

Westmoreland City Council Meeting  
March 11, 2021

The Westmoreland City Council met for its monthly meeting on March 11, 2021 at the Westmoreland Community Center.

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

Governing Body member absent: Councilmember Jim Smith.

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

Others present: Payton Rottinghaus, Brooklyn Plummer, Dirx Musa and Jeremy Lehning with Rock Creek High School Chick-fil-A Leader academy; Residents Bruce Meininger and Nola Wilkerson; Megan Campbell with Rock Creek Rec; and Cale Prater, reporter for The Smoke Signal.

There being a quorum present, Mayor Goodenow called the meeting to order at 7:00 PM and immediately opened a public hearing regarding the vacating of the alley at 306 and 308 Quail Drive.

There being no discussion from the public regarding the vacating of the alley in question, Mayor Goodenow closed the public hearing.

Councilmember Purvis moved to approve Ordinance # 579 vacating the alley at 306 and 308 Quail Drive. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

*Additions/deletions to the agenda and approval:* Councilmember Jack stated that Dustin Newman with Pottawatomie County Public Works was not able to make the meeting but Councilmember Jack would respond in his place.

There being no further additions or deletions to the prepared agenda, Councilmember Purvis moved to approve the amended agenda. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

*Approval of February 11, 2021 regular meeting minutes and March 4, 2021 special meeting minutes:* There being no corrections to the February 11, 2021 meeting minutes or the March 4, 2021 special meeting minutes, Councilmember Jack moved to approve those minutes as presented. Councilmember Purvis seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

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

*Public comments on non-agenda items:* There were no comments on non-agenda items by the public.

*Chick-fil-A leader academy presentation:* Members of the Rock Creek Chick-fil-A leader academy presented the council with a request to build a “Blessing Box” and place it somewhere in the city for patrons in need.

Councilmember Rosell stated that once the “Blessing Box” was built and ready to place, the group should contact Maintenance Supervisor Krohn as to where it should be placed.

Councilmember Jack moved to accept the donation of a “Blessing Box” from the Rock Creek Chick-fil-A Leader academy group on behalf of the city residents. Councilmember Purvis seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

Councilmember Jack commended the students for their unselfish contributions to the communities of Westmoreland and St. George as well as the Rock Creek School District and students.

There being no further discussion or questions of the group, they exited the meeting at 7:15 PM.

*Megan Campbell with Rock Creek Rec:* Ms. Campbell gave the council an update on what the Rec board was doing to prepare for the upcoming summer ball season.

She asked the council what their feeling was regarding requiring spectators to wear masks at all games and if masks and gloves should be worn by those working in the concession stand. She also wanted to know if the council wanted concession items to be pre-packaged as last year or if they could now sell hot dogs, hamburgers, etc.

Councilmember Purvis stated that of the 71 tournament games his traveling team attended last summer, masks were not worn by spectators and as far as the concession stand items, he suggested that Ms. Campbell contact the Pottawatomie County Health Department for their regulations on these.

Ms. Campbell told the council that there were several traveling teams that were contacting her regarding the use of the city field for practices as well as games as the rec doesn't charge for outside teams to use the field.

After some brief discussion on this issue, Councilmember Rosell stated that local teams should come first for use of the field and then the traveling teams could be scheduled for practices and games.

The Rec was trying to get a bid on replacement lights at the ball diamond as there is an issue with the brightness and the lack of lighting in certain areas of the field.

Councilmember Purvis asked Ms. Campbell to remind the coaches that they are to clean up the ball diamond and grounds after practices and games.

Ms. Campbell informed the council that the Rec board had gone before the school board with their ideas of having other activities for children such as soccer, art classes, drama classes, dance classes as well as activities for the older generation such as day trips, fishing trips, etc. She stated that the school board members were very receptive to these ideas.

There being no further discussion regarding the Rock Creek Rec season, Ms. Campbell exited the meeting at 7:30 PM followed by Nola Wilkerson and Bruce Meininger.

*Dustin Newman with Pottawatomie County Public Works (Councilmember Jack) regarding Cochrun Street:* Due to the absence of Mr. Newman, Councilmember Jack reported to the council that Cochrun Street between 5<sup>th</sup> and 6<sup>th</sup> Streets was now blocked off by cement blocks as requested by the council as a pre-requisite to vacating that portion of Cochrun Street, and traffic could no longer go through this area. He stated that should the county decide at some point in the future to remove the cement blocks, they would be replaced by something more appealing or perhaps gates that could be locked.

*Passage of Resolution #02-21 ... " vacating of Cochrun Street between 5<sup>th</sup> and 6<sup>th</sup> Streets":* Councilmember Purvis moved to approve the vacating of Cochrun Street between 5<sup>th</sup> and 6<sup>th</sup> Streets. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

*Approval of payment of Pay App #1 from Hamm, Inc., on Rock Creek bank stabilization project:* Councilmember Purvis moved to approve the requested pay app #1 to Hamm, Inc., for the Rock Creek bank stabilization project in the amount of \$205,813,46 as recommended by SMH Consultants. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

*Authorizing entering into agreement with KDHE for Rock Creek bank stabilization project funds and authorizing the Mayor and City Clerk to sign corresponding paperwork:* Councilmember Rosell asked the city attorney if she had reviewed the agreement. Attorney Dierks stated that she had.

