

Westmoreland City Council
July 11, 2019 minutes

The Westmoreland City Council met on July 11, 2019 at the Westmoreland Community Center for its regular monthly meeting.

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

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

City Staff absent: City Attorney, Summer Dierks.

Others in attendance: Houston Pierce and Joni Rottinghaus with VonFeldt, Bauer and VonFeldt; Jeff Hancock with SMH Consultants; Daryl and Jean Campbell, Pat Andel, and Terry Nelson, residents and Laura Prater with Seaton Publishing.

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

Additions/deletions to agenda: Councilmember Moore requested a discussion on allowing city staff to help with various projects at the *Summer Bash*. Report by the city attorney deleted due to her absence.

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

Approval of the June 13, 2019 minutes: After a brief discussion regarding the correct wording of a statement by Councilmember Jack, Councilmember Jack moved to approve the corrected minutes of the June 13, 2019 council meeting. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Approval of payment of the monthly bills: After correction of the amount of an employee's paycheck, Councilmember Jack moved to approve the payment of the monthly bills. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Presentation of the 2018 audit: Joni Rottinghaus, auditor with VonFeldt, Bauer and VonFeldt presented the audit of the 2018 to the council.

Ms. Rottinghaus thanked the city office staff for their assistance and stated the staff was very detailed and organized and were very open to discussions and suggestions that Ms. Rottinghaus made.

Ms. Rottinghaus informed the council that she did not find any unqualified statements during her audit, that the city was not debt heavy and that the city had a good year financially in 2018.

Ms. Rottinghaus pointed out that there were two (2) journal adjustments that needed to be made due to classification to the wrong account on the wastewater improvements project and due to Pottawatomie County not dispersing special assessment monies to the city until January of the next year.

Internal control is looked at by the auditors to make sure that controls are in place to remedy any existence of any fraud that might be found. Ms. Rottinghaus stated that the city's internal controls currently in place are very good and she had no other suggestions to provide.

The city did very well in not exceeding their budget authority for 2018 as well.

There being no questions or comments to Ms. Rottinghaus concerning the 2018 city financial audit, Councilmember Jack moved to accept the audit as presented. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Presentation of the 2020 proposed budget: Houston Pierce, with VonFeldt, Bauer and VonFeldt presented the proposed 2020 budget for the council to consider.

Mr. Pierce stated that the proposed budget did not show an increase in the mil levy as the council requested at the June 3, 2019 special meeting. He stated that the real estate valuations figures from Pottawatomie County had come in higher than in the past year, which will help with the proposed budget.

Other items were explained to the council. One item that had Mr. Pierce concerned was the parking lot project at the Westy Community Care Home. Mr. Pierce stated he was not sure that the city's current budget could sustain the amount of this project.

Councilmember Moore stated that he felt he may not have made it clear that the city would not be paying for any of the improvements to the parking lot, that the Care Home would pay for everything themselves.

Mr. Pierce then stated that was a relief to him.

Councilmember Moore brought up his concern regarding the loan repayment installments the city makes to Rural Water District #4 for supplying water to the city. He stated that the council had requested several times to have an amortization schedule for the payments so the council would know the balance due on the loan. He stated that he was very frustrated that Rural Water District #4 board members and present staff were unable to answer any questions from the city let alone being able to provide the requested documents.

It was suggested that the city attorney write a letter requesting this information on behalf of the council.

There being no further discussion or questions regarding the proposed 2020 city budget, Councilmember Jack moved to approve the proposed 2020 city budget and have it published in The Wamego Times as required per statute. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Mr. Pierce stated that the proposed budget would be presented for approval at the August 8, 2019 council meeting.

(Ms. Rottinghaus and Mr. Pierce exited the meeting at 7:54 PM.)

Jeff Hancock with SMH Consultants: Mr. Hancock informed the council that he was in attendance to propose the city enter into a five (5) year contract for engineering with SMH Consultants. He stated that the benefits of this contract were that SMH would consult for the city on projects, review plans and ask questions of contractors should SMH feel that the contractor's plans may not be in the best interest of the city; that the city would only be charged for a "task" order which would be for actual jobs they perform.

Mr. Hancock stated that their staff continually attend conferences where they find out about possible funding of projects that the city might be interested in obtaining and that SMH would provide this information to the city at no charge.

After some brief discussion, Councilmember Jack moved to allow SMH Consultants to draw up a proposed contract for engineering services with the city. Councilmember Moore seconded the motion. The motion passed five (5) ayes to zero (0) nays.

(Mr. Hancock exited the meeting at 8:10 PM.)

Daryl Campbell-ditch issues: Mr. Campbell stated that the ditch on the west side of his property on North Walnut is so deep and rutted he cannot get his mower in it to mow it or his weed eater to trim it. He stated that there are so many rocks in it as well that it is a real mess.

