

**City of Westwood, Kansas**  
**Regular City Council Meeting**  
**4700 Rainbow Boulevard**  
**March 12, 2020 – 7:00 p.m.**

Council Present: David E. Waters, Mayor  
Jeff Harris, Council President  
Lisa Cummins, Councilmember  
Jason Hannaman, Councilmember  
Laura Steele, Councilmember  
Holly Wimer, Councilmember

Council Absent: None

Staff Present: Fred Sherman, CAO/City Clerk  
Greg O'Halloran, Chief of Police  
John Sullivan, Director of Public Works  
Charles Mills, City Treasurer  
Ryan Denk, City Attorney

**Call to Order**

Mayor David E. Waters called the meeting to order at 7:00 p.m. on March 12, 2020. The City Clerk called the roll. A quorum was present.

**Comment on Non-Agenda Items**

No comments were made

**Approval of Meeting Minutes**

Motion by Councilmember Cummins to approve the February 13, 2020 Council Meeting Minutes with suggested changes. Second by Councilmember Harris. Motion carried by a 5-0 voice vote.

**City Treasurer's Report**

**Approval of Financial Statement –February 2020**

Mr. Mills referred to the Treasurer's Report and offered to answer any questions. February 2020 revenues for the general fund were in the amount of \$161,438 and expenses for the month were in the amount of \$170,604 with a decrease of \$9,258 in the fund balance.

**Appropriation Ordinance 712**

Motion by Councilmember Hannaman to approve appropriation ordinance #712 in the amount of \$185,271.76. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

**City Attorney Report**

**A. General obligation Bonds – Sale & Delivery Resolution/Ordinance**

The proposed resolution and ordinance are the final steps for implementing the street and storm water improvements that were initially outlined with the new 0.5% special sales tax measure that the Westwood voters approved via a mail-in ballot on May 1, 2018.

This resolution and ordinance finalize the competitive bidding process for the final long-term financing of the construction projects, awards the sale and authorizes and directs to be issued the General Obligation Improvement Bonds, Series 2020A.

The “Go-To Market” resolution (Res 78-2020) was approved at the February 13, 2020 City Council meeting, denoted the total project cost of the Stormwater projects at \$660,000, and the total estimated costs of the Main Trafficway and Trafficway Connection projects at \$3,490,000, for a maximum total project amount of \$4,150,000.

Motion by Councilmember Hannaman to pass Ordinance No. 1007 authorizing and providing for the issuance of General Obligation Improvement Bonds, Series 2020a, of The City of Westwood Kansas. Second by Councilmember Cummins. Mr. Sherman performed a roll call vote, the motion carried by a 5-0 vote.

Motion by Councilmember Harris to pass Resolution No. 79-2020 prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Improvement Bonds, Series 2020a, of The City Of Westwood, Kansas, Previously Authorized By Ordinance No. 1007. Second by Councilmember Hannaman. Motion carried by a 5-0 voice vote.

### **Administrative Report**

#### **A. Insurance Renewal**

The city’s general insurance policy will expire on April 1, 2020. Geoff Gobble with Boulevard Insurance LLC, has provided an overview of the insurance renewal options for the City of Westwood for the next policy coverage year.

Overall, insurance rate premium costs have increased some, partly due to adjusted property limits, rising auto rates, and increased city population figures. These various changes have also led to an increase in the Commercial Excess Liability pricing, as it is based on the cost of the underlying coverages which it is excess to.

The 2020 KMIT work comp rates are based on estimated anticipated annual payroll amounts, subject to an annual audit. Work Comp expenses are anticipated to be slightly higher due to budgeted payroll increase & changes in the Experience Modification rate on the coverage.

The cost for the Additional Insured status for Westwood Hills & Mission Woods on both the General Liability and Law Liability for the respective interlocal agreements will be \$225 for each municipality. Both Westwood Hills and Mission Woods will be billed for this additional insurance coverage expense.

Insurance coverage for the 4th of July fireworks event typically will be secured by a separate policy as has been done since 2014.

In addition to the City Hall, Public Works, and several parks properties, the city’s insurance coverage includes the 5050 Rainbow Blvd property – to be classified as a vacant building this year, traffic signals, the street lights associated with the Woodside Village project, the city-owned street lights purchased from KCP&L in 2015, and the new decorative pedestrian style street lights that were installed in 2019. The insurance coverage needs for Westwood staff performing building codes services to the cities of Westwood Hills and Mission Woods is also included, as is a Cyber Liability policy that gives additional

coverage to resurrect data, public relations expense, and provide additional network security and defense liability coverage.

Motion by Councilmember Harris to authorize the Mayor to sign the necessary documents for renewal of the city's Insurance Policy Package with Boulevard Insurance LLC for the next policy year. Second by councilmember Hannaman. Motion carried by a 5-0 voice vote.

**B. Fence Variance – 4844 Booth Street**

David and Lisa Hoebelheinrich, who purchased the house at 4844 Booth Street (northwest corner of Booth Street and W 49th Terrace) in September 1998, and then completed a significant house addition in 2014. The Hoebelheinrichs are requesting a fence variance to place a new section of 6-foot tall cedar privacy fence closer to 49th Terrace than the residence, and a 6-foot tall section in the side yard of the dwelling to the north property line.

The proposed 6-foot tall privacy fence will be new fence sections on this subject property. The fence proposal is to enclose the western yard area of the property, attaching it to an existing side-yard fence located on the property to the west at 4845 Belinder Court. The existing fence is located 12-feet north of the 49th Ter street rights-of-way, or about 20-feet from the 49th Terrace curb. The fence on the 4845 Belinder Court property was permitted to be constructed in this configuration when a fence variance was approved by the City Council in November of 2002.

