

Westmoreland City Council
December 12, 2019

The Westmoreland City Council met December 12, 2019 at the Westmoreland Community Center for its regular monthly meeting.

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

City Staff present: Maintenance Supervisor, Robert Krohn; City Treasurer, Teri Varriale; City Attorney, Summer Dierks and City Clerk, Vicki Zentner.

Others present: Deanne Smith with Wellsprings of Westmoreland; Sue Hennigh, resident; Luke Goodenow with Westmoreland Fire Department; Dustin Newman and Peter Clark with Pottawatomie County Public Works and Kevin Cowan with Gilmore and Bell.

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

Opening of bids for ditch improvements on N. Walnut and Skene Streets: City Clerk Zentner opened the only bid received for the ditch improvements from Fleming Construction. The amount of the bid was for \$17,122.50. After review of the bid by Maintenance Supervisor Krohn and conferring with the city treasurer, the council decided to postpone the awarding of the bid until the January 9, 2020 meeting due to budget concerns.

Additions/deletions to the agenda: Councilmember Moore requested a discussion on the outdoor restroom for city park be added to the agenda and a discussion on a complaint received from a resident regarding a bill she received for damage to the new water meter reader at her rental property. City Clerk Zentner asked that Ordinance #572, Resolution #06-19 and passing of tax and securities compliance procedures for the re-issuing of bonds for Wellsprings of Westmoreland (formerly Westmoreland Community Care Home) be added as well. City Agent, Jeff Zimmerman, was stricken from the agenda.

Councilmember Jack moved to approve the amended agenda. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Approval of November 14, 2019 meeting minutes: Councilmember Jack moved to approve the minutes of the November 14, 2019 council meeting as corrected.

Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Approval of monthly bills: Councilmember Purvis moved to approve payment of the monthly bills as presented. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Public Comments on non-agenda items: There were no comments made.

Peter Clark, Director, with Pottawatomie County Public Works: Mr. Clark introduced Dustin Newman to the council and those present as the assistant public works director for Pottawatomie County.

Mr. Clark explained to the council that the county was proposing a new fleet facility for the county's maintenance. He explained how they would be connecting to the city sewer and water services with the approval from the city. They would also like to vacate the 500 block of Cochrun Street which would allow the extension of entrance gates on the east and west sides of the property. They would like to also partial vacate 5th and 6th Streets to allow for vehicle turning and allow for a parking area for their employees.

The facility would have three (3) pull through bays, two (2) smaller bays, office space, parts room, indoor crane and underground lift.

Councilmember Purvis asked if the partial vacating of 5th and 6th Streets would be in the city right of way and not the street. Mr. Clark stated that Councilmember Jack was correct. He went on to explain that 5th Street did not currently have a drainage ditch and would have no impact on street maintenance. 6th Street would have asphalt to the fence, millings and an underground drainage ditch.

Councilmember Jack inquired if there would be a change of heavy truck traffic on Campbell Street from the county trucks/equipment. Mr. Clark stated no, but all minor deliveries would be on Cochrun Street instead of Campbell Street as it is currently.

Councilmember Purvis stated he was alright with the proposed vacating of 5th and 6th Streets but had a problem with vacating Cochrun Street as residents use this street as a way to get to the city's burn pile and was also the entrance to the city shop. He also stated that Campbell Street has always had a problem with traffic and maintenance of the street due to the county's heavy trucks.

Mr. Clark stated he could not speak for the county commissioners, but would take the council's concerns back to the commissioners.

Councilmember Purvis stated that he felt the city should refrain from making any decision regarding the proposed street vacations until the county commissioners came back with a solution to the Campbell Street issues.

Councilmember Smith stated he felt that the residents in the effective area should be given prior information and a chance to have their input on the vacating and closing of streets.

Councilmember Moore stated that city representatives and Maintenance Supervisor Krohn had met with the prior county administrator about Campbell Street and that the county commissioners had indicated they would be willing to cost share with the city for a hot mix of Campbell Street from the west to Highway 99.

After some brief discussion, the council decided to hold a public hearing at the January 9, 2020 council meeting for input from residents that would be affected by the proposed closing and vacated streets.

Mr. Clark also asked the council for permission to allow the county to "stock pile" dirt on the south end of the lot in conjunction with approval of the demo permit.

Councilmember Moore moved to allow the county to "stock pile" dirt on the south end of the lot with approval of their demolition permit. Councilmember Purvis seconded the motion. The motion passed three (3) ayes [Councilmembers Moore, Smith and Purvis] to zero (0) nays with two (2) abstentions [Councilmembers Jack and Rice-conflict of interest].

There being no further discussion or requests, Mr. Clark and Mr. Newman exited the meeting at 7:35 PM.

Permission to destroy non-essential paperwork from 2014 & 2016: Councilmember Moore moved to allow permission for city staff to destroy all non-essential paperwork from 2014 and 2016 as requested. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Request for purchase of clothing for the Westmoreland Fire Department: In absence of Kevin Umscheid, Luke Goodenow presented a request for the purchase of clothing for the Westmoreland Fire Department.