Mr. Campbell wanted to know if the city was going to do anything about the ditch or was it up to him. He stated that since the rip rap was taken out to control the water coming off the county's parking lot to the north, it has become a real mess.

Councilmember Jack stated that he had personally gone and looked at the ditch and stated in his opinion, it wasn't really a ditch. He agreed with Mr. Campbell that the run off from the county's parking lot as well as the lack of guttering on the building to the north has caused the runoff water to cut a deep trough on the property. He stated that he didn't have an answer or solution to the problem, but agreed that something needed to be done.

Councilmember Jack also thanked Councilmember Moore for trying to cut the growth in the ditch for the Campbell's.

Councilmember Moore stated that the city has been fighting this ditch issue for the last ten-twelve years. He suggested that the city should ask SMH Consultants engineers to take a look at the issue and give the city an opinion on what to do.

After some brief discussion, Councilmember Moore moved to allow city maintenance staff or councilmembers to weed eat the ditch and to contact an engineer to look at the ditch for their possible solution to the matter. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

(Mr. and Mrs. Campbell and Mr. Andel exited the meeting at 8:17 PM).

Revisiting RV Park cabins: After some brief discussion on the RV Park cabins, the item was tabled until the November 14, 2019 council meeting.

Information on city park restroom drawing-Councilmember Moore: Councilmember Moore stated that he had contacted an architect for a drawing but had not heard back from him. He stated he would ask about pricing and requested this item be put on the August 8, 2019 agenda.

Requested letter from Danny Stockwell-Councilmember Moore: Councilmember Moore informed the council that Mr. Stockwell had a conflict of interest in writing a letter regarding the condition of structures on a property within the city due to now being employed by the landowner to do some work for her.

Councilmember Jack stated that perhaps the letter was a moot point due to trusses being built on the structure in question and he had personally overheard the son of the property owner ordering tin for the roof.

Water Safety Training for Fire Department Volunteers-Councilmember Smith: Councilmember Smith stated he would like permission for the volunteer firemen to hold

a water safety training exercise at the pool. After some brief discussion, the council asked Councilmember Smith to schedule this training sometime after Labor Day with the pool manager.

Council, Staff and Fire Department Fun Day-Councilmember Smith: Councilmember Smith asked if the council would consider holding a fun day at the pool in appreciation to the city staff, volunteer firemen and the council. After some brief discussion, it was suggested to hold this perhaps after the water safety training exercise.

Councilmember Jack moved to allow the pool manager and Councilmember Smith to schedule a fun day for city staff, councilmembers and volunteer firemen and finalize the event at the August 8, 2019 meeting. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Discussion on allowing maintenance staff to help with the Summer Bash event: Councilmember Moore requested permission for allowing maintenance staff to move the bleachers at the T-ball field to Main Street for the parade at the Summer Bash as well as hanging lights for the street dance. He stated that in the past, this had been done. He felt that the Summer Bash benefitted the residents and community by having people come to town and spend their money at the event.

Councilmember Jack moved to allow city maintenance staff to help with the Summer Bash event by setting up bleachers and lights. Councilmember Smith seconded the motion. The motion passed four (4) ayes [Councilmembers Smith, Moore, Jack and Rice] to one (1) nays [Councilmember Purvis].

Maintenance Supervisor Krohn requested a list of times of the events as he was still installing the new water meters and would need to plan accordingly.

City Agent Report: Jeff Zimmerman stated that he was watching a few places for violations and would be getting any necessary paperwork to the city clerk as soon as the observation time line was complete.

Pool Manager Report: Amber Krohn reported that the pool was doing very well this year and contributed it to the City of Wamego's new aquatic facility still under construction.

Amber stated that she thought some new items should be considered for the 2020 pool season as the City of Wamego's new facility will be completed by then and several other cities in the area were getting new pools and felt that Westmoreland might need to offer something new to keep current patrons as well as possibly getting new ones.

Amber informed the council that pool staff would be working at the bounce houses, concession stand and other games at the Summer Bash on July 13, 2019. She asked if the pool staff could be pulled by a city truck and staff for the parade.

Councilmember Purvis moved to allow the use of a city truck for the pool float in the parade on July 13, 2019. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Amber also stated that profits from the Summer Bash would go back to the pool and she would like to purchase a basketball goal for the pool and perhaps a newer slide.

Maintenance Supervisor Krohn stated that the pool staff was doing a great job cleaning the pool this year and because of this, the cost of pool chemicals was less than the past few years.

(Jeff Zimmerman exited the meeting at 8:49 PM).

Future Agenda Items: In addition to the aforementioned items, a discussion with the city attorney regarding the Rural Water District #4 was requested to be on the August 8, 2019 agenda.

