

Westmoreland City Council  
April 14, 2022 Minutes

The Westmoreland City Council met for its monthly meeting on April 14, 2022 at the Community Center.

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

Governing Body member absent: Councilmember Waide Purvis.

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

City Staff absent: City Attorney, Summer Dierks.

Others present: Zach Krohn, resident; Kaylene Plummer, Candace Wright, John Smith and Terry Force from Blue Valley Technologies; Stephanie O'Shea and Crayton Peters, observers; Todd Anderson with SMH Consultants and Cale Prater reporter for The Times.

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

*Additions/Deletions to Agenda:*

Additions to the prepared agenda were - Discussion regarding KANPAY contract, Cemetery land acquisition and laptop cost from Networks Plus.

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

*Approval of the March 10, 2022 minutes:* There being no corrections to the minutes of the March 10, 2022 council meeting, Councilmember Rice moved to approve the minutes as presented. Councilmember Meininger seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

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

*Public Comments on non-agenda items:* There were no public comments by those present.

*Representatives from Blue Valley Technologies:* Candace Wright addressed the council regarding the services that Blue Valley Technologies provides to the residents and businesses in Westmoreland.

Ms. Wright stated that Blue Valley Technologies began in 1956 as a member coop and in 2005 purchased the franchise from Sprint. Due to the purchase, Blue Valley brought in fiber to the residents and rural area, have a local technician, have a board representative from the community, has given back to the community in upwards of \$6,000 for different activities and have provide \$19,000 in scholarships for graduating high school seniors every year.

Blue Valley Technologies also has a program to help low-income families access to broadband for students.

Mayor Jack stated that he and the city clerk had attended an informational meeting with Cox Communications regarding bringing services to the community and was glad that Blue Valley Technologies attended the council meeting to provide the council with information on their services.

Board member John Smith, and Board President, Terry Force, both stated that there was nothing that the city nor Blue Valley Technologies could not prevent Cox Communications from bringing service into the city. That if residents and businesses wished to switch to Cox, Blue Valley and the city could not block them from doing it. Mr. Force did remind the council that Blue Valley was a coop and those that had services through them were given capital credits each year. Cox would not provide this.

After some brief discussion, Ms. Wright, Kaylene Plummer, John Wright and Terry Force thanked the council and exited the meeting at 7:17 PM.

*Opening bids for the 4<sup>th</sup> Street Sanitary Sewer Extension project:* City Clerk Zentner opened the bids for the 4<sup>th</sup> Street Sanitary Sewer Extension project as follows:

- SMH Engineer's estimate for the project: \$34,670
- Larson Construction \$34,200
- Jadwin Construction \$29,450

After Todd Anderson with SMH reviewed the bids, he informed the council that

everything was correct and informed the council that there was a difference of \$4,770 between the two (2) bids as well as the number of days from beginning to end of two (2) days and it was the council's discretion as to whether the difference of days made a difference in the beginning and ending of the project.

Councilmember Meininger moved to accept the bid from Jadwin Construction for \$29,450 with the project starting May 2, 2022 and ending May 22, 2022. Councilmember Rice seconded the motion. There being no further discussion, the motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Mr. Anderson exited the meeting at 7:23 PM.

*Ordinance #587 "...requirements of registration for golfcarts, UTVs and ATVS in the city limits..."*: Councilmember Smith moved to pass Ordinance #587 as presented. Councilmember Meininger seconded the motion. There being no discussion, the motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Resident, Zach Krohn, exited the meeting at 7:30 PM.

*Scheduling a special information meeting with the Seven Township Fire Board:* Councilmember Smith stated that the Seven Township Fire Board expressed their desire to meet the new council and to discuss with the council the requirements of water and 800 band radios for the firemen.

The council decided to hold a special meeting on April 28<sup>th</sup> at 7:00 PM at the fire station with the Seven Township Fire Board members.

