

Westmoreland City Council Meeting
February 14, 2019

The Westmoreland City Council met for its monthly meeting on February 14, 2019 at the Westmoreland Community Center.

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

City Staff present: Maintenance Supervisor, Robert Krohn; City Treasurer, Teri Varriale; City Agent, Jeff Zimmerman; City Attorney, John Watt and City Clerk, Vicki Zentner.

Others present: Luke Goodenow representing the Westy/Seven Township Fire Department; Janet Goodenow, Library Committee chair person; Donald Blenn, citizen; Aaron and Tonya Priest representing the Westmoreland Parents Teacher Organization (PTO); Daniel Randolph, citizen; Janna Williams, Kent Glasscock and Gary Stith with Flint Hills Regional Council and Cale Prater, reporter for The Wamego Times.

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

Additions/Deletions to agenda:

City Clerk Zentner informed the council that the Rock Creek Valley Historical Society would not be attendance and they would be moved to the March 14, 2019 meeting. She also informed the council that pool manager, Amber Krohn, would also not be attendance and would be moved to the March 14, 2019 meeting as well.

Councilmember Moore requested an executive session be added to the agenda.

There being no further additions or deletions to the prepared agenda, Councilmember Jack moved to approve the amended agenda. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Approval of January 10, 2019 minutes:

Councilmember Jack moved to approve the minutes of the January 10, 2019 council meeting after corrections. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Payment of the monthly bills:

City Clerk Zentner informed the council that she had not paid three (3) invoices payable to Bayer Construction for stock chips as the budget for the street improvements currently did not have enough funds to pay the total of the invoices. She asked the council for guidance as to which fund to use to pay the invoices.

After some brief discussion, the council advised Zentner to take the total amount of the three (3) invoices from the general fund at this time.

Councilmember Moore requested the city treasurer and city clerk to contact the city's auditing firm regarding what the council needs to do to increase the budget in the street improvement fund and report back at the March 14, 2019 council meeting.

There being no further discussion on the monthly bills, Councilmember Purvis moved to approve the monthly bills as presented. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Public Comments on non-agenda items:

Aaron Priest, president of the Westy PTO, addressed the council requesting approval of a CMB (Cereal Malt Beverage) special event permit for a fish fry on May 10, 2019 for the purpose of a fund raiser for the PTO. Mr. Priest stated that the PTO raises funds to help the Westmoreland Elementary School teachers purchase items they want that are not covered by the school district budget, to help with educating the students.

Councilmember Jack moved to approve the temporary CMB special event permit for the PTO for their fund raiser on May 10, 2019. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Janet Goodenow voiced her concern regarding the sidewalks on Main Street in the business area not being cleared of snow and ice after the snow and ice has stopped falling. She asked whose responsibility it was to clear the sidewalks.

Maintenance Supervisor Krohn stated that city staff clears the sidewalks on city owned properties, but individual businesses are responsible for clearing the sidewalks in front of their business per the city's policy.

A notice regarding this policy will be included in the next city newsletter and sent to businesses that do not receive a city utility bill due to being closed for business.

Garrett Nordstrom with Governmental Assistance Services:

Mr. Nordstrom informed the council that the final monitoring by the Department of Commerce had been held and the city had received a letter from the auditor of the CDBG (Community Development Block Grant) department that the city could close the project. Before

closing the project, however, Mr. Nordstrom shared with the council his concern regarding one (1) comment in the letter stating that all paperwork for a change order had been forwarded to CDBG, but due to a reduction in staff at that time, they had not provided the approval to pay the city's contractor on the wastewater improvement project, yet, at the first monitoring it had been discussed with the auditor.

Mr. Nordstrom stated that he personally discussed the issue with CDBG providing them an explanation of the change order and felt that the issue had been resolved. He stated that obviously now it had not been.

Councilmember Moore asked if this issue would prohibit the city from applying and be granted any future applications. Mr. Nordstrom responded that it would not. He also stated he felt that a letter from the city, through the city attorney, should be sent to CDBG and the State Representatives stating the displeasure of the oversight by the Department of Commerce regarding this situation. (The council instructed the city attorney to draft such a letter after receiving the timeline of facts from Mr. Nordstrom).

Councilmember Moore asked Mr. Nordstrom if the city could apply for street improvement grants. Mr. Nordstrom responded that the city can apply for this grant as well as park improvements grants every year. He reminded the council that they had applied for a park improvement grant in the past and wasn't awarded it. Since the city had not received it, they could apply again for it and that his company would not charge the city again for the application process.

Mayor Goodenow stated that he felt the city, with the help of Mr. Nordstrom, should apply for both a street improvement and park improvement grant. The council was in agreement of this suggestion.

There being no further questions or discussions with Mr. Nordstrom he, as well as Aaron and Tonya Priest exited the meeting at 7:26 PM.

Request from Daniel Randolph:

Mr. Randolph addressed the council with a request for gravel to be placed in the right of way ditch at his property. He stated that he was willing to do all the work to spread and pack the gravel. Mr. Randolph stated that with events at the elementary school, the annual Car Show and ball games, vehicles park in front of his residence and thus when it rains or snows the ditch becomes a muddy mess and he can't park his vehicle there without getting stuck or making it worse.

