

Westmoreland City Council Meeting
January 11, 2018

The Westmoreland City Council met on January 11, 2018 at the Westmoreland Community Center for its monthly meeting.

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

Governing Body members absent: Councilmember Ashley Rice.

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

Others present: Library Chairperson, Janet Goodenow; Bruce Fouts and Cale Prater, reporter for *The Smoke Signal*.

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

Deletions/Additions to agenda: Todd Anderson with SMH Consultants regarding the land plat for the Fouts Ridge Addition was deleted from the agenda. Additions to the agenda were: Pay and change order pay request #2 by Visu-Sewer approvals; Appointing a councilmember to represent the city to the Flint Hills Regional Council due to Jeff Rosell no longer on the council and approval of the final plat for the Farmers State Bank (FSB) industrial park as recommended by the Planning and Zoning board.

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

Approval of December 14, 2017 minutes: Councilmember Purvis moved to approve the corrected minutes of the December 14, 2017 council meeting. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Approval of payment of the monthly bills: Councilmember Smith 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 Rice being absent.

Public comments: There were no public comments. Mayor Goodenow informed Mr. Fouts that the agenda item regarding the land plat for the Fouts Ridge Addition had been deleted. Mr. Fouts thanked the Mayor and exited the meeting.

Approval of contract with Governmental Assistance Services (GAS) for administration the Kansas Department of Health and Environment (KDHE) Loan: Councilmember Purvis moved to approve the contract with GAS for administrating the KDHE loan. Councilmember Smith seconded the motion. City Clerk Zentner informed the council that there had been a misunderstanding with Todd Anderson as to whether or not whether his company had agreed to administer the loan paperwork. After conversing with Mr. Anderson, SMH is not interested in administrating the loan paperwork, which is why GAS was submitting a contract to the city for administrating the loan paperwork. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Agreement with Pottawatomie County regarding maintenance of Campbell Street: Councilmember Moore informed the council that he had spoken with the Pottawatomie County Administrator, Robert Reece, regarding the agreement between the county and the city for the maintenance of Campbell Street. He stated that he had relayed the council's request for more of a split of the costs between the county and city, with the county's share being more than the 50/50 split the county proposed.

Mr. Reece told Councilmember Moore that he didn't think the county commissioners and county engineer would agree to a different split between the two (2) entities other than what had been previously stated to the city. Mr. Reece stated that the county felt that they were "good neighbors" and had helped the city in the past.

Councilmember Moore recommended the council accept the written agreement of a 50/50 split between the city and Pottawatomie County for the maintenance of Campbell Street.

Councilmember Purvis moved to accept the agreement between Pottawatomie County and the city for a 50/50 split on the cost of maintaining Campbell Street as proposed. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Approval of Cereal Malt Beverage (CMB) license for Oregon Trail Market: Councilmember Moore moved to approve the CMB license application from Oregon Trail Market. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Passage of Ordinance #558 regarding increase of water consumption rates: Councilmember Jack moved to approve Ordinance #558. Councilmember Moore seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Passage of Ordinance #559 regrading increase of solid waste and optional recycling rates: Councilmember Purvis moved to approve Ordinance #559. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Permission to destroy non-essential paperwork from 2014 and 2015: Councilmember Jack moved to approve the destruction of non-essential paperwork from 2014 and 2015 by city staff. Councilmember Purvis seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Appointment of members to the library committee: There were no nominations to the library committee from the council. It was noted that since the ballot question of a city ran library had failed in November, 2017 that perhaps there wasn't a reason at the present to have the committee.

Approval of pay application and change order request #2 to Visu-Sewer: Councilmember Purvis moved to approve the pay application and change order #2 from Visu-Sewer as requested. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Council representative to the Flint Hills Regional Council Board of Directors: Clerk Zentner informed the council that she had received an email from the Flint Hills Regional Council asking who the city had appointed as their representative to the Board of Directors due to Jeff Rosell no longer being a member of the council.

