

**City of Westwood Hills  
City Council Meeting Minutes  
September 12, 2016  
Meeting #802**

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, Rosemary Podrebarac, Karen Shelor, John Weedman and Beth O'Bryan. City Attorney Jim Orr and City Treasurer John Martin were also present. Ludwig Villasi was not present.

Citizens Renée Miller, Dale Prout, Pauline Freeman, Jennifer O'Neill, Rick O'Neill, and Kohen O'Neill were in attendance.

Mayor Schwach asked council to move the August Treasurer's report to new business and to strike the Public Safety, Police and Court report from the consent agenda.

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

**Motion by Podrebarac to adopt the Consent Agenda as modified. Second by Shelor. All aye. Motion approved.**

**City Business:**

**New Council Appointment** – Mayor Schwach reported that councilman Brown moved from the city, making him ineligible to continue his work on council. His resignation created a vacancy on the council. Mayor Schwach asked Jennifer O'Neill to serve the remainder of Brown's term. **Schwach gave council and residents a brief bio for O'Neill and advised council of her intent to appoint O'Neill to fill the vacancy. Council consented to the appointment. Schwach then swore in Jennifer O'Neill as a council member.**

**Issues from Citizens in Attendance:**

Pauline Freeman brought the condition of the creek and creek walls to the council's attention. Freeman said that some of the creek walls have fallen into the creek, and the rocks are impeding the water flow. She also said that water from the creek came in to her home and other neighbors' homes during the last storm. Podrebarac said that letters to creek owners reminding them to maintain the creek were not sent out this year. She also reminded council and residents that our ordinances do not require the walls to be maintained but rather that the ordinances do require the creek to be kept free of debris.

Shelor recommended a study to determine what needs to be done to the various locations in the creek. Citizen Renée Miller said that she and resident Mike

Whitsitt have been discussing cleaning up the creek where it runs between their properties and their nearby neighbors in the city and that hopefully neighbors will work together to maintain the creek.

**Old Business:**

Tree cleanup on The Green – Schwach reported that Mike Flynn from Canopy Tree Service evaluated the trees on The Green and found the following issues:

**Redbud, east side, near the dog cleanup station**

Remove balance of tree to ground level.

Estimated cost: \$175.00

Stump grinding: Estimated cost \$85.00

**Blue spruce, north side**

Remove lower dead branches.

Estimated cost: \$95.00

**Oak, north side, near the curb**

Remove three dead and decaying limbs over the stone path and additional 4" x 15-18' dead south limb at 30'.

Estimated cost: \$195.00

**Elm, east side, south of the redbud**

Remove the hanging dead limbs from the middle canopy.

Estimated cost: \$185.00

**Redbud, north end of the creek bridge**

Remove dead limbs over the path.

Estimated cost: \$65.00

**Hackberry, south and east of the footbridge, on the creek bank**

Removal of dying tree.

Estimated cost: \$1,875.00

Schwach reminded council that a volunteer cleanup day is scheduled for September 24th, and she reached out to Renée Miller to ask if the Garden Club could offer assistance with the necessary tree work. Miller said the Garden Club and volunteers could remove the redbud trees but not grind any stumps. The Garden Club will also cut out the lower branches of the blue spruce during the volunteer clean up. Schwach reminded council that the city would soon recoup the \$1320.00 spent to remove a dying tree from private property within the city. Schwach recommended the city take care of the redbud trees and other dead limb removal but hold the removal of the hackberry tree until 2017. Shelor reported that several residents have used another tree company and recommended obtaining another bid for the tree work.

Schwach asked for an encumbrance of \$550.00 to grind the stumps of both redbud trees and to remove the dead limbs from the elm tree and the oak tree. **Podrebarac moves to encumber \$550.00 for the above work on The Green. Weedman seconds. All in favor. Motion carries.**

Tree stump in the alley at 48<sup>th</sup> Terrace and Rainbow – O'Bryan advised council that Brian Ritter has given a bid of \$200.00 to remove (not grind) the stump manually. **Podrebarac moves to encumber \$200.00 to remove the stump in the city's alley. Seconded by Shelor. All in favor. Motion carries.**

### **New Business:**

2017 Human Service Fund donation request – O'Bryan reported that the United Community Services (UCS) has asked for a 2017 contribution of \$200.00 from the City of Westwood Hills. O'Bryan asked Council if the city wanted to contribute as they have in the past. **Podrebarac made a motion to contribute \$200.00 to UCS for calendar year 2017. O'Neill seconded. Motion fails.**

Deposit tickets and toner – O'Bryan reported that both the City and the Westwood Police Clerk need deposit tickets. The cost to purchase 8 books (four for each office), a total of 400 tickets, is \$16.24 plus tax. O'Bryan asked council to encumber \$16.24 plus tax to purchase the deposit tickets.

