

Westmoreland City Council
May 13, 2021 minutes

The Westmoreland City Council met at the Westmoreland Community Center on May 13, 2021 for its regular monthly meeting.

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

Governing Body members absent: Councilmember Jeff Rosell.

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

Others present: Kole Dierking, Jessica Jack, residents; Kevin Umscheid with the Fire Department and Cale Prater reporter for The Smoke Signal/The Times.

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

Additions/deletions to agenda: There being no additions or deletions to the prepared agenda, Councilmember Jack moved to approve the agenda as presented. Councilmember Purvis seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rosell being absent.

Approval of the April 8, 2021 minutes and special meetings minutes of May 6, 2021: There being no corrections to the April 8, 2021 regular meeting nor the minutes of the special meetings of May 6, 2021, Councilmember Jack moved to approve the minutes as presented. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rosell being absent.

Payment of the monthly bills: Councilmember Purvis stated that he would like to discuss the monthly bill from Amanda's Amenities. He stated that there was a rate increase and he felt that the council should have been informed of the requested increase prior to the submission of the April cleaning bill. He stated he had no problem with the rate increase, just that prior notice had not been given to the council.

Councilmember Purvis asked that the city clerk send a letter to the owner of Amanda's Amenities requesting her attendance at the June council meeting to discuss the rate increase. He stated that he was okay with paying the submitted bill with the rate increase at this time, however.

There being no further discussion on the payment of the monthly bills, Councilmember Purvis moved to pay all bills submitted for payment. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rosell being absent.

Public comments on non-agenda items: Resident Kole Dierking addressed the council regarding the sewer issue he was experiencing at his residence on Scott Drive.

Mr. Dierking stated that recently he had sewer backup into his basement and after speaking with Maintenance Supervisor Krohn, found that his neighbor to the south also ties into the same sewer line as Mr. Dierking's and that the sewer main is 400' to the east and south of his property. The line runs under Scott Drive to the east and then across an empty lot and behind the property at 507 N. Walnut before continuing south to the dead end at the T-Ball field.

Councilmember Jack stated that he had spoken with Krohn about the issue and that at this point, all the city can do is investigate options and costs and then discuss some sort of solution at the June council meeting.

Krohn stated that one option would be costly and involve getting the city's engineering firm involved and that KDHE (Kansas Department of Health and Environment) would also have to be involved with inspections.

There was no further discussion to be had at this time.

Appointments: Mayor Goodenow appointed Vicki Zentner as city clerk. Councilmember Rice moved to approve the appointment of Vicki Zentner as city clerk. Councilmember Jack seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rosell being absent.

Mayor Goodenow then asked the city clerk to read the rest of the appointments as follows:

- City Treasurer-Teri Varriale
- City Attorney-Summer Dierks
- Municipal Court Judge-Judge Erich Campbell
- Municipal Court Clerk-Vicki Zentner
- Fire Chief- Kevin Umscheid (effective June 1, 2021)
- Zoning Administrator-Robert Krohn
- Official City Depositor-Farmers State Bank
- Official City Newspaper-The Times
- Official City Auditing Firm-VonFeldt, Bauer and VonFeldt

- Planning and Zoning Commission Members-Tanya Purvis, Jessica Jack, Ashley Smith, and Jesse Rule

Councilmember Jack moved to approve the list of appointees as presented. Councilmember Purvis seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rosell being absent.

Election of the President of the Council: Councilmember Rice moved to elect Councilmember Jack to another term as President of the Council. Councilmember Smith seconded the motion. The motion passed three (3) ayes [Councilmembers Rice, Smith, and Purvis], one (1) abstention [Councilmember Jack] to zero (0) nays with Councilmember Rosell being absent.

Appointment of Councilmember's Liaison Departments: Mayor Goodenow stated he was keeping the liaison departments for councilmembers as they currently are. Councilmember Jack moved to accept keeping the liaison departments for councilmembers the same. Councilmember Rice seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rosell being absent.

Passage of Resolution #03-21 re: "Adopting the Kansas Homeland Security Region 1 Hazard Mitigation Plan": Clerk Zentner informed the council that due to the pandemic, wording of the original mitigation plan was changed to include the pandemic and that the resolution was to ensure that the city could receive reimbursement funds in the event of an emergency.

Councilmember Jack moved to pass Resolution #03-21 as presented. Councilmember Smith seconded the motion. The motion passed four (4) ayes to zero (0) nays with Councilmember Rosell being absent.

Jessica Jack regarding T-Ball field issues: Resident, Jessica Jack, thanked the council for allowing her time to address issues she was having with the T-Ball field usage and patrons.

She stated that when she bought her house, which is directly north of the T-Ball field on North Walnut, she bought the house with the understanding that there was a T-Ball field next to it. She stated that she was not aware that in addition to the field being used for T-Ball games and practices, that older teams and traveling teams would be using the field for games and practices as well. She said that recently, balls are hitting the side of her house that faces the field and she wanted to know who would be responsible for any broken windows and damage to the siding. She also said that patrons were parking in her drainage ditch and yard where she is trying to grow grass.

