

Westmoreland City Council
August 8, 2019 minutes

The Westmoreland City Council met for its monthly meeting on August 8, 2019 at the Westmoreland Community Center.

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

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

Others present: Kaylene Plummer, president of the Westy Area Chamber; Jill Overkamp, owner of Rock House Antiques 1880; Leonard Ebert, property owner, and Cale Prater, reporter for The Wamego Times.

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

Additions/Deletions to the prepared agenda: Mayor Goodenow informed those in attendance of the addition of Kaylene Plummer (in attendance for Mary Jo Hanner) regarding the informational/visitors booth at the RV Park and Jill Overkamp, owner of Rock House Antiques, with request on weed problem at her business to the agenda.

There being no further additions or any 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 July 11, 2019 minutes: Councilmember Jack moved to approve the previously corrected minutes as well as corrections made at the meeting. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Approval of monthly bills: Councilmember Purvis moved to approve the 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 not public comments presented.

Presentation of the proposed 2020 city budget: Mayor Goodenow opened the public hearing at 7:10 PM for any public comments of the proposed 2020 city budget. There being no comments, Mayor Goodenow closed the public hearing at 7:12 PM.

Councilmember Moore moved to approve the proposed 2020 city budget as prepared by the city's accounting firm VonFeldt, Bauer and VonFeldt. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Jill Overkamp: Ms. Overkamp presented a photo of the weeds along her business and the street. She stated that she has been spraying the weeds, but felt that the city should either rock, lay down millings, or asphalt the area as that area was actually on the city's side of the property.

Attorney Dierks responded that the city's grass and weed ordinance states that the property owner is responsible for the upkeep to the middle of the street.

Councilmember Moore stated that he agreed with Ms. Overkamp, that the city should be taking care of the area and that possibly putting down hot mix would take care of the problem.

After some brief discussion and researching the property line on the city map of the area in question, it was decided that the area was indeed the responsibility of the city and it was agreed that the city would take care of the problem.

Ms. Overkamp thanked the council.

Informational/visitors booth at the RV Park: Kaylene Plummer informed the council that the Westy Area Chamber was ready to move forward with painting the door and or window frame at the RV Park self-check in station as well as painting a mural on the RV Park bathhouse directing visitors to the self-check in station for tourist information and was asking the council for permission to proceed.

Councilmember Moore moved to allow the Westy Area Chamber to proceed with the painting the door and/or window frame at the self-check in station as well as painting a mural on the RV Park bathhouse as requested. Councilmember Smith seconded the motion. The motion passed four (4) ayes to one (1) nay [Councilmember Purvis].

Councilmember Moore suggested that the art teacher at Rock Creek Jr/Sr High School be contacted to see if some of his art students would be interested in the painting of the mural.

Approval of 5-year engineering contract with SMH Consultants: Attorney Dierks pointed out a few items of interest for the council to keep in mind concerning the agreement.

She stated that overall, the contract was pretty standard and she did not have any reservations of recommending the signing of the contract.

Councilmember Jack moved to approve the 5-year engineering contract with SMH Consultants and to authorize the Mayor to sign the contract. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Leonard Ebert regarding tree removal on property at 3rd and Cochrun Streets: Mr. Ebert informed the city that when the residents next to his property was given permission to build their home by the council, it was built within two feet (2') of his property to the north. Because of the construction of the driveway for the new house, the roots to a tree that abutted both properties had been severed and now the tree was dead and the property owners want him to remove it stating that it is a safety issue to their home.

Mr. Ebert stated it was not his tree, that it belonged to the city and he was not going to pay for it to be removed. He would be willing to cut up the limbs and haul them off, but he was not going to pay for it being removed.

Councilmember Jack stated that several years ago after a wind storm had hit the city, the landowner was contacted about letting the city cut the tree down at that time and the city was told no, that they wanted it for shade.

Attorney Dierks stated that a state statute states that landowners own any trees and or shrubs that abut the city's easement. She also stated that the city ordinances allow the city to remove the tree if it's a safety issue.

Councilmember Purvis said he'd like to see examples of ordinances from other cities that deal with the same issue.

Attorney Dierks stated that a city ordinance could be drafted that would state that the property owner could be assessed the cost of the tree removal if the city were to have the tree removed.