After some brief clarification on the wording in the agreement, Councilmember Rosell moved to enter into an agreement with KDHE (Kansas Department of Health and Environment) and authorize the Mayor and City Clerk to sign corresponding paperwork of said agreement for funding of the Rock Creek Bank Stabilization project in the amount of \$67,087.21 at 1.30% interest for 20

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

*Ordinance #580:* Councilmember Rosell moved to pass Ordinance #580 in regards to the KDHE loan for the Rock Creek Bank Stabilization project. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

*Lifeguard age requirements:* In the absence of pool manager, Amber Krohn, Councilmember Rice, as liaison to the pool, stated that Red Cross will train 15-year-olds for lifeguard certification and that Amber would like want ads to be published again with this information.

Councilmember Rice moved that want ads be re-submitted to The Smoke Signal and Wamego Times with the new age requirement. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

The pool manual will be amended to reflect this change as well as the price of pool parties being \$120.

*Ordinance #581 regarding the November 11, 2021 council meeting date being moved to November 10, 2021 due to Veteran's Day holiday:* Councilmember Jack moved to approve Ordinance #581. Councilmember Rosell seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

*Future agenda items:* There were no future agenda items mentioned.

### **Staff Reports:**

*City Agent:* Due to the absence of the city agent, there was no report given.

*Treasurer's Report:* Councilmember Rosell had questions about the utility summary report regarding the internal transfers between funds. Treasurer Varriale stated they were the transfer of funds from the utility fund to the bond and interest fund to pay the KDHE loans.

There being no further questions regarding the Treasurer's report, Councilmember Jack moved to approve the treasurer's report as given. Councilmember Purvis seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

Treasurer Varriale informed the council that the city's QuickBooks accounting program would need to be updated from the current version to the 2021 version in the amount of \$899. She stated the upgrade was mostly for support of payroll and the 2018 version is being discontinued.

Councilmember Jack moved to purchase the 2021 Quick Books support upgrade for \$899. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

Ms. Varriale also informed the council that in order to transfer the utility billing program from the current office computers to the newly purchased computers would cost \$175 for the first hour and \$75 for each additional hour. The utility billing program company were the only ones that can transfer the program due to privacy issues.

*Maintenance:* Maintenance Supervisor Krohn reported the following:

#### UTILITIES

- Completed five (5) work orders to unfreeze water meter pits during the two (2) weeks of extremely cold temperatures
- HAMM Inc., has finished the site work for the Rock Creek bank stabilization project
- Sent 1<sup>st</sup> quarter lagoon results to KDHE. Pace Analytical corrected the reporting errors made on the original lab results and the final report showed results were under the permit levels
- Sent monthly water samples to KDHE with results absent for bacteria
- Repaired a 2" water main leak on W. State Street (February 27, 2021) caused by a gate valve failing that was not designed to be installed underground and access to it was buried one (1) foot below the street surface

- Final walk through for the creek stabilization project was March 10, 2021

## STREETS

- Plowed snow and spread salt on city streets. Cleared snow off of and spread ice melt on city property sidewalks February 6, February 7, February 13, February 14, February 15, and February 17.
- Loaded/hailed snow pile off of Main Street on February 18

## PARKS

- Cost estimates to create additional parking spaces including gravel and parking blocks:

RV Park/Frank Memorial Shelter \$3,800

Dechairo Park \$1,400

Pool \$1,400

## CEMETERY

- The two (2) trusts that own the property south of the cemetery has asked for the city to reimburse \$2,430.30 for the new barbed wire fence if the city plans on not installing their own fence next to the barbed wire fence
- Need to discuss the installation of a monument to be installed by a monument company that has been fabricated but is not allowed by the cemetery regulations
- Met with Force Surveying and he is working on the updated map and will be marking the original property corners along with the new proposed property corners in correspondence with the new fence that was built

## POOL

- Will need to order a replacement foot board at a cost of \$500, for the lifeguard stand that has cracked and beginning to let moisture into it causing it to become weak

## BUILDINGS

- Replaced the faulty emergency light batteries in the fire station equipment bays and training room
- Need to discuss spending \$900 (410 per bulb) to purchase LED double ended fluorescent replacement bulbs to replace the most used lighting in the truck bays and to bring down the electricity costs at the

fire station, and eventually switch over the rest of the lights at the fire station, Community Center, City Hall and the storage garage

- Replaced the leaking kitchen sink faucet at the Community Center

#### PLANNING AND ZONING

- Issued a building permit for a duplex with the addresses of 201 and 203 N. 6<sup>th</sup>
- Issued a building permit for a fence at 404 W. Skene
- Issued a building permit for an addition at 507 N. Walnut

#### EQUIPMENT

- REED Company installed a new block heater on the F650 truck
- New Holland backhoe will need to go into KanEquip for a rear differential leak and brake work associated with the rear differential, along with rebuilding the two (2) front lift cylinders and the two (2) out-rigger cylinders that are all leaking hydraulic fluid
- Umscheid Auto repaired internal door components not allowing to use the driver's side door in the GMC 2500

Councilmember Rosell moved to allow the purchase of gravel and parking blocks for additional parking at the RV Park Memorial Shelter to not exceed \$4,000. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

Discussion was held on the purchase of LED lights for the Fire Station equipment bays. Councilmember Rosell asked that the Seven Township Fire board be asked to pay half of the purchase of these lights as they have their equipment and trucks in the bays as well.