Ms. Jack had a conversation with Megan Campbell, director of the Rock Creek Recreation regarding these concerns. Mrs. Campbell informed Ms. Jack that the city would be responsible for any damage due to the Rock Creek Recreation not having insurance. Mrs. Campbell did try to help with the parking issue by placing traffic cones along the ditch to deter parking in that area.

City Attorney, Dierks, informed Ms. Jack that she should contact her own attorney to discuss the issue of liability.

Councilmember Purvis inquired of the city attorney if the Rock Creek Recreation should have their own insurance and Attorney Dierks responded that they should. Councilmember Purvis then stated he would like a letter sent to Mrs. Campbell inquiring if the Rock Creek Recreation did or did not have insurance coverage.

Attorney Dierks recommend that the city install some kind of netting to possibly alleviate the issue of balls hitting Ms. Jack's house.

Councilmember Purvis then asked that Maintenance Supervisor Krohn get some pricing together on the netting and present to the council and Mrs. Campbell for consideration.

Councilmember Rice asked if there was not a "No Parking Beyond This Point" sign installed, and patrons asked to park in the county's parking lot for games and practices. She was informed that the sign was installed but not sure if the patrons were advised of the parking option.

Councilmember Purvis stated that the council had given Mrs. Campbell permission to schedule games and practices at both the T-Ball field and the ball diamond by the Elementary School as she saw fit, and that the council did not want to charge traveling teams a fee for the use of the fields, but perhaps the council needed to talk to her regarding the parking option and possible only allowing T-ball games and practices at the T-Ball field going forward. He asked that the city clerk send a letter to Mrs. Campbell to attend the June council meeting to discuss these issues with her.

Councilmember Jack stated that the parking issue was better at a recent game. He said he was not in favor of looking into additional parking to the west of the T-Ball field on Scott Drive.

(Councilmember Rice exited the meeting at 7:30 PM).

Insurance for the RV Park Memorial Shelter: Clerk Zentner informed the council that the city had received two (2) bids for insurance on the Memorial Shelter. She stated that she had contacted another agency, but they had not submitted a bid in time.

After careful consideration, Councilmember Purvis moved to accept the bid from Charlson-Wilson Insurance for coverage in the amount of \$1,229.60 yearly premium. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Rice and Rosell being absent.

Both Maintenance Supervisor Krohn and City Clerk Zentner asked the council about implementing a policy for the use of the fireplace, if the city would sell bundles of wood and what kind of wood and if there would be a cost for the use of the fireplace.

After some brief discussion, Councilmember Purvis moved to have a cost of \$10.00 per day for the use of the fireplace and to charge \$5.00 for a bundle of wood. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Rice and Rosell being absent.

Library staff painting inside walls of library: A request from the Pottawatomie/Wabaunsee Regional Library staff at the Westmoreland Branch Library had requested permission to paint the walls in the library with the same color and paint that the city staff had painted the restroom.

Councilmember Jack moved to allow the library staff to paint the library walls if they were inspected afterwards by Maintenance Supervisor Krohn. Councilmember Purvis seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Rice and Rosell being absent.

Future agenda items: Items to be discussed at the June 10, 2021 council meeting as previously mentioned were the sewer line issue on Scott Drive and the T-ball field issues.

Reports:

*Pool-*Pool manager, Amber Krohn, informed the council that due to lifeguard certifications and re-certifications taking place at the pool, the first day of the pool season would not be until Monday, May 31, 2021.

Amber reported that she was planning on having an End of School Bash as well.

Amber requested that a special meeting be called for discussion on lifeguard wages. The city clerk will contact Councilmembers Rice and Rosell to see what night would work for them for the special meeting.

With the new lifeguard stand chair being on back order, Amber stated that she and Councilmember Rice had not come up with an alternative plan. Councilmember

Purvis stated that there needed to be one in place before the pool opens just in case the chair is not received before then.

Treasurer's Report: There being no questions regarding the treasurer's report for April, Councilmember Smith moved to approve the April treasurer's report as given. Councilmember Purvis seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Rice and Rosell being absent.

Maintenance Report: Maintenance Supervisor Krohn reported the following:

UTILITIES-

- Collected and sent monthly water bacteria samples to KDHE. Samples came back absent for any bacteria in the water
- Replaced a damaged water meter at 207 Armer due to freezing over the winter while the meter had been shut off
- Marked dig Safe locate tickets
- Shut the water off at 106 Main due to a large water leak inside the building, filling the basement with 198,000 gallons of water

STREETS-

- Regraded the alley, repairing several large potholes, between highway 99 and 6th, south of Main Street

PARKS-

- Rebuilt the swing set at City Park due to being damaged
- Mowed and sprayed weeds
- Spread mulch in flower beds
- Removed dead elm tree at Dechairo Park
- Installed a decorative trash can at the Frank Memorial Shelter and one at the Dechairo Park Shelter

CEMETERY-

- Mowed and sprayed weeds
- Spread mulch in flower beds
- Repaired and seeded grave settlement
- Solar operated gate at the cemetery cost \$2,600.00