*Authorization of signatures for city checking accounts:* Clerk Zentner informed the council that with the new Mayor, Councilmembers and City Treasurer, that the signature at the city's official bank needed to be updated with the deletion of the previous Mayor and City Treasurer, and adding the new Mayor, at least one (1) additional Councilmember and the new City Treasurer. She also stated that there needs to be a letter signed by the Mayor allowing that the new City Clerk (whenever it takes place) to be added and to the signature cards and the present City Clerk (upon her last day due to retirement) be deleted.

Councilmember Rice moved to appoint Councilmember Meininger as the authorized councilmember to sign checks when needed, to allow Mayor Jack, Councilmember Smith, City Treasurer Reese and the new City Clerk (whenever the hiring takes place) be added to the signature cards at Farmers State Bank and authorize the Mayor to write a letter to the bank upon the retirement day of the present City Clerk to be removed from the signature cards. Councilmember Smith seconded

the motion. There being no discussion, the motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*Discussion on the KANPAY program for on-line payments:* Due to the council wishing to have input from the City Attorney regarding the contract with the State of Kansas for this program, the item was tabled until the May 12, 2022 council meeting.

*Discussion on land acquisition at the city cemetery:* Due to the council wishing that Councilmember Purvis and the City Attorney present for this discussion, the item was tabled until the May 12, 2022 council meeting.

*Proposal from Networks Plus:* After some discussion, Councilmember Meininger moved to purchase a lap top computer for the City Treasurer to work from home when needed with the Proactive Monitoring Service, Endpoint Security and Microsoft Office 365 programs installed from Networks Plus. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

The council also wished for the representative from Networks Plus attend the May 12, 2022 council meeting to discuss with the council the cyber security concerns for City Hall. The city clerk will contact the representative and request his presence at the May 12, 2022 council meeting.

*Approval of the city cemetery lot map for Addition "C" of the cemetery:* City Clerk Zentner informed the council that there had been some confusion as to which area of the cemetery was to be mapped with Force Land Surveying and that it would not be ready for at least another month for consideration.

*Approval of Ordinance #586 "...repealing Ordinance #551 and raising the limit of chickens from 4 to 8...":* Councilmember Meininger moved to approve Ordinance #586 as presented. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*Future Agenda Items:* Other than the items that had been tabled previously, there were not additional future agenda items to be added.

### **Reports:**

*Treasurer:* Councilmember Smith moved to approve the treasurer's report as presented. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*Maintenance:* Maintenance Supervisor/Code Enforcement Officer, Robert Krohn reported the following:

### **UTILITIES**

- Liquid Engineering will be inspecting the water storage tank within the next two (2) months as required by KDHE
- Replaced water service and water meter setter. Water service was replaced from the water main to the water meter pit, due to a leak at 210 E. Armer
- KDHE approved the plans for the 4<sup>th</sup> Street sanitary sewer improvement project
- Replaced water meter setter and pit at 301 S. Highway 99 for the new Dollar General Store

### **STREETS**

- As per Garrett Nordstrom with GAS (Governmental Assistance Services), there are grants available thru the State's CDBG program that would be a 50% match to assist with asphalt overlaying of city streets with involvement from SMG Consultants for a preliminary engineering report
- Removed trash and leaves out of the upstream/downstream sides of street intersections and sidewalk culverts throughout town
- Pottawatomie County plans to put the Campbell Street improvement project up for bid in 30 to 40 days. Plans are to have a 22' driving surface after the subgrade reclamation has been completed and the city will come back after the street has been installed to remedy any issues with ditches or possible driveway culverts that need to be realigned. The county will provide topsoil for the street backfill. Costs are expected to be 30% higher than the engineer's estimate of \$300,000/ the intersection culvert at Walnut/Campbell will need to be replaced and has been ordered in order to remedy the large drop off at that intersection

### **PARKS**

- Picked up trash and tree limbs
- Replaced score board wireless receiver due to water damage at the south ball diamond (elementary school)
- Drug the infields of the T-Ball and south ball diamonds for Blue Valley School to use for practices and games
- Mowed the outfields of both ball diamonds
- Placed mulch in mulched beds
- Stained picnic tables, benches, and wood signage
- Touch up painted the exterior walls of the bathrooms and concession stand at the south ball diamond

