

**City of Westwood Hills
City Council Meeting Minutes
October 12, 2015
Meeting #791**

A regular session of the city council was called to order in due form by Mayor Paula Schwach at 7:04 p.m.

Present: Mayor Schwach, Randy Brown, Rosemary Podrebarac, Karen Shelor, Ludwig Villasi, John Weedman and Beth O'Bryan. City Attorney Jim Orr was also present.

Citizens Lizann Kesse, Mike Fox, Jon Braatz and Joletta Woolwine were in attendance.

Motion by Shelor to approve the agenda. Second by Podrebarac. All aye. Motion approved.

Motion by Shelor to remove Public Safety and Building and Ordinances from the Consent agenda and move to new business and to approve the Consent Agenda as amended. Second by Brown to adopt the Consent Agenda as amended. All aye. Motion approved.

Issues from Citizens in Attendance:

Residents Mike Fox and Lizann Kesse have concerns about the condition at 4937 Glendale. In May, Fox wrote a letter to the City Clerk stating his concerns about the property. Fox wants to know when all the corrections required in the City's letter to the property owner, dated June 12, 2015, will be completed. Podrebarac advised that some of the violations have already been corrected and that the property owner has applied for a rental license. In connection with the rental license, any remaining violations will be addressed in the rental property inspection. As far as the inspection violations, Schwach advises that the building inspector writes up the inspection and sends it to the clerk. The clerk will then forward the inspection report and list of required corrections, if any, to the owner. The owner will then be allowed an opportunity to correct the violations. The City will not issue a rental property license until the violations are corrected.

Old Business:

United Community Services (UCS) contribution – Podrebarac reported that the Council voted twice to encumber monies to UCS: \$250.00 was encumbered in June and \$200.00 was encumbered in September. The consensus of the Council confirmed an intent to donate \$200.00. **Podrebarac moves and Brown seconds to remove and rescind the \$250.00 encumbrance from June's meeting and to contribute \$200.00 to UCS for its 2016 campaign. All in favor. Motion passes to contribute a total of \$200.00 to UCS.**

KDOT Geometric Grant update – Schwach reported that the City has been selected to receive a grant award in the amount of \$300,000.00 from KDOT to do stormwater pipe interlining. The construction funds will not be available until 2017. KDOT will provide us with information at a later date, related to hiring an engineering firm to do project preliminary engineering and all other required steps to utilize the KDOT funds. Once we get the information, we will follow KDOT's process scrupulously.

Lamppost restoration update – O'Bryan reported that the damage claim was settled in the amount of \$10,019.53, and the City has received the check. The lamppost has been ordered, and the manufacturer is trying to meet a November 18, 2015, ship date. Concrete work for the lamppost base is scheduled for early November, weather permitting. Shelor reported there was no charge to haul away the old lamppost.

Flag Pole repainting/landscape restoration update – Villasi reported that the flagpole is in disrepair. A bid from Dan Beaven was received for \$450.00 to clean, stabilize and paint the flagpole. **Villasi moves to encumber \$450.00 for Dan Beaven to repair, clean, stabilize and paint the flagpole. Podrebarac seconds. All in favor. Motion carries.**

Villasi reports that the landscaping along Rainbow and the affected entryways has been restored. Woolwine and Villasi reported to Council that the funds encumbered for landscape restoration at the Council's September meeting, a portion of which have already been received by the Foundation, are sufficient for the cost of the restoration of the landscaping along Rainbow and in the Rainbow entryways.

Road painting – Weedman said Shelor talked to Chief O'Halloran regarding road safety and the need to repaint some stop lines and crosswalks. Weedman has previously painted a few stop lines and speed table marking triangles in the City and volunteered to paint some additional crosswalks and stop lines except for the crosswalk across State Line. Shelor will confirm with the Chief specifically which markings need to be painted. Schwach asked for speed table triangles to be painted on 50th Terrace, but the rest do not need to be repainted at this time.

Tree stump clean up – O'Bryan reported that the tree in the alley near 2206 West 48th Terrace has been removed, but the stump remains. O'Bryan has contacted three companies to request a bid to grind or further cut down that tree stump. All three companies will not bid the work as it is too dangerous because there is metal in the tree stump. Brian Ritter has applied a tree stump killer on the stump and will continue to do so until no longer necessary. He will do this at no charge, unless he needs to purchase more stump killer. There is also debris around the storm drain. Brian Ritter will clean up the dirt and rocks and for \$200.00. **Podrebarac moves and Brown seconds to encumber \$200.00 for**

Ritter to remove the rock and debris between the fence and stormwater inlet. All in favor. Motion carries.

