mr. Clark apologized to the council, residents and planning and zoning commission for not being in attendance at the public hearing that had been scheduled for January 21, 2020 and asked if there were any questions from the council regarding the design of the building.

Councilmember Jack asked about the newspaper's account that the scope might be bigger with fence slats in the privacy fencing between the building and the residential property to the south.

Mr. Clark stated that he had personally spoken with the resident regarding this concern and that privacy slats were not in the present plans, but the additional cost to the county project would not be a problem. He also stated the county commissioners had agreed to widen the base of the building from 80' to 90' which would allow bigger trucks, i.e. snow plows to enter and exit the vehicle bays.

*Campbell Street counter proposal from county:*

Mr. Clark informed the council that he had met with Councilmember Rosell and city maintenance supervisor Krohn recently regarding the improvements and maintenance of Campbell Street counter proposal from the county commissioners.

The commissioners counter proposed a one third (city)-two third (county) cost share for a 12" cement base, 4" asphalt overlay, drainage width from 20' to 24' at a cost of approximately \$230,000 scheduled to begin in 2021. The city will then take over the

maintenance of Campbell Street after the improvements are completed with the county still providing treatment and snow removal.

Should the council agree to this counter proposal, a written agreement with be sent to the council and city attorney for their review.

Councilmember Rosell stated that the county was agreeable to a three (3) year repayment from the city to the county. He also stated that there should be no cost to the city for the next ten (10) years as far as chip and sealing of Campbell Street and that he recommended the city enter into the agreement with the county after the written agreement had been reviewed by all parties.

Councilmember Rosell then moved to enter into an agreement with Pottawatomie County for improvements to Campbell Street with the city paying 1/3 of the cost, Pottawatomie County paying 2/3 of the cost and the city paying their share of the cost to the county over three (3) years; that the county work on the drainage issues on the Jesse Rule property beginning in 2021 from the construction of the county's fleet maintenance building as well as vacating of Cochrun Street between 5<sup>th</sup> and 6<sup>th</sup> Streets; vacating portions of the right of way on 5<sup>th</sup> and 6<sup>th</sup> Streets of that property and have the Planning and Zoning Board vote to change the lot zoning from residential to commercial use. Councilmember Purvis seconded the motion. The motion passed three (3) ayes to zero (0) nays with two (2) abstentions [Councilmembers Jack and Rice due to a conflict of interest].

Mr. Clark stated that should any problems arise before, during or after the construction of the fleet maintenance building, that he would appreciate the issues be brought to him so he can address them.

Councilmember Jack stated that contact should be kept up with the surrounding landowners during the process as well.

Mr. Clark exited the meeting at 7:50 p.m.

Councilmember Purvis moved to allow the city clerk and city maintenance supervisor attend the public hearing on February 18, 2020 and help run the meeting due to the absence of the chairperson. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

(Mr. Rule exited the meeting at 8:51p.m.)

*Appointment of planning and zoning board members:* Mayor Goodenow appointed Jesse Rule and Garrett Schwinn as members of the planning and zoning board.

Councilmember Rosell moved to approve the appointments. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Discussion on generators for City Hall and Community Center:* Councilmember Smith said he would like the council to approve generators for City Hall and the Community Center similar to what the Fire Department has. He stated that with the generators and cost of an electrician to wire both buildings to accommodate the generators, the cost would be \$10,000.00 per building.

Maintenance Supervisor Krohn stated that both buildings were already wired for the generators and he suggested that the council replace the two (2) portable generators the city presently owns with new gas-powered ones for approximately \$800.00 each.

Councilmember Rosell moved to allow Krohn to purchase two (2) portable generators at a cost of no more than \$1,000.00 each for City Hall and the Community Center. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Approval of Ordinance #573 re: " ... regulating the distributing and supplying of water/wastewater to the city...":*

Councilmember Rosell moved to approve Ordinance #573 as presented. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Approval of Ordinance #574 re: "...Emergency snow routes...":*

Councilmember Rosell asked what happens if it snows in the middle of day. Maintenance Supervisor Krohn replied that the city will work around vehicles as much as staff can do, but that the emergency snow routes take effect from 8:00 p.m. to 8:00 a.m.