Maintenance Supervisor Krohn reminded the council that the city was not responsible for the upkeep of right of ways adjacent to private property and the city, by statute, could not sell gravel to individuals.

Councilmember Moore asked if the council would be willing to allow Krohn and himself to take a look at the issue and use their judgement on what to do.

Councilmember Jack voiced his opinion that if the city were to allow this request, then there might be ramifications down the line plus the cost of the gravel would add up should the city fix all the requests they would receive.

Mayor Goodenow suggested that Councilmember Moore and Maintenance Supervisor Krohn go and take a look at the ditch and email the council their decision.

Mr. Randolph exited the meeting at 7:30 PM.

Forestry Grant-Luke Goodenow:

Luke Goodenow, Westy/Seven Township Fire Department volunteer, addressed the council regarding applying for a Forestry Grant for the city's part of the fire department.

After a brief explanation of the Forestry Grant, Luke asked the council for permission to apply for the grant on behalf of the fire department. He stated that they would be applying for only the equipment that they need for safety for the volunteer firemen.

Councilmember Purvis moved to allow the fire department to apply for a forestry grant to purchase safety equipment up to \$10,000 with the city paying for \$5,000 worth and the grant reimbursing the city for the additional \$5,000. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

The council asked that Luke express their thanks to the responding fire fighters for extinguishing the recent carport fire in the city.

Luke exited the meeting at 7:38 PM.

Presentation from Flint Hills Regional Council regarding grant workshop:

Janet Williams with the Flint Hills Regional Council addressed the council regarding the grant workshops the Regional Council was holding. She stated that the workshops would be held March 2, May 11, July 20, Sept 14 and Nov 9.

She stated that the workshops would give the city technical assistance for applying for HUD grants and the cities of Riley and Alma were already "on board" FHRC would like Westmoreland to be part of the workshops as well. Ms. Williams stated that a team of five (5) persons, which could made up of citizens and councilmembers, would need to be formed.

Councilmember Moore stated that he would be willing to get a team together for the city and asked how soon the team would need to be formed. Ms. Williams stated they needed to know as soon as possible.

Councilmember Purvis moved to allow Councilmember Moore to be in charge of getting a team together for the grant workshops. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Ms. Williams, Mr. Glasscock and Mr. Stith exited the meeting at 7:45 PM.

Ordinance #565 regarding “amending Ordinance \$510 relating to water supply emergencies...”:

Councilmember Purvis moved approve Ordinance #565 as presented. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Ordinance #566 regarding “establishing nomination petition requirements for elections...”:

Councilmember Smith moved to approve Ordinance #566 which would allow candidates to have a petition signed by five (5) registered voters within the city, or pay a \$20.00 filing fee to run in city council elections. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Discussion on Ordinance #550-abandoned vehicles:

Attorney Watt informed the council that the requirement of a 30-day observation period on abandoned vehicles was made for those whose vehicles had broken down to have 30 days to get the vehicle fixed before the city agent began the observation process.

Councilmember Purvis stated that he didn't want to change the time frame, but perhaps after two (2) weeks a letter could be sent stating that as of the date of the letter, they have until a certain date to fix or remove the vehicle before legal procedures would begin. This letter would not need to be sent certified.

After some brief discussion, Councilmember Purvis moved to allow the city clerk to send a “friendly” letter, with a copy of Ordinance #550, 14 days after the visual inspection by the city agent, stating the vehicle owner needs to either fix or remove the vehicle within 14 days of the date of the letter. Then per ordinance, they have 30 days to resolve the issue. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Don Blenn- Clarification on property cleanup:

Don Blenn addressed the council asking for clarification of what he needed to clean up on his property. He stated that the big shed was on concrete and he had received a building permit before installing it on the property. He stated that the boat is buried in the ground and was being used as a flower bed but he could remove it if needed. He asked for more time to get things removed due to the weather.

He stated that by late March he felt he could get things cleaned up and removed. He also stated that by the end of summer the house itself would be gone.

Councilmember Moore asked Mr. Blenn if he could have the yard cleaned up by April 1, 2109. Mr. Blenn stated that yes, there should be more dry days between now and then for him to get things cleaned up and or removed.

Councilmember Purvis stated that as long as the council saw progress being made, he had no problem giving Mr. Blenn until April 1, 2019.

Councilmember Purvis moved to allow Mr. Blenn to work on the cleaning of his property until April 1, 2019 and then the city agent would revisit the property and inform the council of the progress. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Mr. Blenn exited the meeting at 8:00 PM.

Renewal of CMB (Cereal Malt Beverage) licenses:

Councilmember Moore moved to approve the renewal of the CMB licenses to Rock House Antiques 1880 and Oregon Trail Market. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Decision on fire department bank accounts:

Councilmember Jack stated that Luke Goodenow would be in charge of these accounts for the fire department and that they would be getting their own Employment Identification Number (EIN) so all purchases they make outside of the city budget would be from these accounts under their EIN going forward.