Future Street Repairs – Weedman spoke with Sullivan regarding street repairs. The cost to repair the spots on 49th Terrace is \$4,000.00, which is a 7-9 year fix. There is no inexpensive fix for these repairs. Schwach asks for a sense of the council on whether to repair now or defer until streets are redone. The sense of the council is to defer repairs at this time.

Last month, it was brought to Council's attention that there are loose stones at the island at 49th Street and Glendale. Weedman will fix the loose stones at that traffic island.

Weedman compiled a list of several firms that specialize in both storm sewers and street repairs. Schwach suggests we add Phelps Engineering to the list. **Weedman moves and Shelor seconds that we initiate a selection process for an engineer to assess condition of the City's stormwater pipes and interior streets and provide advice on required repairs. All in favor. Motion carries.**

New Business:

AT&T/Google Fiber Stormwater pipe repairs – Orr met with Sullivan, Podrebarac, AT&T and Google. The utility companies were told that they need either to (1) contract for the repairs directly with a contractor and reimburse Westwood Hills for Public Work expenses and Attorney fees incurred or (2) allow the City to contract with G-B and then reimburse the City for the cost of repairs and the Public Works and attorney's fees. Orr asks Council for the following authority:

- 1). Mayor to work with Orr to contract with a contractor to repair the damage to the stormwater pipe or to work with utilities for the utilities to contract directly for the required repairs, and
- 2). Process any claims on costs incurred by the City and related to the claim for damages to the stormwater pipe.

Podrebarac moves and Weedman seconds to authorize City Attorney Orr and Mayor Schwach to negotiate with AT&T and Google for the utilities either to pay the City for all its costs for making repairs to the stormwater pipe or to contract for the repairs themselves and reimburse the City for any other related costs. All in favor. Motion passes.

Halloween street closure and candy encumbrance – O'Bryan reported that in years past the City has closed off the streets for Halloween. O'Bryan asks if the Council wants to again close the streets for Halloween and to encumber money, if needed, for candy for the officers to pass out. The City will be charged for Public Works to barricade the streets but not for the police to be present at street entrances. All streets except 50th Terrace will be closed.

Brown moves to barricade all streets except 50th Terrace for trick or treating on Halloween and to encumber \$200.00 for the purchase of candy. Shelor seconds. All in favor. Motion carries.

Scanning Proposals – O’Bryan received four proposals to scan and archive the documents stored at her home. The proposal prices range from \$960.00 to \$1,950.00. She recommends Jayhawk File Express. Their contract price is \$1132.50, for the documents on which they based their estimate. Villasi has another box of documents from Duane Benton that needs to be added to the proposal. **Podrebarac moves to encumber \$2,000.00 for document scanning using Jayhawk Express. Shelor seconds. All in favor. Motion passes.**

Leaf door hangers – O’Bryan has in her possession residential yard waste management door hangers. These door hangers were created, at no cost to the City, by the Stormwater program management group at Johnson County Public Works. O’Bryan asks Council to help deliver these to the residents. Shelor will make sure the door hangers are delivered to the residents. O’Bryan will notify Johnson County Public Works when these are delivered.

Items moved from Consent Agenda:

Police Report – Shelor reports there were complaints about concrete trucks running through the City. The Mayor contacted the Westwood Police Department and it tracked down the offending companies to advise they cannot cut through the City.

Building and Ordinance report – Shelor asks about status on the Daskalova property. Podrebarac reports that Dr. Daskalova has made contact with the City. Brown reported some progress with yard clean-up. The next step (if there is non-compliance) is a formal violation from the codes enforcement officer, and the homeowner is given 30 days to comply. The 30 days can be continued if progress is being made. If there is no progress, then owner is taken to Municipal Court.

O’Bryan will talk to Dr. Daskalova next week about removing the tree by the sidewalk and inquiring if she will accept help from city volunteers. Council members and resident Woolwine all agree that tree closest to the sidewalk is a potential safety issue and should probably be removed.

Items from the Floor:

No items from the floor.

Motion to adjourn by Brown. Meeting adjourned at 9:07pm.