Toner- O'Bryan reported the printer is low on toner. She ordered a cartridge, and the cost is \$34.99. O'Bryan asked council to reimburse her for the toner cartridge. **Podrebarac made a motion, seconded by Shelor, to encumber \$20.00 to purchase 400 deposit tickets and to encumber \$34.99 for toner. All aye. Motion passes.**

Policy – Amounts to be ratified – Schwach said the city has standard operating expenses and asked council to consider establishing a policy for the city clerk to spend a certain amount of money without prior council approval. Podrebarac said it would expedite payments and streamline the meetings if such a policy were adopted and recommended an expenditure limit of \$100.00. O'Neill suggested that any normal operating expenses could be authorized provided that we are within the approved budget amounts. After a brief discussion, it was decided that this agenda item will be held until next month. O'Neill will further investigate and make a recommendation.

Northeast Mayor's (NEJC) Holiday Luncheon – Schwach reported that the holiday luncheon is an annual event, and this year is Westwood Hills' turn to host the current and past NEJC mayors in December. The Karbank Company has agreed to donate the space for the luncheon. Schwach asked for an encumbrance of up to \$500.00 for the cost to host the luncheon. **Shelor moved and Podrebarac seconded to encumber up to \$500.00 to host the NEJC Mayor's Holiday Luncheon. All aye. Motion passes.**

October City Council Meeting – O'Bryan reported that the October council meeting falls on the Columbus Day Holiday. She asked if council wanted to keep the meeting on October 10, 2016, or move the meeting to an alternate date. Orr will be out of town, but all other council members are available to meet on the 10th. The regular City Council Meeting will remain the on the 10<sup>th</sup> of October, 2016.

Standard Traffic Offence (STO) and Uniform Public Offense Code (UPOC) Ordinances – Podrebarac informed council that these two ordinances need to be adopted every year. **Podrebarac moves to adopt Ordinance #258 for the City to incorporate the STO 2016 edition into our ordinances. Shelor seconded. All aye. Motion carries. Ordinance #258 is adopted.**

Podrebarac reminded council that we had previously made changes to the Uniform Public Offense Code by raising the smoking age to 21, extending the distance prohibiting smoking outside access points to the shops, and expanding the smoking prohibition to include The Green. **Podrebarac moved to adopt Ordinance #259 to incorporate the UPOC 2016 edition into our ordinances, with the modifications to the smoking age and extended smoking prohibitions. O'Neill seconded. All aye. Motion carries.**

Treasurer's report – Martin said the budget situation is good, but the traffic fine collections to date are about \$27,000.00, which amount is short of the budgeted amount. This shortage may affect the amount of money available to be carried over for 2017. Schwach reminded council of the humane approach the chief has implemented to traffic enforcement, which approach has decreased the amount of fines paid to the city. Before the October meeting, Martin will run projections to estimate the impact of the decreased traffic fines on the budget.

#### **Informational items – no action to be taken**

Happy Bottoms Diaper Week Proclamation – Schwach signed the proclamation. At Councilwoman O'Neill's suggestion, O'Bryan will put an article in the newsletter about Happy Bottoms and their efforts.

Save the Date – Johnson County and Wyandotte County Mayor's Holiday Social – December 7, 2016 – Cost is \$68.00 per person to attend.

Mayor's application for storm water tree grant. Mayor Schwach wished to disclose to the Council that she has filed an application to participate in the Stormwater BMP tree grant program available to all residents of the City.

League of Kansas Municipalities Conference October 8-10, 2016. Go to <http://www.lkm.org/page/AnnualConference> for more information.

**Motion to adjourn by Shelor. Meeting adjourned at 8:19 pm.**