Discussion on library:

Councilmember Purvis stated that he had recently been informed that the library had installed a security system in the city library building and that no one from the city had been informed or asked about the installation nor had the security code been provided to city staff.

City clerk Zentner informed the council that the librarian had just provided the security code to city hall in the past two (2) days.

Councilmember Jack stated that he had a problem with no prior notice or permission being sought or obtained before improvements were made at the library.

Councilmember Purvis moved to send a letter to the library board stating that any further alterations at the library must have prior permission from the city council and that a copy of the letter be sent to the county commissioners. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

(Janet Goodenow exited the meeting at 8:17 PM).

City Agent:

Jeff Zimmerman reported that he had one (1) notice to deliver and would like permission to ask a deputy to go with him when he delivers the notice due to past altercations.

Councilmember Jack stated that Mr. Zimmerman could ask and needed to make sure the sheriff's department knew he was serving papers for the city.

Future Agenda items:

The following are items to be put on future meeting agendas;

- The Rock Creek Valley Historical Society requests
- Looking at the street improvement budget
- Usage of the baseball diamond
- Main Street signs

City Staff Reports:

Treasurer's Report:

There being no questions regarding the treasurer's report, Councilmember Purvis moved to approve the report as presented. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Maintenance:

Maintenance Supervisor Krohn reported on the following:

UTILITIES-

- SMH finished the GIS mapping with drone pictures overlay for the new utility mapping
- Prepared and sent the 2018 Municipal Water Use Report to KDHE
- Replaced water meter at 108 Grant. The last couple of weeks the pressure had been testing at 38psi. After replacing the meter, the pressure tested at 41 psi. At another hydrant on the front of the residence, the water tested 45 psi. The KDHE minimum requirement for pressure is 20 psi
- Westar installed new utility poles. Valburg electric installed new meter base, breaker panel, outlets and control panel. Removed and installed new float system for the Wilson lift station, upgrading it from 1960's technology

STREETS-

- Cleared snow off of streets January 12, 2019
- Repaired potholes at 3rd and Fulton
- Repaired potholes on Quail and Rock Creek Drive
- Removed existing stop signs on Walnut, at State/Walnut and replaced with a yield and a stop sign on State

Cleared snow off of streets and spread salt January 19, 2019
Spread salt on streets January 22, 2019
Cleared snow off of streets and spread salt January 23, 2019
All the 3/8" rock was delivered for this year's chip seal street
maintenance
Spread salt on streets February 7 and 11, 2019

CEMETERY-

Started spreading road rock on all the roads

BUILDINGS-

Replaced 30-year-old 8' fluorescent light fixtures at the shop with new
LED shop lights
Replaced east side entry door and screen door at the Community Center
Replaced water stained ceiling tiles from condensation of the ac/heat
ducts at the Community Center

PLANNING/ZONING-

Issued a building permit for an accessory use building under 150 square
feet, with ground anchors at 303 Rock Creek Drive

EQUIPMENT-

Installed rear view cameras on skid loader and F650 plow truck
Installed new ice melt/grass seed spreader on the Kubota UTV
Rebuilt/modified snow plow for Kubota UTV for better use

MISC.-

Recycled unwanted donated library books

Krohn also stated that he had ordered new picnic table for Dechairo Park shelter house
and pool items.

(Cale exited the meeting at 8:38 PM).

City Clerk:

Clerk Zentner asked the council if they wanted to reimburse the city \$835.01 from the
KDHE loan account now that the project was finished or give it back to KDHE.

Councilmember Smith moved to reimburse the city \$835.01 from the KDHE loan account. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Zentner informed the council that the current copier at city hall was getting old and the company had given a proposal for a new machine. After some discussion, the council informed the clerk to get pricing from other companies and bring them back to the council for consideration at a future council meeting.

Councilmembers' Reports:

Streets-Councilmember Moore stated outside of the proposed street signs for Main Street he had nothing more to report.

Utilities-Councilmember Jack had nothing to report.

Animal Control-Councilmember Smith had nothing to report.

Planning/Zoning-Councilmember Smith had nothing to report.

Pool-Councilmember Rice had nothing to report.

Fire Department-Councilmember Jack stated that the fire fighters were cleaning the inside and outside of the fire department for state inspection and the heaters in the bay were now working properly.

Cemetery-Councilmember Purvis had nothing to report.

Parks-Councilmember Purvis had nothing to report.

City Attorney-Attorney Watt had nothing to report.

Mayor-Mayor Goodenow had nothing to report.

Councilmember Moore moved to enter into an executive session for 15 minutes to discuss personnel and to protect their privacy with the Mayor and Councilmembers in attendance. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Mayor Goodenow declared the executive session in session at 9:50 PM.

Councilmember Moore moved to exit the executive session at 10:05 PM. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

As a result of the executive session, no action was taken.

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

Mayor Goodenow declared the meeting adjourned at 10:06 PM.

Approved by the Governing Body on March 14, 2019.



Attest:

Vicki B. Zentner
Vicki B. Zentner, City Clerk

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