Mr. Goodenow stated that the fire department fire fighters would like to purchase new soft-shell jackets with a new logo at a cost of approximately \$382.41.

Councilmember Rice moved to allow the purchase of soft-shell jackets and new logo for the Westmoreland Fire Department firefighters at a cost not to exceed \$400.00.

Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith abstaining due to conflict of interest.

Replacement of equipment at the Fire Department: Councilmember Smith, Westmoreland Fire Department Fire Chief, asked the council to split the cost of a new infrared camera to replace the present camera as it is older and the infrared is not as efficient due to the age of the camera.

Councilmember Moore moved to allow the purchase of a new infrared camera for the Fire Department with the city's share of the cost being \$2,000. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Smith abstaining due to conflict of interest.

Chief Smith also asked to purchase two (2) set of bunker gear to replace two (2) sets that had outlived their life expectancy.

After some brief discussion, the request will be addressed at the January 9, 2020 meeting after prices have been confirmed.

(Luke Goodenow exited the meeting at 7:48 PM).

Donation to Rock Creek After Prom: Councilmember Rice moved to donate a family season pool pass for the 2020 season to the Rock Creek After Prom. Councilmember Moore seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Approval of engagement agreement with VonFeldt, Bauer & VonFeldt: Councilmember Rice moved to approve the engagement agreement with the city's auditing firm. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

2020 Census information: Clerk Zentner presented the information regarding the 2020 census. The council requested that the Westy Area Chamber being given the information as well.

Approval of Ordinance #572, Resolution #06-19 and adoption of tax compliance procedures as in reference to the re-financing of the Westy Care Home Bonds:

Kevin Cowan with Gilmore and Bell explained the re-financing of the Westy Care Home Bonds to the council, stating that the old bonds would be paid off and that five (5) area banks were purchasing the new bonds. The closing on the bonds would be on December 20, 2019.

Councilmember Moore moved to approve Ordinance #572, Resolution #06-19 and adoption of tax compliance procedures for the re-financing of the Westy Care Home Bonds as presented. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Renewal of dues with Flint Hills Regional Council: Councilmember Jack moved to renew that dues with Flint Hills Regional Council in the amount of \$466.80 for the year 2020. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Discussion on city park restroom bids: After some brief discussion, Councilmember Jack moved to advertise for bids on the city park restroom. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

City Staff Reports:

Treasurer's Report: Councilmember Jack moved to approve the November, 2019 treasurer's report as presented. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Maintenance Report: Maintenance Supervisor Krohn reported the following:

- UTILITIES
 - Repaired and sent invoice for AMR Flexnet sensor removed from the meter pit at 401 N. 1st
 - Repaired and sent invoice for AMR Flexnet sensor damaged at 411 N. Walnut
 - Trimmed low hanging tree branches over the road at the lagoons
 - Ordered new register and guts for 2" meter at the county shop building that quit working. Meter was installed in 2009 and Core and Main will assist with installation when it is delivered. Meter is for their bulk fill and their maintenance office
 - Meeting with SMH Consultants next week to discuss the erosion of the creek bank of Rock Creek encroaching the lagoon dikes in one spot within 50 ft. Trees have recently started falling into the creek due to the erosion

- STREETS
 - Installed Christmas street lights and banners on Main Street
 - Removed leaves out of the curb/gutter and culverts on Main Street
 - Spread salt on the streets and ice melt on sidewalks at City properties (11/22)
 - Cleared sidewalks at City properties (11/28)

Carley Construction finished up the sidewalk improvement project on Quail and Skene streets

Have patching to do if weather and timing are right at Skene and Walnut, Main and 4th, Oregon Trail Drive and Highway 99 and some on 1st Street
Ordered street speed limit signs, post, and post anchors for Skene, Walnut, Quail, Redbud and Rock Creek Drive. Waiting on delivery to install

Christmas lights need to be rewired due to age and environment-they are brittle and falling apart

- **PARKS**

Trimmed low hanging tree branches

Installed Christmas lights at the RV Park and City Park

Graded the infield at the ball diamond filling holes and removing high spots

Removed leaves from the tennis court

- **CEMETERY**

Trimmed low hanging tree branches

Received 4' ditch liner to install when there is a hard freeze to keep the storm water from further washing out the far north fence line

- **POOL**

Trimmed low hanging tree branches

Ordered roof materials for pool house. Waiting on delivery of materials to install

- **BUILDINGS**

Installed Christmas lights at City Hall

Alternative Air installed a new 2" water main shut off and replaced a broken 2" truck fill valve at the fire station

Began replacing non-working outside building lights with new LED lights at the fire station

Propane Central installed new tube style heater to replace the non-working radiant heater at the shop

