

**City of Westwood Hills
City Council Meeting Minutes
December 11, 2017
Meeting #817**

A regular session of the city council was called to order in due form by Mayor Paula Schwach at 7:07 p.m.

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

Citizens Mary Becker, Mary, Joe and Rory Peterson, and Bob Kirk were in attendance.

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

Motion by Weedman to adopt the Consent Agenda. Second by Podrebarac. All aye. Motion approved.

Old Business:

Tree Trim at 1914 W. 50th Terrace – O'Bryan reported that the cost to trim the ash tree overhanging the above property is \$590.00. Resident Gordon Reiz is willing to pay half of the cost to trim the tree. The Arborist will use the homeowner's driveway to gain access to the tree. The Arborist stated that the tree can be trimmed throughout the winter. Mayor Schwach asked that both parties be on the contract as responsible parties. Unfortunately, the Arborist cannot divide up the billings. The City would have to pay the cost and then get reimbursement from the resident. Shelor asked that the city get a check in advance from the resident before entering into the contract. **Shelor moved to enter into a contract with KC Arborist, after receiving payment from Mr. Reiz, and to encumber \$590.00 to thin the tree. O'Neill seconded. All in favor. Motion carried.**

Erosion Control Ordinance – Podrebarac presented Ordinance #268 which adopts the Erosion and Sediment Control Act for the City. Podrebarac added a provision (section 714) to the version of the Erosion and Sediment Control Booklet which was circulated to Council and explained the need for the addition. Section - 5-705 (c) – Mayor Schwach wanted to confirm that the proposed ordinance does not include provisions for construction run-off on sites less one acre. If the proposed ordinance is adopted tonight, the City would still be required to adopt an additional ordinance to control runoff on sites less than one acre.

This ordinance is required by KDHE as a condition of the City's MS4 Stormwater Permit. This is the City's last standing requirement.

Podrebarac moved and Shelor Sexton seconded to adopt Ordinance #268, nacting the City's erosion and sediment control act. All in favor. Ordinance #268 adopted.

Review (Right of Way) ROW ordinance – Schwach provided council both a clean and marked up copy of the ROW ordinance. The State law pertaining to rights-of-way has changed; however, the law does include an exception for an historic district with regard to location and size of telecom companies' towers and other facilities. Schwach asked council for any questions. Schwach asked if council would like to adopt the infrastructure manual that the City of Westwood is using. Doing so would make Public Works Director John Sullivan's job a little easier because both the Cities of Westwood Hills and Westwood would be following the same manual. Should council adopt without asking another engineering firm to look at the manual on our behalf? Shelor asked to table this until January's meeting.

Once the ROW ordinance is adopted, we will need to update our fee schedule. The Mayor will visit with Westwood, Mission Woods and possibly Mission Hills to find out their fees.

New Business:

Damage to Roeland Park's equipment during leaf pickup – Schwach reported that Roeland Park's leaf pickup equipment was damaged by a rock in the leaf pile. Several citizens voiced their displeasure that the leaves were not picked up on schedule. Shelor voiced that she was disappointed with the citizen's reactions.

Resident Joe Peterson observed the following:

- Bricks in the leaf piles on 48th Terrace (Sunday morning), which Joe removed.
- Cars parked blocking the leaves to be picked up

When Mr. Peterson resided in Prairie Village, the homeowners were responsible for leaf pick collection. Citizens were responsible for blowing leaves to the curb, and a company picked them up for around \$25-\$30 a home, and citizens were responsible for any damage done to the machines.

Council recommended to consider including as violations in the City's ordinances residents putting out leaves too early, including rocks/stones in leaf piles, and parking cars on the street during leaf pickup. **Motion by Shelor Sexton to encumber \$50.00 for council to provide a card and pizza to the Roeland Park public works department. O'Neill seconded. All in favor. Motion passed.**

Reimbursement for the Solar Cap for the post on The Green – Villasi reported that when the Blue Atlas Cedar was removed on The Green, a 6" metal post end and electric box was left exposed above ground. One person tripped on the box during the evening hours. Villasi installed an 18" tall 4x4 post with a solar cap on top to light up the post. Villasi requested the City reimburse him \$13.02 for the cap.

Motion by Podrebarac and second by Shelor Sexton to reimburse Councilman Villasi \$13.02 for the solar cap. All in favor. Motion carried.

Informational items – no action to be taken

Issues from Citizens in Attendance:

Joe Peterson at 2116 West 48th Terrace reported that water is flowing down the hill from Westwood into his property. Approximately two feet of water broke through the retaining walls and came through his garage during the storm. He stated that the wall on the east side of the property at 2118 W. 48th Terrace is compromised. The structure of his garage is getting pushed by the force of the water. Peterson stated that he talked to Planning Commission Chair Lyle Miller who confirmed the problems Joe has encountered. Joe doesn't know how to fix the problem and requests help from the council. Schwach hoped that the city could get help from Westwood to cure the problem, but Westwood will not help as Westwood contends the water drainage is a pre-existing condition. Schwach said we may be able to cite the homeowner at 2118 W. 48th Terrace with the eroded retaining wall. Mayor would like to get the three homeowners together in January – Peterson (2116), Redburn (2112), Newkirk (2118) to explore possible solutions.

RECYCLING PROGRAM WITH JOHNSON COUNTY - BACKGROUND:

Johnson County Department of Health and Environment (JCDHE) will be submitting an application to KDHE for their new Solid Waste Grant Program. The application is due December 15, 2017. JCDHE hopes to partner with several cities within the county to initiate a uniform recycling education and outreach campaign to residents. The campaign will include post card mailers, newsletter articles and social media posts with the message of recycling. Because there are so many cities and haulers and various contracts in the county, messaging has always been fragmented. This grant funded program will be an opportunity to come together and unify the message across boundaries.

The City submitted a letter of commitment to the County. Beth O'Bryan and Lizann Kesse will serve as the staff liaisons.

The Foundation (Secret Santa) paid for house numbers to be painted on the curbs in front of all the homes in the City.

Landscape Walk Through – Villasi reported that he was told there are 12 plants under warranty needing to be replaced. Villasi feels that more plants need to be replaced. The 49th St. island has boxwoods that are diseased. Mayor Schwach and Councilwoman Shelor Sexton suggested a walk through in April. Rose Hill removed the rosebushes on Flag Island.

Shelor Sexton commended Westwood Police Department (WWPD) for the work they've done in 2017. Shelor Sexton will provide lunch on December 28, 2017 for the WWPD.

Executive Session:

Podrebarac moved and Weedman seconded to go into executive session for a personnel issue at 8:48 pm for 15 minutes.

Executive Session adjourned, and council meeting reconvened at 8:53 pm

Podrebarac moved and O'Neill seconded to increase the city clerk's salary by 3%, effective January 1, 2018, and to award the city clerk a \$400.00 bonus to be paid in December. All in favor. Motion passed.

Motion to adjourn by Weedman. Meeting adjourned at 8:55 pm.