Councilmember Jack asked if a copy of the ordinance would be provided to those in the effected areas of the snow routes. Krohn stated yes.

Krohn stated that it will cost \$70.00 per sign to be posted on the emergency routes for 14 signs.

Councilmember Rice moved to approve Ordinance #574. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Requests for equipment at pool, placement of personnel ads-Pool Manager Amber Krohn:*

Amber asked the council to approve the purchase of a new nacho cheese machine similar to the one used at Rock Creek High School at a cost of \$350.00 from Office Plus.

Councilmember Rice moved to allow Amber to purchase a new nacho cheese machine for the city pool at a cost of not more than \$400.00 from Office Plus. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Amber stated that the hot dog roller at the pool also needed to be replaced, but after looking at the season-ending concessions sold report, she was not sure if a new one was needed. Councilmember Rosell stated that he might be able to find a slightly used hot dog roller from one (1) of the remodeled Dara's. He will look into this option and report back to the council at a later date.

(Cale Prater exited the meeting at 8:07 p.m.)

Councilmember Purvis stated he felt that pool personnel ads needed to be placed without prior approval from the council.

Amber would like to look into a new cash register system that would be able to take credit/debit cards and track inventory. She will research this and bring back pricing to the council for their consideration.

(Mr. Grimes exited the meeting at 8:14 p.m.)

Tammy Howland of Olsburg, would like to do lifeguard certification at the city pool as well as do training "book work" at the Community Center.

Councilmembers agreed to allow Ms. Howland to hold lifeguard certification at the city pool and "book work" at the Community Center.

A special meeting regarding pool personnel, concessions prices, etc., will be scheduled at the April council meeting.

Amber exited the meeting at 8:17 p.m.

#### *Future Agenda Items:*

Discussion on City Park restroom, RV Park cabins and a goal setting meeting will be decided upon at the March 12, 2020 council meeting.

#### **Staff Reports-**

*Treasurer's Report:* Councilmember Jack moved to approve the treasurer's report as presented. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

*Maintenance Report:* Maintenance Supervisor Krohn reported on the following for the month of January, 2020:

#### UTILITIES:

- Put together and sent a funding request letter along with map of the area, for erosion issues along Rock Creek at the lagoons as requested by USDA (United States Department of Agriculture)
- Replaced 6 of 7 meter pit lids on Main Street with new plastic lids that allow the AMR sensor to be mounted to the bottom side and penetrate through the plastic lid. This will allow a flush surface with the concrete sidewalk with no tripping or show shoveling issues. A collar is being fabricated for the last meter pit, due to it being an odd size and a lid to fit cannot be purchased.
- Collected and sent monthly water bacteria samples to KDHE (Kansas Department of Health and Environment)
- Working with Sensus and Core & Main to resolve some software and other issues with the new AMR (Automatic Meter Reader) water meter system we recently had this month

#### STREETS:

- Cleared ice off of streets and spread salt-cleared ice off of and spread ice melt on city sidewalks (January 10<sup>th</sup>)
- Spread salt on streets and ice melt on city sidewalks (January 11<sup>th</sup>)
- Cleared ice off of streets (January 13<sup>th</sup>)
- Cleared ice off of streets and spread salt-ice off of and spread ice melt on city sidewalks (January 17<sup>th</sup>)
- Cleared snow off of streets and city sidewalks (January 22<sup>nd</sup>)
- Hauled snow piles off of Main Street (January 23<sup>rd</sup>)
- Cleared snow off of streets and spread salt-cleared snow off of and spread ice melt on city sidewalks (January 24<sup>th</sup>)
- Spread salt on streets-cleared snow off of and spread ice melt on city sidewalks (January 29<sup>th</sup>)
- Hauled snow off of Main Street (January 24<sup>th</sup>)
- Spread ice melt on city sidewalks (February 5<sup>th</sup>)
- Rewired Christmas decorations that hang on Main Street

#### PARKS:

- Began replacing the seats and tops to picnic tables at the RV Park and the pool due to age and moisture rot

#### CEMETERY:

- Opened/closed one (1) cremation grave
- Installed ditch liner along the north and west fence lines where the water is washing out the fence post footings