POOL-

- Touched up/painted the interior of the pool
- Replaced the brick expansion strip sealer around the pool

- Filled and started running the pump and heater
- Energy Center ordered special repair parts to repair a water leak in the return line from the filters to the pool
- Installed electricity to the chemical shed at the pool along with LED lighting and outlets on the inside

BUILDINGS-

- Replaced the damaged entry lock of the rear door at the fire station

PLANNING AND ZONING-

- Issued a building permit for a fence at 502 Quail Dr.
- Issued a violation letter for a fence built without a permit at 609 N. 1st
- Issued a building permit for a fence at 609 N. 1st

EQUIPMENT-

- KanEquip is making repairs to the backhoe

Krohn elaborated on the sewer issue on Scott Drive stating that SMH had been to look at the issue. The city will need to get easements from two (2) property owners and the cost for the engineers, inspections and replacement lines would be close to \$20,000.00 not including the procurement of the easements.

Councilmember Purvis asked what it would take to get easements in the future for potential other unforeseen issues. Krohn stated it would start with talking to landowners. Councilmember Purvis stated the city needs to keep on top of this issue.

Attorney Dierks stated that the city may have to take the landowners to court if they do not grant the easements since existing utilities run on the properties. Councilmember Jack stated he would prefer not to have to take anyone to court and hoped that by talking personally to the landowners either by the city or Mr. Dierking explaining the issue, it may not come to it.

Krohn informed the council that there has been "heavy" vehicle parking at the pool parking lot lately. He felt that perhaps erecting two (2) signs that say, "No Heavy Truck Parking".

Councilmember Purvis moved to allow Krohn to purchase two (2) signs say, "No Heavy Truck Parking" to be placed at the pool parking lot. Councilmember Jack seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Rice and Rosell being absent.

Krohn stated he would like to get the windows tinted on the Silverado truck to keep the electronics cool in warm weather. He estimated the cost to be \$200.00. Councilmember Purvis moved to allow Krohn to tint the windows on the Silverado truck

at a cost not to exceed \$200.00. Councilmember Jack seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Rice and Rosell being absent.

City Clerk: City Clerk Zentner informed the council that the UTV group that did their memorial run last year would like permission to do it again this year. Councilmember Purvis moved to allow the UTV group to have their memorial run as long as they contact the Pottawatomie County Sheriff's Office and let them know what is going on. Councilmember Jack seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Rice and Rosell being absent.

Zentner also asked the council for a budget of \$100.00 for table coverings, decorations, and refreshments for the retirement party for Chief Smith on June 5, 2021. Councilmember Jack moved to allow up to \$100.00 for Zentner to purchase items for the retirement party for Chief Smith as requested. Councilmember Purvis seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Rice and Rosell being absent.

Councilmember's Reports:

Streets-Mayor Goodenow wondered if the parking lot at the pool could be added to the Hall Brothers list of streets to overlay. Krohn responded that the parking lot would not be able to hold up as it did not have a thick enough base underneath.

Councilmember Smith requested that the Sheriff's Office be contacted regarding speeding on Campbell Street.

Utilities-Councilmember Jack had nothing more to report.

Animal Control-Councilmember Smith had nothing to report.

Planning and Zoning-Councilmember Smith had nothing to report.

Fire Department-Councilmember Jack had nothing more to report.

(Cale Prater exited the meeting at 8:15 PM).

Cemetery-Krohn reported the cost for a solar swing gate that can be opened and closed either remotely or on a timer would be \$2,600.00. Krohn would install the gate. He also felt that there should be some sort of signage warning patrons of the gate.

Councilmember Purvis moved to allow the purchase of a solar swing gate for the cemetery and signage not to exceed \$3,000.00 with Krohn installing the gate.

Councilmember Jack seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Rice and Rosell being absent.

Krohn also asked the council to consider the purchase of another sign stating that dogs are to be on a leash at the cemetery and also signage regarding video surveillance. There was no decision made at this time on these signs.

Parks-Councilmember Purvis had nothing to report. Krohn stated he was still looking into LED lights at the ball diamond by the elementary school and the cost would be between \$50,000.00 to \$70,000.00 just for the lights.

Mayor-Mayor Goodenow had nothing to report.

City Attorney-Attorney Dierks stated there were three (3) cases on the court docket for May 26, 2021.

She is working on a resolution for dilapidation issues.

Attorney Dierks asked for clarification on the request from the council to write a letter to Pottawatomie County regarding the improvements to Campbell Street agreement.

There being no further business brought before the council, Councilmember Purvis moved to adjourn the meeting. Councilmember Smith seconded the motion. The motion passed three (3) ayes to zero (0) nays with Councilmembers Rice and Rosell being absent.

Mayor Goodenow declared the meeting adjourned at 8:24 PM.

Approved by the Governing Body on June 17, 2021.



Vicki B. Zentner
Vicki B. Zentner, City Clerk

Signed: Mark A. Goodenow
Mark A. Goodenow, Mayor