

Westmoreland City Council Meeting  
June 14, 2018 minutes

The Westmoreland City Council met for its monthly meeting on June 14, 2018 at the Community Center.

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

Governing Body members absent: Councilmember Jim Moore.

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

Others present: Resident, Dorothy Campbell and Cale Prater, reporter for *The Smoke Signal*.

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

*Additions/Deletions to the agenda:* Due to the absence of Councilmember Moore, the discussion on the Caring Communities Foundation fundraising ideas was tabled until the July 12, 2018 meeting and the Streets report was deleted.

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 Moore being absent.

*Approval of May 10, 2018 regular meeting minutes and June 5, 2018 special meeting minutes:* Councilmember Jack moved to approved the corrected minutes of the May 10, 2108 and the minutes of the June 5, 2018 special meeting minutes as presented. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

*Payment of the monthly bills:* Councilmember Purvis moved to approve the payment of the monthly bills as presented. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

*Public Comments:* Dorothy Campbell addressed the council regarding the recent issue at the city cemetery regarding violations of permanent plantings. She stated that she hoped that the council remembers that Westmoreland is a small town and that the cemetery is the only place surviving family members have to remember their departed loved ones.

Councilmember Purvis stated that the council and staff were following the rules and regulations regarding the permanent plantings as passed in 2011 drawn up by former cemetery committee members and council liaison and passed by the council at that time. He stated that he felt this council had no problem with considering any requests for permanent plantings in the cemetery if approached at a council meeting. He mentioned that permanent plantings that were in place before the passing of the cemetery rules and regulations were grandfathered in, but should the plantings wither and die, as long as they were not roses, they could be replaced by the same kind of plantings. Roses, however, are not allowed in the cemetery, except for at the G.A.R. monument as stated in the rules and regulations.

Dorothy also asked the council to consider contracting for mowing of the cemetery. She stated that the city used to let for bids and thought perhaps that this should be done again. In her opinion, this would help “free up” city staff to give their attention to other things in the city.

The council thanked Dorothy for her comments and stated that they would follow the rules and regulations in place at this time.

*Ordinance #561 “...allowing domesticated ducks within the city limits...”*: Councilmember Jack moved to approve and pass Ordinance #561 as presented. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

*Discussion/decision on payroll coding of payroll taxes to applicable funds retroactive from January 1, 2018 onward*: City treasurer Varriale informed the council that at the present time, all payroll taxes were being run through employee benefits. She stated that payroll taxes were not a benefit, that the taxes were required to be paid for by law and it was the recommendation from the auditors to have the payroll taxes stay in the funds they are associated with and not run through Employee Benefits as has been done.

Councilmember Jack moved to have the payroll taxes stay in the funds they are associated with and not paid through the Employee Benefits as recommended by the auditors retroactive beginning January 1, 2018. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

*Discussion/decision on creating a capital fund for the sewer project*: City Clerk Zentner informed the council that the auditors had looked into the payment of expenses associated with the sewer improvements and concluded that there were two (2) options for funding the project so as not to be in violation of the budget laws.

The first option was to leave the payment of funds from the utility fund for 2017, which would not create a cash or budget violation because that fund is healthy and to create a project fund in 2018 for payments going forward;

Or, option two would be to create a project fund in 2017 and have the encumbrance run through it, but this would show a deficit in cash because no proceeds were drawn down until 2018.

Councilmember Purvis moved to pay funds from the utility fund in regards to the sewer improvement project in 2017 as recommended by the city's auditors. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

Councilmember Jack moved to create a special project fund for 2018 in regards to the sewer improvements as recommended by the city's auditors. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

*City Agent report:* Jeff Zimmerman reported that he was still observing properties in the city for trash/debris violations, mowing violations and vehicle violations.

He asked the council what was happening with the Umscheid Auto Works property violations.

Councilmember Purvis inquired as to whether an official letter had been sent to the owners. Attorney Watt stated that it had and felt that the trash and debris ordinance needed to be followed. He stated that they would be given a 30-day notice to rectify the issue and if not done, then they would be summoned to court.

Councilmember Purvis asked that Councilmember Moore be asked to visit with the owners again and report back at the July 12, 2018 council meeting.

Jeff stated that something needed to be done about the Allen's properties as well.

Councilmember Purvis asked about the Herrs' property. City Clerk Zentner stated that Mr. Herrs was informed of the issues and that since he did not have a post office box, she wasn't able to send him the required paperwork. She also stated that the property was still owned by his mother and Zentner had been informed that letters of this matter upset her and she never picks up the certified/return letters.

Councilmember Purvis stated his opinion was that the paperwork needed to be delivered to Mr. Herrs in person in this case.

Jeff also stated that there needed to be some way to speed up the process on the mowing of properties.

Maintenance Supervisor Krohn stated that he and Councilmember Moore had recently conversed on this issue and they believed that the ordinance stated that after one (1) notice had been sent, any further violations did not require a letter being sent that city staff would then mow

the property and send the owner a bill. If the bill was not paid, then the charges would be sent to the county treasurer to be added to their property taxes.

Jeff stated that he had spoken with other towns in the area and they have a ticket book of which a copy would be hung on the door of the residence and a copy would be given to the city clerk. After ten (10) days, if the property was not mowed, the city staff would mow it for them and charge them.