### POOL:

- Will be ordering paint and materials to repaint the walls, shallow area and the small children area of the pool due to paint wear

### BUILDINGS:

- Replaced the toilet, painted the walls, installed vinyl plank flooring, installed new trim, built/installed new shelving in the shop bathroom. It has had minimal maintenance since the shop was built in the 80's

### PLANNING AND ZONING:

- Issued a building permit for a carport, approved by the PZ at 406 W. Rock Creek Drive
- Issued a building permit (renewal) for a shop/storage building at 307 6<sup>th</sup> Street
- Issued a building permit for shop/building addition at 211 S. 3<sup>rd</sup> Street
- Issued a building permit for a storage container at 211 S. 3<sup>rd</sup> Street

Krohn stated that the relay switch at the vault needs to be upgraded at an approximate cost of \$5,539.00. Councilmember Jack moved to allow Krohn to upgrade the relay switch at the vault up to \$5,600.00 per quote received from R.E. Pedrotti Company. Councilmember Rosell seconded the motion. The motion passed five (5) ayes to zero (0) nays.

A meeting between Krohn, Natural Resources Conservation Service and USDA, was held regarding the creek erosion near the city's lagoons. A preliminary cost estimate of the project is \$500,000.00 of which the city would need to pay 25% of the project. SMH Consultants will be contacted to come up with a design plan and cost estimate. The road to lagoon will also need to be re-rocked due to the heavy equipment traffic for the improvements.

Councilmember Purvis moved to allow Krohn to contact SMH Consultants for a design plan and cost estimate for the creek erosion improvements project. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Garrett Nordstrom with GAS (Governmental Assistance Services) is looking into funding for the city's 25% of the cost of the improvements. NRCS representatives are checking with FEMA to see if they have any funding available since the erosion happened during the 2019 spring flooding.

*Clerk's Report:* City Clerk Zentner reported one (1) account was a month past due and after speaking with the councilmember in charge of utilities, service will be disconnected if not paid in full by February 18, 2020.



## **Councilmember's Reports:**

Streets: Councilmember Rosell had nothing to report, but Krohn stated he had contacted Hall Brothers for a proposal for chip/sealing the city streets and will bring the proposal back to the council at the March meeting.

Utilities: Councilmember Jack only commented that it appeared that staff was working with the utility billing program company to fix issues with the program.

Animal Control: Councilmember Smith had nothing to report.

Planning and Zoning: Councilmember Smith reminded the council of the public hearing and regular meeting of the planning and zoning committee on February 18, 2020.

Pool: Councilmember Rice had nothing more to report.

Fire Department: Councilmember Jack asked Chief Smith if he had set a retirement date and Chief Smith said he had not.

Cemetery: Councilmember Purvis had nothing to report.

Parks: Councilmember Purvis stated that the new baseball field at the High School should be ready to use for the 2021 season. He said that Megan Campbell with the Westy Rec Commission was wanting to hang sponsorship banners on the outfield fence once the high school season is over since they will not be using our field anymore.

City Attorney: Attorney Dierks stated that she will be pursuing payment and possible court summons of the resident that has not paid for the damage done to his water meter reader.

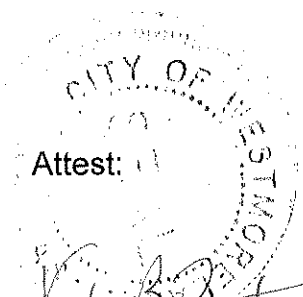
Attorney Dierks also stated that she will be at training in March and will not be in attendance at the March 12, 2020 council meeting.

Mayor: Mayor Goodenow asked that Attorney Dierks give the city clerk the contract from Pottawatomie County regarding Campbell Street as soon as she has looked it over so the council could approve it at the March council meeting.

There being no further business brought before the council, Councilmember Purvis moved to adjourn the meeting. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Mayor Goodenow declared the meeting adjourned at 8:40 p.m.

Approved by the Governing Body on March 12, 2020.



Attest: (1)

*Vicki B. Zentner*

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Vicki B. Zentner, City Clerk

Signed *Mark A. Goodenow*  
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Mark A. Goodenow, Mayor