Councilmember Smith stated that the fire department had been given a ceiling mounted projector and since the fire department did not need it, wondered if the rest of the council would consider installing it in the community center.

Maintenance Supervisor stated it depended on how old the projector was.

Councilmember Moore asked that Councilmember Smith bring the projector to the bank for their IT staff to look at it to see if it was worth installing.

Staff Reports:

Treasurer's Report: Treasurer Varriale informed the council that the health insurance premiums had been reduced by 10% this year.

Councilmember Moore requested that an additional column be added to the treasurer's budget summary report.

There being no further discussion of the treasurer's report, Councilmember Smith moved to approve the report as given. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Maintenance: Maintenance Supervisor Krohn reported the following:

UTILITIES:

- Installed 164 new water meters as of July 3, 2019

STREETS:

- Painted parking stripes on Main Street

PARKS:

- Widened the infield at the t-ball field for use beyond t-ball
- Placed mulch
- Repaired grand stand bleachers at the ball diamond
- Mowed properties
- Rec commission has requested we replace the bleacher seats at the t-ball field with new treated wood
- Rec commission requested we install a storage shed at the t-ball field. We can possibly purchase a small outdoor storage box/shed to store bases and miscellaneous equipment
- Sprayed weeds

CEMETERY:

- Mowed property

POOL:

- Replaced the entry door locks
- Installed new replacement pool signage at Highway 99 and Campbell
- Sprayed weeds
- Mowed property

PLANNING AND ZONING:

- Issued building permit for a new house at 404 Rock Creek Dr.
- Issued building permit for a new addition at 307 Main

MISCELLANEOUS:

- Mowed out of compliance yard at 605 N. Scott Dr.

Councilmember Jack commented that Krohn was doing a good job with replacing the new water meters and informing residents of the process and reason behind the replacements.

Councilmember Purvis moved to allow Krohn to purchase lumber and a storage box/shed for the t-ball field not to exceed \$1,750.00 total. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

City Clerk: Clerk Zentner requested permission to close the checking accounts for the KDHE (Kansas Department of Health and Environment) loan and the CDBG (Community Development Block Grant) grant as the wastewater improvements project was complete.

Councilmember Jack moved to allow the city clerk to close the KDHE and CDBG checking accounts. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Councilmembers Reports:

Streets: Councilmember Moore stated he was unsure if the agreement with Pottawatomie County regarding hot mixing of Campbell Street was still in place due to the county administrator's recent resignation.

He also stated that chip and seal for the previously mentioned streets would be in September after the tree trimmer trimmed back low overhanging tree limbs and the sidewalk projects were completed.

Councilmember Moore stated that there was no money available from the state funds for KDOT (Kansas Department of Transportation) to fix the intersection of Campbell Street and Highway 99.

Utilities: Councilmember Jack had nothing more to report.

Animal Control: Councilmember Smith had nothing to report.

Planning and Zoning: Councilmember Smith stated that the planning and zoning committee members would be meeting next week to organize and review their duties.

Pool: Councilmember Rice had nothing more to report.

Fire Department: Councilmember Jack informed the council that the fire department had to purchase a new battery for the "jaws of life" at approximately \$500.00 and a backup battery would need to be purchased in the near future. He also reported that the Seven Township Fire Board had agreed to go half on a smoke machine for training purposes.

Cemetery: Councilmember Purvis had nothing to report.

Parks: Councilmember Purvis had nothing to report.

City Attorney: In absence of the city attorney, she had sent an email outlining two (2) items that she had researched as requested by the council.

The first item was that the city can use general funds to donate to non-city organizations and/or events so long as the council is fair to any other organization/event. She suggested that the council consider an application process for organizations/events to apply for general funds for their own use. Therefore, donating \$200.00 to the pool for the Summer Bash event and having the proceeds go back to the city pool is perfectly fine.

The second item was a clarification on the grass and weed ordinance. She stated that city staff can enter onto a person's real estate in order to trim trees back if they are creating a nuisance (visibility to signage/cars, safety, etc.) The trees can be trimmed back by 3 (three) feet pursuant to state case law. Also, city staff can mow ditches that are above 12 inches and start assessing fines under the city's ordinance. If it has been an ongoing maintenance that the city typically performs for people, the council might consider sending out a flyer to inform property owners that you expect them to mow the ditches on their own and that the city will start assessing fines accordingly for failure to comply.

No action was taken on either issue.

Mayor: Mayor Goodenow had nothing to report.

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

Mayor Goodenow declared the meeting adjourned at 9:10 PM.

Approved by the Governing Body on August 8, 2019.



Vicki B. Zentner

Vicki B. Zentner, City Clerk

Signed: *Mark A. Goodenow*

Mark A. Goodenow, Mayor