Closed down and winterized the RV Park bath house

- **PLANNING AND ZONING**

There will be an upcoming meeting to grant a property line setback variance at 406 W. Rock Creek Dr. and a possible conditional use permit for a carport unless the council approves removing carports from the list of conditional use items and allows it to fall under a regular building permit

- EQUIPMENT
Possibility of purchasing on Purple Wave a 1997 cold planer for the skid loader to aid in street patching for no more than \$3,500
- MISC.
Possibility of entering into a contract with UniFirst for \$1,326 a year for uniforms for maintenance staff and misc. cleaning supplies/floor mats to include a \$200 a year allowance for work boots to offset the \$2,200 to \$2,400 spent each year on clothing and boots currently

Discussions-

It was suggested that perhaps there would be funding from the Kansas Department of Health and Environment (KDHE) to help with the erosion of the creek bank at the lagoon dikes.

Councilmember Purvis moved to allow up to \$1,000 for maintenance staff to repair/re-wire Christmas lights. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

After some brief discussion on the proposal of uniforms and cleaning items, Councilmember Jack moved to allow the maintenance supervisor to contract with UniFirst for uniforms and misc. cleaning supplies/floor mats as well as a \$200 allowance for boots (not covered in the proposal) to replace the prior yearly clothing allowance for maintenance personnel. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

After some brief discussion, it was decided to postpone the awarding of the ditch improvements for N. Walnut and Skene Streets to Fleming Construction in the amount of \$17,122.50 until the January 9, 2020 meeting due to budget restraints.

Clerk's Report: Clerk Zentner informed the council that the Festival of Trees fundraiser held on December 7, 2019 had raised \$840 between the trees, wreaths and centerpieces. She also reported that she had spoken with the city's auditors regarding the depositing of the raised funds. The auditors suggested having a separate checking account outside of the city's main account (as was done with grant and loan funds).

Councilmember Rice moved to allow the city clerk to set up a separate checking account for the funds from the fundraiser designating it as "City Park Improvement Fund" and authorizing the Mayor, City Clerk and President of the Council (Councilmember Jack) as signees for the account. Councilmember Moore seconded the motion. The motion passed five (5) ayes to zero (0) nays.

COUNCILMEMBER'S REPORTS:

Streets: Councilmember Moore had nothing to report. He did, however, inform the council that he had a landlord speak to him about the bill they received for damage their renter made to the AMR meter. He stated that the landlord said that they had not received the bill and then was sent a letter from the city attorney.

Councilmember Moore stated he felt that a friendly reminder or a phone call should be sent or made before involving the city attorney.

City clerk Zentner stated that there was no way to send a "friendly reminder" letter that could assure that the recipient received it without sending it registered/certified, that there was no such thing as "proof of mailing" outside of the registered/certified sent letter.

Councilmember Purvis asked that the ordinance regarding meter replacement be put on the January 9, 2020 agenda.

Utilities: Councilmember Jack had nothing to report.

Animal Control: Councilmember Smith stated he had spoken to the step-son of the previous animal control officer about contracting with the city for animal control and the gentleman said he would do it for \$40,000 a year. Councilmember Smith said he told the gentleman the city could not afford this amount.

Planning and Zoning: Councilmember Smith had nothing more to report in addition to the previous conversation on public hearings.

Pool: Councilmember Rice had nothing to report.

Fire Department: Councilmember Jack stated that the annual renewal of dues to the Kansas State Fire Fighters Association of \$25 was due.

Councilmember Purvis moved to renew the annual Kansas State Fire Fighters Association dues in the amount of \$25. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with one (1) abstention [Councilmember Smith due to conflict of interest as fire chief].

Cemetery: Councilmember Purvis had nothing more to report.

Parks: Councilmember Purvis had nothing to report.

Mayor: Mayor Goodenow had nothing to report.

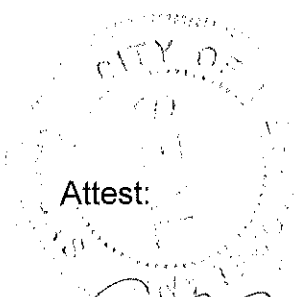
Councilmember Rice moved to give each employee a raise of \$0.50 per hour beginning with the first pay period in 2020, and \$100 Christmas bonus for each employee to be paid as soon as the city treasurer can issue the bonus check. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

City Attorney: Attorney Dierks stated that if the tree removal was not done by the end of the allotted extension given to the landowner, that he would incur the cost to remove it from the city and the city would send him a bill accordingly.

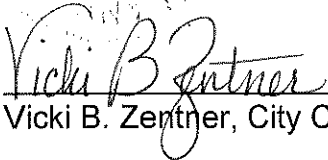
There being no further business brought before the council, Councilmember Smith moved to adjourn the meeting. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.


Mayor Goodenow declared the meeting adjourned at 8:48 PM.

Approved by the Governing Body on January 9, 2020.



Attest:


Vicki B. Zentner, City Clerk

Signed: 
Mark A. Goodenow, Mayor