Councilmember Rosell moved to authorize the purchase of LED bulbs for the Fire Station not to exceed \$1,000. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

Councilmember Purvis mentioned a concern brought to his attention regarding rebar posts not being capped at the construction site at the Care Home. He felt that verbage might need to be added to the zoning ordinance or demolition requirements concerning this issue.



The issue of the backhoe repairs was discussed. Krohn stated that at this time the repairs are estimated to be between \$2,000 and \$4,000. Councilmember Rosell stated that if the repairs came in above \$5,000 that the council would need to discuss this issue further.

Councilmember Purvis asked for more information regarding the issue with the monument installation at the cemetery. Krohn responded that the monument would be placed above ground instead of flush mounted at the foot of the plot for a cremation. The monument has already been made and paid for by the family.

Councilmember Rosell stated he would hate to say no since the monument was already made and paid for.

Councilmember Purvis stated that the cemetery rules and regulations should be mailed to all funeral homes and monument places for their information.

Councilmember Purvis moved to allow the placement of the monument in the plot as requested. Councilmember Rice seconded the motion. Councilmember Jack stated he felt that the motion should be amended to state which lot is being allowed to have the monument placed.

Councilmember Purvis amended the previous motion to allow the placement of the monument in the Hanks lot due to it already made and paid for by the family. Councilmember Rice seconded the amended motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

(Cale Prater exited the meeting at 8:00 PM)

Councilmember Rosell asked Krohn if Hall Brothers were still planning to do the rest of the streets that were not gotten to earlier due to the pandemic. Krohn stated he was waiting to find out if the Campbell Street project with the county was going to be done this year. Councilmember Jack stated he was pretty sure Campbell Street was not going to happen this year, but he would get clarification on it.

*City Clerk:* Clerk Zentner informed the council that the city's insurance renewal was coming up on April 1, 2021. She also informed the council that the underwriters had informed the agent that they were not interested in insuring the RV Park Memorial shelter, mainly due to the fireplace. The agent indicated to Zentner that she would try to find a separate policy for the shelter's insurance.

Councilmember Jack moved to approve the renewal of the city's insurance with EMC Insurance as presented. Councilmember Rice seconded the motion.

Councilmember Rosell felt that the city should look at finding a different insurance company before the 2022 policy renewal. Mayor Goodenow reminded the council that the city had asked for bids from other companies about two (2) years ago and EMC was the only company that was found to insure municipalities. Councilmember Rosell stated he still thought the city should try to find another company if possible.

The motion was put to a vote and passed four (4) ayes to zero (0) nays with Councilmember Smith being absent.

### **Councilmember's Reports**

*Streets:* Councilmember Rosell had nothing more to report.

*Utilities:* Councilmember Jack had nothing more to report.

*Pool:* Councilmember Rice had nothing more to report.

*Fire Department:* Councilmember Jack had nothing to report.

*Cemetery:* Councilmember Purvis had nothing more to report. Mayor Goodenow, however, asked if the council wanted to have Bell Monument come reset and/or repair monuments in the original part of the cemetery. Krohn stated that he had sent Bell Monuments a list before the pandemic hit. He stated the cost in the past had been between \$3,000 to \$5,000 the council had approved to spend for this service. He stated he would call them and see if they would be able to do any work this year on the monuments.

*Parks:* Councilmember Purvis had nothing to report. Zentner brought up that she had received a few calls wanting to know if the city was going to allow groups other than campers use or rent out the new shelter building out. After some discussion, it was decided that the Frank family should be consulted first before the city made any kind of decision on the use of the shelter.

*Mayor:* Mayor Goodenow had nothing to report.

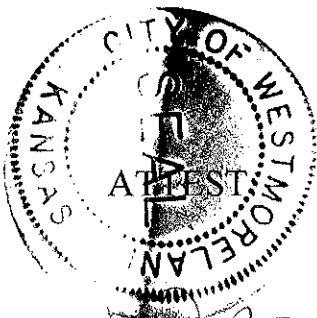
*City Attorney:* Attorney Dierks informed the council that there were several cases ready to be prosecuted.

Councilmember Purvis voiced his concern regarding the abandoned property on S. Walnut Street. Attorney Dierks will research through the statutes and the city ordinances regarding this issue before any court proceedings begin.

There being no further business before the council, 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 8:35 PM.

Approved by the Governing Body on April 8, 2021.



Signed: Mark A. Goodenow  
Mark A. Goodenow, Mayor

Vicki B. Zentner  
Vicki B. Zentner, City Clerk