After some brief discussion, the council requested Zentner to see if Mr. Rosell was able to continue as the city's representative and if so, Councilmember Purvis moved to have Mr. Rosell stay as the city's representative to the Board of Directors. Councilmember Moore seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Approval of final plat for Farmers State Bank (FSB) industrial park as recommended by the Planning and Zoning Board: Councilmember Moore stated that the plats in the business park were assigned lot numbers and showed where streets will go in the future. He stated that this could be changed, with the approval of the Planning and Zoning Board and the council, should a business wish to have it changed in the future. He stated that 6th Street to the middle of Blenn's Trucking would be hot mixed and there would be no cost to the city on utility and street construction. This would be the responsibility of the bank and the cost would be part of the price of the lots.

Councilmember Jack moved to accept FSB Unity Addition #2 plat as presented. Councilmember Purvis seconded the motion. Councilmember Moore abstained from the vote due to a conflict of interest. The motion passed three (3) ayes [Councilmembers Purvis, Jack and Smith] to zero (0) nays and one (1) abstention [Councilmember Moore] and Councilmember Rice being absent with the official vote being four (4) ayes to zero (0) nays.

Old Business-City Agent: Jeff Zimmerman stated he had nothing new to report and was waiting for the registered letters to be picked up.

City Attorney Watt stated that municipal court had been set for the past Monday, but due to Judge Carter being ill, it was re-scheduled for February 5, 2018. He stated that two (2) charges for abandoned vehicles had been dismissed and that one (1) case regarding debris was still to be brought before the judge in February as the resident had not removed the debris to Attorney Watt's standards.

Continued discussion on the library: Chairperson Goodenow stated that since there were no committee members, there was no reason to meet. She asked the council if they wished her to continue to come to the council meetings and the council stated the decision to attend would be left to her.

Mrs. Goodenow asked about the letter to the Pottawatomie/Wabaunsee Regional Library Board (PWRL) regarding the placement of donated books at the mini-library.

Clerk Zentner stated that Councilmember Purvis would be signing the letter after the council meeting and she would then send it along with an agreement regarding the placement of the donated books to the board the next day. At this point, Zentner read the agreement to the council.

Councilmember Moore moved to approve the agreement and send it to the PWRL Board. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Councilmember Moore stated he felt the agreement had been well written.

Future Agenda Items: A special meeting for the pool and goal setting will need to be set at the February meeting.

Staff Reports:

Treasurer:

Councilmember Jack moved to accept the treasurer's report as presented with updates. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Treasurer Varriale asked to attend a class regarding cash fund accounting, budgets, etc., being offered by the Kansas League of Municipalities in Manhattan on February 23, 2018.

Councilmember Moore moved to send Varriale to the class offered by the Kansas League of Municipalities on February 23, 2018 in Manhattan and pay for mileage. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Discussion on the RV Park rates and offsetting of trash expense was held. It was decided that the first \$20.00 of any rent deposit when the RV Park is officially open, which would be March through November, would be used to offset the trash expense at the RV Park. The council agreed that this would be acceptable.

Councilmember Purvis stated he felt that in order to help offset the electric and water costs to the city at the RV Park, that perhaps the council should consider raising the rental fees as well.

Councilmember Smith moved to raise the rental rates at the RV Park by \$5.00 to help offset the electric and water costs the city incurs beginning February 1, 2018. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Maintenance:

Maintenance Supervisor Krohn reported the following for December, 2017:

Utilities:

- Jadwin Construction has approximately completed 75% of the point repairs throughout town
- Visu-Sewer has approximately installed 80% of the liners throughout town
- Raised manhole to the surface in the alley north of 1st & Cochrun
- Larson Construction completed one (1) point repair on behalf of Blue Valley Telecommunications at Burkman and 6th due to the main phone lines being bored through the main
- Sent 4th quarter lagoon samples to KDHE, in which the results showed levels under our allowed permit levels
- Replaced two (2) water meters due to freezing and breaking because the insulators were either removed or had fallen to the meter bases.