- Turned on the water and hooked up all the fixtures in the RV Park bath house to be ready when they are needed to be opened for the season
- Flower order has been placed for planters on Main Street and other city property planters/flower beds

#### **CEMETERY**

- Opened/closed one (1) full burial and one(1) cremation burial
- Placed mulch in mulched beds
- Trimmed the decorative evergreen trees in the original part
- Stained benches

#### **POOL**

- Turned on the water and hooked up all the fixtures in the concession area and bathrooms
- Stained benches and picnic tables
- Completed the first initial leaf removal and cleaning of the pool surface before it is to be power washed in order to touch up areas of the floor and walls with epoxy paint

#### **BUILDINGS**

- Placed mulch in mulched beds
- Stained benches and picnic tables
- Replaced men's toilet at the fire station due to a leak in the tank
- Cintas completed annual inspection of building fire extinguishers

#### **PLANNING AND ZONING**

- There is a meeting set for April 20, 2022 to discuss an application for a property line setback variance to build a custom carport attached to an existing structure at 308 Quail Drive

#### **CODE ENFORCEMENT**

- One (1) Vehicle from 2021 has been removed and the trash/debris at the same location has until May 23, 2022 to be complainant
- Eight (8) vehicle/trash and debris violations have been taken care of at this time for 2022
- Four (4) vehicle violations are being worked on for 2022
- Two (2) vehicle violations and one (1) trash/debris violation for 2022 are still being observed before the time limit is up and the violations will be turned over to the city attorney

Krohn informed the council that the city's plow truck needs work to be done. The truck bed and frame have been eaten by the salt this winter and need to be sand blasted and coated. Reed estimates that this work along with an inspection of the brake lines, new tires and wheels would come to \$8,700 with \$110 an hour for any other repairs that might be found to be done. Krohn stated that a new stainless-steel bed installed would cost approximately \$30,000.

Cale Prater exited the meeting at 8:22 PM.

Councilmember Smith moved to allow up to \$12,000 for the sand basting and painting of the plow truck bed, new tires, and wheels. Councilmember Meininger seconded the motion. There being no further discussion, the motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

*City Clerk:* City Clerk Zentner informed the council that the city's Verizon on-line portal had been "hacked" and the hacker ordered five (5) gold plated, 5G cell phones to be shipped somewhere in Illinois on four (4) different dates. Verizon had caught the last order and called to confirm that the city had ordered them-which of course we hadn't. The representative informed Zentner to deduct all the charges for the phones on the next invoice and only pay for the charges that the city owed. In the meantime, Verizon had sent a letter to the city stating that they had turned the matter over to the FBI and that we were to only pay what was normally owed.

Zentner told the council that the portal account had been frozen and that it would not be turned back on until the city notified Verizon to turn it back on. Zentner informed the council that she had told the Verizon representative to delete the portal account altogether as orders were either made at an actual Verizon store or over the phone.

Zentner, as co-president of the Westy Area Chamber, asked the council for permission to block off streets for the Wagon Wheels Car Show scheduled for July 23, 2022. The streets to be blocked off were Main Street between 1<sup>st</sup> Street to the Farmers State Bank drive-thru, 2<sup>nd</sup> Street south to State and north to the Justice Center, 3<sup>rd</sup> Street south to State and north to the alley behind Community Health Care Systems.

Councilmember Rice moved to allow the above-mentioned streets to be blocked off on July 23, 2022 as requested for the Wagon Wheels Car Show. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Zentner informed the council that she would be out of the office May 25, 2022 to June 1, 2022.

**Council Reports:**

Streets: Councilmember Meininger had nothing more to report.

Utilities: Councilmember Coleman had nothing more to report.

Animal Control: Councilmember Smith had nothing to report.

Planning and Zoning: Councilmember Smith had nothing more to report.

Pool: Councilmember Rice and pool manager, Amber Krohn, had a meeting recently regarding pool personnel as well as potential changes to pool hours and swimming lessons.

