



202 Main St. ~ PO Box 7 ~ Westmoreland, Kansas 66549  
Phone (785) 457-3361 ~ Fax (785) 457-3708

### Request for Special City Council Meeting

Westmoreland, Kansas

Dated: March 15, 2019

To: Mark A. Goodenow  
Mayor of Westmoreland

We, the undersigned, Council members of the City of Westmoreland, Kansas, hereby respectfully request you to call a Special Meeting of the Council for the object(s) and purpose(s) of:

Holding an executive session regarding pool personnel; discussion on non-profits requests.

This meeting will take place at City Hall on March 18, 2019  
at 7:00 PM.

Signed: [Signature] Council member  
Mark Jack

\_\_\_\_\_ Council member  
Jim Moore

[Signature] Council member  
Waide Purvis

[Signature] Council member  
Ashley Rice

[Signature] Council member  
Jim Smith

Westmoreland City Council  
Special Meeting Minutes  
March 18, 2019

The Westmoreland City Council met for a special meeting at City Hall on March 18, 2019 for the purpose of holding an executive session for non-elected personnel and to discuss requests from non-profit organizations and individuals.

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

Governing Body member absent: Councilmember Jim Moore.

City Staff present: Pool manager, Amber Krohn; City Maintenance Supervisor, Robert Krohn and City Clerk, Vicki Zentner.

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

Councilmember Jack moved to enter into executive session at 7:05 PM for five (5) minutes to discuss personnel matters of non-elected personnel and to protect their privacy with the Mayor, Councilmembers present, pool manager, city maintenance supervisor and city clerk. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

Councilmember Jack moved to exit from the executive session at 7:05 PM. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

Councilmember Jack moved to enter into an executive session with the aforementioned persons in attendance for the same stated reason for another ten (10) minutes. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

Councilmember Jack moved to exit from the executive session. 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 open at 7:15 PM.

As a result of the executive session, Councilmember Jack moved that the assistant pool manager position and rate of pay would be approved by the city council from this date forward. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

(Amber exited the meeting at 7:20 PM).

Councilmember Jack stated that at the March 14, 2019 council meeting, Councilmember Moore wanted city staff to do requested work for non-profits within the city along with the use of city equipment as time permitted for city staff. Councilmember Jack stated that the city attorney, John Watt, had advised the council that this was not something the city should be doing.

Councilmember Jack said he was all for helping the community and non-profit organizations, however, after the council received a second opinion from the League of Municipalities Legal Deputy Counsel this would be a violation.


Councilmember Jack had done some research and found that the use of staff and city equipment could possibly be a class A misdemeanor which could be a "misuse of public funds; knowingly using any vehicle under the officer's or employee's control, direction, or custody, exclusively for the private benefit; and could result in forfeiture of public office or employment" as stated in the Kansas State Statutes.

After some brief discussion, Councilmember Jack moved to rescind the original motion made on March 14, 2019 and to cease and desist in helping and or advising any non-city organizations and individuals including non-profits. Councilmember Purvis seconded the motion. Discussion was held regarding if the patching of the parking area at the Westy Community Care Home would be included and it was decided that it would. The motion passed four (4) ayes to zero (0) nays with Councilmember Moore being absent.

There being no further business set for the special meeting, Councilmember Jack 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 special meeting adjourned at 7:31 PM.

Approved by the Governing Body on April 11, 2019.

Signed   
Mark A. Goodenow, Mayor



Vicki B. Zentner, City Clerk