(Mr. Ebert exited the meeting at 7:35 PM).

After hearing more comments regarding the possible wording for an ordinance, Attorney Dierks will draft an ordinance and send it to the city clerk before the next council meeting to allow any feedback from the council.

Discussion on outside restroom at City Park: Councilmember Moore presented a draft drawing from Dan Hall for the outside restroom building at City Park for the council to consider.

Mayor Goodenow stated he thought cinder blocks were not acceptable and that the building needed to be bigger to accommodate strollers, wagons, parents and kids to maneuver inside as well as allowing a wheelchair to maneuver. He said he would like to see some kind of frosted window squares to let in natural light but not allow anyone from the outside to look in.

Councilmember Moore said Mr. Hall and his son drew the draft without any input from him or any other councilmember or staff. We stated that they had indicated that should the council wish to make the building a storm shelter, it would add approximately \$5,000 more to the overall cost.

Councilmember Purvis stated he would like to see the price difference between just a restroom (10' x 10') and the addition of making it a storm shelter as well.

Councilmember Moore asked the council if they wanted him to ask for a bid from D&R Construction for the building and the optional storm shelter since D&R was in town for another few weeks. The council agreed to allow Councilmember Moore ask for the bids.

Request from Westy Chamber regarding porta potty payment for Summer Bash event: Kaylene Plummer, president of the Westy Area Chamber, asked the council to consider paying for part of the porta potty bill from Frankfort Porta Potty due to some misunderstanding as to who was to order the original ones. She stated that the one (1) porta potty at the city park was not enough to accommodate the tremendous turn out of patrons. The total bill was for \$325.95 and she was asking the city to pay half (\$162.98).

After some brief discussion, Councilmember Jack moved to pay the total bill of \$325.95 less the sales tax for a corrected balance of \$300.00. Councilmember Moore seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Consideration of a charter ordinance providing for a term of office that would coincide with the first meeting of the governing body in December following a general election of city offices: City clerk Zentner informed the council that there were several cities in Kansas that had changed when the newly, or re-elected, councilmembers terms to begin in December instead of January after elections in November.

Councilmember Rice explained that there were a few cases in the state where a councilmember that was not re-elected to another term had made it very difficult to conduct that city's business and thus the ordinance came about in that city, as well as others, to alleviate any problems from arising.

After a brief discussion, the council felt this type of ordinance was not necessary at this time.

Discussion on a Fall city clean up day: Mayor Goodenow said he would like to see the city offer a clean up day in the fall for residents to dispose of unwanted appliances, furniture, etc., since the county was not offering this service anymore. He felt that three (3) roll offs would be sufficient.

Maintenance Supervisor Krohn stated that the roll offs would cost approximately \$200 each plus the landfill fee. He stated that the one (1) roll off that would be designated for metal items only, would be taken to Wamego recycling, and the haulers would give the city the proceeds. The roll offs would be placed at the city shop grounds and Krohn would coordinate the placement of items in the correct roll off.

Mayor Goodenow stated that perhaps volunteers from the chamber, fire fighters, and individuals could help go around town and load large items for those residents that are not able to physically lift them.

Councilmember Jack moved to hold a fall city clean up day on October 12, 2019 and purchase three (3) roll offs for this event. Councilmember Smith seconded the motion. The motion passed five (5) ayes to zero (0) nays.

The city clerk will put a notice in the city newsletter as well as mention on the bank crawler and will provide a list of non-acceptable items.

(Kaylene Plummer and Jill Overkamp exited the meeting at 8:00 pm).

City Agent Report: Jeff Zimmerman stated there were two (2) jeeps that still had not been moved. (The city clerk will forward the information to the city attorney to begin court proceedings.)

The recreational camper was still on the property on Main Street. Maintenance Supervisor Krohn will speak with the landowner and inform him that if he would provide a written letter that the camper is not hooked up to city services and no one is living in it, that court proceedings would not commence.

Pool Manager Report: Amber Krohn, pool manager, requested that the last full day at the pool be August 11th due to the fact that school would be starting on the 15th, and she would like the lifeguards to be able to get ready for school. The pool would continue to be open on weekends through Labor Day.