Ms. Krohn stated that there had been four (4) applications received by the city clerk so far with at least five (5) more to be submitted by the May 1, 2022 deadline.

In anticipation of the low number of lifeguards, Councilmember Rice and Krohn anticipate the pool being open less hours this season. The proposed hours are Monday through Thursday 1:00 PM – 6:00 PM closing one (1) hour then opening again 7:00 PM -9:00 PM. Friday, Saturday, and Sunday would only be open for pool parties and special events. Krohn stated that with many of the lifeguards being on traveling sports teams on weekends, there was just no way there would enough staff, including herself, to have the pool open over the weekend.

Krohn reported that Tammy Howland will do lifeguard training for those that would need it.

Krohn would like to hold an “End of School Bash” again and then be closed until the Memorial Day weekend and be open until school begins in August.

As for admission price for campers at the RV Park, Councilmember Rice and Krohn suggested charging 50% of the admission price. They will work with the Camp Host to figure out some way to indicate they are staying at the RV Park.

Private swim lessons would no longer be offered as these lessons make some lifeguards have over-time. Public swim lessons would possibly be limited to two (2) sessions.

After some brief discussion, Councilmember Meininger moved to allow Councilmember Rice and pool manager Amber Krohn work on the hours of operation and any other items between themselves. Councilmember Smith seconded the motion. The motion passed three (3) ayes, one (1) abstention (Councilmember Rice) and zero (0) nays with the final vote calculation being four (4) ayes and zero (0) nays with Councilmember Purvis being absent.

Krohn then asked the council for permission to rent bounce houses for the Wagon Wheels Car Show on July 23, 2022 but she didn't know what the cost would be. The council tabled this request until Krohn brought back the cost to the council.

Cemetery and Parks: There were no reports due to the absence of Councilmember Purvis.



Stephanie O'Shea and Crayten Peters exited the meeting at 8:55 PM.

Fire Department: Councilmember Smith informed the council that testing of the fire hoses needed to be budgeted for each year of the city's budget. This item will be relayed to the city auditors for budgeting purposes.

Mayor: Mayor Jack had nothing to report.

City Attorney: Due to the absence of the city attorney, there was no report.

Councilmember Rice moved to enter an executive session at 9:00 PM for 15 minutes to discuss personnel matters of non-elected personnel and to protect their privacy with the Councilmembers, Mayor, Pool Manager, City Clerk, City Treasurer and Maintenance Supervisor Krohn. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Councilmember Rice moved to exit the executive session. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

As a result of the executive session, Councilmember Rice moved to add a special meeting in executive session for personnel matters of non-elected personnel and to protect their privacy after the meeting with the Seven Township Fire Board on June 28, 2022. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Mayor Jack declared the executive session adjourned at 9:15 PM.

Councilmember Rice moved to enter an executive session at 9:15 PM for 15 minutes with the Councilmembers, Mayor, City Clerk, City Treasurer and Maintenance Supervisor in attendance for personnel matters of non-elected personnel and to protect their privacy. Councilmember Coleman seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

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

Mayor Jack declared the executive session adjourned at 9:30 PM.

As a result of the executive session, Councilmember Rice moved to hold an executive session of personnel matters of non-elected personnel and to protect their

privacy on April 20, 2022 for interviews for the city clerk position. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Councilmember Rice moved to enter an executive session at 9:30 PM for 15 minutes with Councilmembers and the Mayor in attendance for the purpose of personnel matters of non-elected personnel and to protect their privacy. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Councilmember Rice moved to exit the executive session. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Mayor Jack declared the executive session adjourned at 9:45 PM.

There was no action taken as a result of the executive session.

Councilmember Meininger moved to adjourn the council meeting. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Purvis being absent.

Mayor Jack declared the meeting adjourned at 9:45 PM.

Approved by the Governing Body on May 12, 2022.

Signed: \_\_\_\_\_

Mark S. Jack, Mayor



Vicki B. Zentner, City Clerk