Councilmember Purvis inquired if the could would need to amend the grass ordinance should they decide to change anything in it as far as notification, etc. Attorney Watt stated that yes this would need to happen if the council wished. Councilmember Purvis then requested that a copy of the current grass/weed ordinance be given to the council and the issue be put on the July council meeting agenda for discussion.

*Future agenda items:* There were no additional future agenda items other than already discussed.

**Staff reports:** *Pool Manager-*Amber Krohn reported that the pool was doing well with daily attendance being up from 2017. She stated that water aerobics was doing fantastic as there were now 15 patrons utilizing this service. Due to the influxes in attendance, she had to order more aerobic weights to accommodate the patrons.

Patrons had informed Amber that they really liked the new concrete pad added this spring to the pool deck. Patrons liked the fact that they could lounge and not worry about being splashed.

Councilmember Purvis stated that some patrons had informed him that they would like the council to re-consider the addition of shade over the new concrete pad as the shade would not allow the patrons to sun tan. Amber stated that perhaps the council would consider adding concrete at the north end of the pool behind the diving board area.

Mayor Goodenow asked if the new chlorine system was working. Supervisor Krohn state that there had been a manufacturing issue but it was fixed and the system was now doing fine.

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

*Maintenance Report:* Supervisor Krohn reported the following:

**UTILITIES:**

- Jadwin completed the final clean up of the sewer improvement project, leaving the final seeding for the city staff to do this fall
- Installed new water service at 301 State

**STREETS:**

- Prepped and seeded new sidewalk on North Street
- Installed new driveway culvert at 301 State
- Painted cross walks and parking stripes on Main Street

**PARKS:**

- Trimmed the bushes and trees at city park
- Mowed, sprayed weeds and placed mulch throughout

**CEMETERY:**

- Opened/Closed one (1) grave
- Mowed
- Sprayed weeds

**POOL:**

- Mowed, sprayed weeds
- Replaced bench seats

**PLANNING/ZONING:**

- Issued one (1) building permit for a deck at 107 State
- Issued one (1) chicken permit for 408 N. 2<sup>nd</sup>

**EQUIPMENT:**

- Received new excavator and equipment trailer for REED

Krohn inquired if the council wished to let for bids for a roof at the community center. The response was yes.

Krohn also informed the council that he had received a request to fix the drainage ditch on Main Street/Flush Road at Scott Schwinn's residence. He had spoken with the county engineer and was told that since the city annexed the property into the city, this was a city issue and not a county one.

Attorney Watt requested that the annexation ordinance passed by the council be forwarded to him for review.

Krohn also reported that he turned in several work orders to the county and state regarding street issues. He has not had any response back from either party as of the council meeting.

Krohn and Councilmember Smith had met with the county regarding their new shop building across from the weed department. They would like to give the city the old county shop and take over the city shop and some of the adjacent land. Preliminary plans are to be presented to the county commissioners for their approval. He stated that the county was willing to work with the city on this project and that some work would need to be done on the old county shop which would cost the city some money, but work could

be done by city staff. He said that he will know more after the county commissioners look at the plans.

There has been some theft and damage done at the RV Park bathhouse recently, and Krohn would like to purchase keypads for the restrooms. He stated that the access code would be given to the campers when they make reservations. Councilmember Purvis moved to allow the purchase of keypads for the RV Park restrooms. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

Krohn asked permission to spray for poison ivy in the original part of the cemetery and the G.A.R. monument area. He stated that is getting out of hand. The council granted Krohn permission and stated that if flowers were filled from the spraying, a letter would need to be sent explaining what happened.

*City Clerk report:* Zentner informed the council that during the recent audit work, it was found that the current utility billing program was not reconciling with the Rural Water District #4 report on water usage. Part of the issue was due to the fire department not metering the hydrants when checking them from pressure and the filing of the tanker for fighting fires. She also reported that there is an issue with the program not forwarding the previous meter reading correctly and several accounts. This issue, hopefully, will be rectified with the new billing program the city recently purchased.

Zentner also stated that the city would need to purchase another 100 units for billing properties which allow for expansion on the current units already purchased and a module for emailing bills to those residents that currently receive their bills via email.

Councilmember Jack moved to allow the purchase of another 100 units for billing and the module for emailing bills not to exceed \$2,000.00. Councilmember Purvis seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

#### **Councilmember Reports:**

*Utilities:* Councilmember Jack had nothing more to report. Krohn reported that work had to be done to the vault recently.

*Planning/Zoning:* Councilmember Smith had nothing to report.

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

*Fire Department:* Councilmember Jack reported that the fire department had not done as well with their food booth at the Car Show/BBQ as last year.

*Cemetery:* Councilmember Purvis had nothing more to report.

*Parks:* Councilmember Purvis reported that there had been some issue with clean up at the ball diamond concession stand but had been straightened out.

*Mayor:* Mayor Goodenow inquired where the city attorney was on the letter regarding the boil advisory cancellation notification from the state. Attorney Watt stated that he had not gotten around to writing the letter.

*City Attorney:* Attorney Watt had nothing to report.

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

Mayor Goodenow declared the meeting adjourned at 7:40 PM.

Approved by the Governing Body on July 12, 2018.



Signed Mark A. Goodenow  
Mark A. Goodenow, Mayor

Vicki B. Zentner  
Vicki B. Zentner, City Clerk