Councilmember Rice moved to set the last full day the pool to be open would be August 11th with being open weekends until Labor Day. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

August 17th at 5:00 PM was set for the “Fun Day”/Staff Appreciation party at the pool.

Amber stated that things went well this year and that the past week had been very slow due to the county fair.

(Amber exited the meeting at 8:20 PM).

Future agenda items: The sheds on the Wege property will be discussed/reviewed at the September meeting per Councilmembers request.

Staff Reports:

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

(Jeff Zimmerman exited the meeting at 8:25 PM).

Maintenance Report: Supervisor Krohn reported on the following for the month of July:

UTILITIES:

- Installed 318 water meters as of July 29, 2019 with 26 left to dig up in order to replace the old meters that are buried

STREETS:

- Straightened sign posts throughout town
- KCAT Tree Service continues to trim trees over the streets throughout town as part of our contract with the chip sealing and for all other streets
- Rough graded for new sidewalks on Quail Drive and State Street
- Painted cross walks on Main and State streets

CEMETERY:

- Landowner to the south will begin installing new barbed wire fence along the property line of the existing chain link fence, which will be removed later this month

PLANNING AND ZONING:

- Issued a building permit for a deck at 504 Quail Drive

- Issued a building permit for an addition at 102 North Street

EQUIPMENT:

- Reed Company is making repairs to the shift linkage, not going into park, and the tail gate linkage, not engaging, on the F650 truck

MISC:

- Mowed out of compliance yard at 601 N. 1st Street

Krohn updated the number of water meters installed to 330, which was all of the residential meters. He stated that 14 meters, all at businesses, needed to have setters installed before the meters could be replaced. The cost of the setters is \$1,400 each. He stated that since the meter at the fire department is buried in concrete, that meter will not be replaced.

Councilmember Jack moved to allow Krohn to buy seven (7) setters at this time at a total cost of no more than \$10,000. Councilmember Purvis seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Krohn presented a solution drawn up by SMH Consultants to the drainage issue along North Walnut Street. He stated that every 60', a 2" wall would be placed that would slow the drainage water down. He stated that the same solution would be installed on Skene Street. The cost for North Walnut would be \$2,500 and for Skene Street the cost would be \$2,000.

Councilmember Purvis moved to allow up to \$5,000 for ditch repairs on North Walnut and Skene Streets. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Krohn also stated that the new water meters have lowered the amount of unaccountable water dramatically.

After speaking with the renter of the ground adjacent to the city cemetery, Krohn would like to wait and see how the barb wire installation looks before deciding if the city should install new chain link fence around the cemetery.

Carley Construction will begin on the sidewalks in the next 30 days.

The garage door openers at the storage garage need to be replaced at a cost of \$1,200.

(Cale Prater exited the meeting at 8:35 PM).

City Clerk Report: Clerk Zentner relayed to the council a request from GK Que to set up a food truck on Mondays at the corner of 3rd and Main. She stated since the grocery store was not having hot food items on Mondays, GK Que would like to serve the community in the grocery store's absence. The council agreed to allow GK Que to set up on the corner of 3rd and Main on Mondays.

Councilmembers Reports:

Streets: Councilmember Moore stated he had nothing to report. Krohn informed the council that the county road crew would be in town in the next week or two to chip and seal streets. Krohn was not happy, however, with the work they had already done on the cemetery road as the tar was coming through already.

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 commission should have a draft demolition permit and ordinance for the council to approve at the September council meeting.

Pool: Councilmember Rice had nothing more to report.

Fire Department: Councilmember Jack state that the annual dues for the Kansas State Firefighters Association was \$50.

Councilmember Jack then moved to a pay \$50 for annual dues to the Kansas State Firefighters Association for the Westmoreland Volunteer Fire Department. Councilmember Rice seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Cemetery: Councilmember Purvis had nothing more to report.

Parks: Councilmember Purvis had nothing more to report.

Mayor: Mayor Goodenow had nothing to report.

City Attorney: Attorney Dierks had nothing more to report.

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 8:45 PM.

Approved by the Governing Body on September 12, 2019.



Signed:

Mark A. Goodenow, Mayor

Vicki B. Zentner, City Clerk