A portion of the new fence will be in the designated front-yard area of the 4844 Booth Street property, closer to the street than much of the 4844 Booth Street structure line is to 49<sup>th</sup> Terrace. The proposed fence is to be 6-feet tall. The Westwood fence zoning standards typically require a side-yard fence to be only 4-feet tall.

The fence proposal is to also install a new 6-foot tall gate section fence in the yard area along the north side of the 4844 Booth Street dwelling, tying it into the existing fencer corner that currently extends off of the rear of the house to the north, located at 4842 Booth Street. By zoning definition, this proposed fence section will be located in the side-yard area of the 4844 Booth Street property, but it ties into an existing fence on the 4842 Booth Street property that is in compliance with the adopted fence standards.

Given that this property is platted with less than 65 feet in total width but more than 50 feet, the existing Westwood Zoning Regulation classifies this property as being zoned R-1(B), and would require a new residential structure to be built on the property with a 35-foot front yard setback from the Booth Street right-of-way line, and a side-yard setback of 7 feet with a common property line, or 15 feet from the 49th Terrace right of way.

The existing house structure is setback about 38 feet from Booth Street, and about 12 feet from 49th Terrace.

David Hoebelheinrich, 4844 Booth, addressed the Governing Body and offered to answer any questions.

Motion by Councilmember Hannaman to approve the fence variance request at 4844 Booth Street to allow the six-foot tall wooden picket fence in the front and side yard area of the property. Second by Councilmember Cummins. Mr. Sherman performed a roll call vote. Motion carried by a 5-0 vote.

## **Public Safety Report**

Chief O'Halloran referred to the February 2020 Public Safety report and Court Report and offered to answer any questions.

### **A. Vehicle Purchase**

Dependable vehicles that can respond in all weather conditions are critical to the delivery of police services. In the 2020 budget process the council approved the purchase of a Ford Explorer Interceptor and the necessary law enforcement equipment to outfit that vehicle. It takes up to 12 weeks to get vehicle manufactured from the time it is ordered.

The 2011 Crown Vic will go to Public Works, and Crown Vic currently being used by Public Works will replace the Crown Vic vehicle being used for building and codes inspections. This is the last of the Crown Vic aging fleet to be replaced.

The all-wheel drive Ford Explorer vehicles have proven effective for the department. It's imperative to be able to respond to calls for service in a timely manner no matter what the weather. It will offer more room for the officers/prisoners and reduce risk management issues by being less of a physical strain on their bodies.

Purchase price will be compatible with statewide government contract to ensure best price. Base vehicle cost: \$34,000, Law enforcement equipment: \$ 12,000, Total estimate: \$46,000

Motion by Councilmember Cummins to authorize expenditure of funds needed to purchase new Ford Explorer Interceptor and related electronics and emergency equipment, and authorize the Mayor to sign any contracts or paperwork associated with this transaction. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

## **Public Works Report**

Mr. Sullivan referred to the February 2020 Public Works report and offered to answer any questions.

## **Committee Reports**

### **Administration & Compensation Committee**

Councilmember Hannaman noted that Mr. Sherman has accepted a new role at the Johnson County Election Office as the Deputy Election Commissioner and eventually the Election Commissioner after the 2020 Fall General Election. The process has begun to fill the City Clerk/Chief Administrative Officer position.

### **Business & Community Affairs Committee**

Councilmember Cummins noted the Committee met and discussed upcoming events for the City.

### **Public Safety Committee**

Councilmember Harris had nothing to report.

### **Public Works Committee**

Councilmember Steele noted the committee met earlier in the week with Uhl Engineering to discuss preliminary engineering plans for 47<sup>th</sup> Terrace and 48<sup>th</sup> Street between State Line and Rainbow Boulevard.

### **Parks & Recreation Committee**

Councilmember Wimer noted the Committee met earlier in the week with representatives from the Westwood Women's Club about planting flowers around the City. The Women's Club would purchase, plant and maintain the areas they have designated for plantings.

### **Mayor's Report**

#### **Westwood Foundation Appointment**

The adopted By-Laws for the Westwood Foundation establish the governance of the corporation, and provide the need of a Board of Directors for the management of all the affairs, property, and business of the corporation. The By-Laws, as amended, establishes that the duly elected Mayor of Westwood serves as a board member, and up to six other residents of the City of Westwood, Kansas may be appointed by the Mayor and confirmed by a resolution adopted by a majority of the member of the Westwood City Council to also serve staggered terms on the Westwood Foundation Board of Directors.

The following other board members terms have expired or will be expiring and have agreed to a reappointment:

Robert C.J. Thompson, 4830 Belinder Court  
Kumud Pyakuryal, 2700 W. 48th Terrace

Motion by Councilmember Harris to pass resolution No. 80-2020 confirming the reappointment of Robert C.J. Thompson and Kumud Pyakuryal to the Westwood Foundation. Second by Councilmember Hannaman. Motion carried by a 5-0 voice vote.

#### **Planning commission Appointments**

The members of the Westwood Planning Commission are appointed by the mayor, with the consent of the Governing Body, and serve a term of three years each (16.1.4.2).

Rob Junk and Cindy Carlson have both agreed to continue to serve on the Westwood Planning Commission.


Motion by Councilmember Harris to confirm the appointment of Rob Junk and Cindy Carlson to the Westwood Planning Commission for a term that expires in February 2022. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

Mayor Waters thanked Mr. Sherman for his service to Westwood and wished him well at his new position with the Johnson County Election Office.

#### **Adjournment**

Motion by councilmember Cummins to adjourn the meeting. Second by Councilmember Harris. Motion passed by a 5-0 voice vote. The meeting adjourned at 8:44 pm.

APPROVED:   
David E. Waters, Mayor

ATTEST:  \_\_\_\_\_  
Frederick L. Sherman, City Clerk