Streets:

- Cleared snow off of streets and sidewalks on Christmas Eve

Parks:

- Took down Christmas decorations and banners
- Installed all occasion banners

Cemetery:

- Opened and closed three (3) graves

Buildings:

- Robert's Heating and Air replaced the furnace/ac unit at the Community Center due to the heat exchanger going out and the furnace quit working
- Installed fresh air port for the fire station fill station

Planning and Zoning:

- Issued a building permit for a fence at 408 S. Pine

Equipment:

- Westmoreland Auto Service replaced two (2) tires, two (2) tie rod ends, clutch master cylinder, an alignment and repaired air bag wiring on the 2006 Chevrolet 1500 truck
- Westmoreland Auto Service is currently replacing clutch and repairing brakes on the 1987 F350 dump truck

Councilmember Moore stated that should any additional issues with residents arise involving the sewer project, he felt the council should be informed. Attorney Watt stated that this was fine, but that the council should not become involved with any issues that are between the company and residents since that is why the company has liability insurance. It was fine for the council to be aware of any issues, but they are not to offer any help, etc.

Councilmember Moore asked when Aaron Keller would be returning to work after his recent surgery and Krohn respond around March 1, 2018.

Councilmember Smith moved to accept the maintenance report as given. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

City Clerk:

The city clerk had nothing to report.

Councilmembers Reports:

Streets: Councilmember Moore stated that he had a meeting with the county administrator, engineer and road and bridge department recently. The county is putting up a new shop building and plans to use the current one for storage. They were interested to know if the city would consider being part of the plan to expand the current county shop building and share services. Councilmember Purvis stated he would like to know what the county had in mind. Maintenance supervisor Krohn stated that there would need to be a separation between both entities and that the city shop could use more room.

Mayor Goodenow said he would be interested in what the county has to say and felt that the council would be open to hearing what they propose. Councilmember Moore stated he would find out and report back to the council at a later date.

Utilities: Mayor Goodenow appointed Councilmember Jack as the councilmember in charge of utilities due to Jeff Rosell no longer being on the council.

Councilmember Purvis moved to accept the appointment of Councilmember Jack to utilities. Councilmember Smith seconded the motion. The motion passed three (3) ayes, one (1) abstention [Councilmember Jack] to zero (0) nays with Councilmember Rice being absent and the final vote being four (4) ayes to zero (0) nays.

Animal Control: Councilmember Smith had nothing to report.

Planning and Zoning: Councilmember Smith had nothing to report as the planning and zoning commission will be holding a public hearing on February 12, 2018 to consider the plat for the Fouts Ridge Addition to the city.

Pool: Mayor Goodenow appointed Councilmember Rice to the pool. Councilmember Purvis moved to accept the appointment of Councilmember Rice to the pool. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Fire Department: Councilmember Jack asked that Councilmember Smith, as fire chief, speak to the council.

Councilmember Smith informed the council that the department had responded to a call behind The West Pharm of a gas leak. The sewer sub-contractor had hit a gas line that wasn't marked correctly. After the city's fire truck (EOne) was providing traffic control, it stopped running. A mechanic came and looked at it and found that the hand primer had gone out. Volunteer fireman, Nate Jilka, went to Topeka to get a replacement part. Councilmember Smith stated that the fire department would be paying for Nate's gas for going to Topeka and back to Westmoreland through the account with MKC.

Councilmember Smith also stated that the department had responded to a call at the Short Stop (formerly DD's) where they found a small fire had started due to a ballast shorting out. While responding to this call, the siren stopped working and the price to replace it was \$300+.

Seven Township has bought 4-800 band radios and wishes to operate them under the city's license until they can get one of their own. Attorney Watt stated he didn't think there would be an issue with it.

Cemetery: Councilmember Purvis had nothing to report.

Parks: Councilmember Purvis had nothing more to report.

Mayor: Mayor Goodenow had nothing to report.

City Attorney: Attorney Watt had nothing more to report.


There being no further business brought before the council, Councilmember Purvis moved to adjourn the meeting. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rice being absent.

Mayor Goodenow declared the meeting adjourned at 8:10 p.m.

Approved by the Governing Body on February 8, 2018.



Vicki B. Zentner, City Clerk

Signed: 
Mark A. Goodenow, Mayor