

**City of Westwood, Kansas**  
**City Council Meeting**  
**4700 Rainbow Boulevard**  
**March 11, 2021 – 7:00 p.m.**  
**Held Remotely Via Zoom**

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

Council Absent: None

Staff Present: Leslie Herring, CAO/City Clerk  
Greg O'Halloran, Chief of Police  
John Sullivan, Director of Public Works  
Eddie McNeil, Building & Codes Official  
Michelle Ryan, 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 11, 2021. The City Clerk called the roll. A quorum was present.

Mayor Waters noted a presentation and authorization to renew the City's insurance policy with EMC insurance as a proposed addition to the meeting agenda, the proposed addition would be item 7.C. under the Administrative Report.

Motion by Councilmember Harris to amend the agenda to add Item 7.C. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

**Visitors**

Charles Marx, Kate Collum and Craig Wood from the Johnson County Solid Waste Committee made a presentation about the committee's Green Business Program.

**Comment on Non-Agenda Items**

Any comments for the Governing Body on non-agenda items were able to by either virtually raising their hand on the Zoom platform or could provide a written statement to be submitted to Ms. Schneweis by 5:00 pm on Thursday, March 11, 2021 to be shared during the meeting. Comments were to be limited to five minutes in length.

Jayne Tebow, 4952 Norwood, suggested the city create and use banners of all designs submitted to the city during a recent call for new designs by the Business and Community Affairs Committee.

**Approval of February 11, 2021 City Council Meeting Minutes**

Minutes from the February 11, 2021 Council Meeting were included in the agenda packet. Councilmember Hannaman provided a spelling correction to the document. Motion by Councilmember Harris to approve minutes document with suggested changes. Second by Councilmember Hannaman. Motion carried by a 5-0 voice vote.

### **Treasurer's Report**

Mrs. Ryan provided a review of the February 2021 Treasurer's report and offered to answer questions.

Motion by Councilmember Hannaman to approve Appropriations Ordinance No. 724 in the amount of \$391,642.53. Second by Councilmember Wimer. Mrs. Herring performed a roll call vote, motion carried by a 5-0 vote.

### **City Attorney Report**

Mr. Denk had nothing to report to the Governing Body.

### **Administrative Report**

Mrs. Herring provided a review of the February 2021 Administrative report and offered to answer questions.

### **Consider Resolution No. 90-2021 Adopting a Financial and Purchasing Policy for the City of Westwood**

In an effort to memorialize the City's existing financial management and purchasing practices and to provide an opportunity for process improvement and evaluation of our working policies, City staff along with the Administration and Compensation Committee and City officials and advisors undertook the creation of a Financial and Purchasing Policy for use by the City of Westwood. The evaluation of City processes and operations relating to financial management and purchasing took place naturally during the implementation of our new financial management software and accounts payable system as well as during the onboarding of the City's new Chief Administrative Officer and City Treasurer in 2020.

At the March 3, 2021 Administration and Compensation Committee meeting, the Policy was recommended for review and consideration for action by the full City Council at this meeting.

The policy document is written in what is intended to be a straight-forward way that will be easy for current and future staff and officials to use and reference during the course of carrying out City operations. Largely, the Policy is written in a way that documents what the City is currently doing so that there is a central reference for how and why finances and purchasing are managed. However, it also provides for some recommended process improvements or changes that are summarized as follows:

- Process changes reflective of the City's implementation of a new financial management (Intacct) and accounts payable (Bill.com) system;
- Process changes reflective of the relationship between City Treasurer and Chief Administrative Officer/City Clerk to clarify roles and responsibilities of each;
- Establishment of reserve targets for certain funds: Equipment Reserve Fund, Capital Improvement Fund, and Stormwater Utility Fund;
- Establishment of a purchasing policy to provide guidelines for:
  - Expenses under \$5,000, recurring expenses (e.g. residential trash cost), or routine operational purchases (salt & sand for deicing) will be approved administratively, without Council approval;

- Purchases of more than \$5,000 but less than \$100,000 will require three (3) quotes written competitive bids or price quotations are required and be approved by the City Council; and
- Capital items that are specifically scheduled in the annual budget, and for which the cost exceeds \$100,000, shall be awarded by the City Council only after a closed bid process.

It is intended that the Policy be reviewed and updated regularly, ideally annually, and updated as needed.

Motion by Councilmember Harris to approve Resolution No. 90-2021 adopting a Financial and Purchasing Policy for the City of Westwood. Second by Councilmember Steele. Motion carried by a 5-0 voice vote.

**Consider Ordinance Nos. 1009-1018 Adopting the 2018 Building Codes**

New codes are published and adopted primarily to address the constant introduction of new and better materials and methods in construction. The International Code Council, who publishes code books upon which nearly all jurisdiction codes are based, does so every three years. These codes provide for a uniform set of model building codes developed through a consensus process at the national level. Johnson County jurisdictions amend and adopt new codes every six years for the most part. Adopting the code updates on a six-year cycle, in coordination with neighboring jurisdictions allows for some inter-jurisdictional consistency for area builders and allows cities to space out the frequency of adopting all new codes, especially since not every code cycle results in significant changes from the previous cycle.

Most Johnson County and Kansas City metro jurisdictions have already or are in the process of adopting the 2018 ICC codes cycle. Although each jurisdiction adopts the code sections relevant to its distinct operations and community, extensive coordination has also occurred between Johnson County building officials with the objective of reaching consistent standards throughout the jurisdictions. Building Official Eddie McNeil has extensively reviewed the 2018 ICC code sections, has coordinated with his Johnson County building official colleagues, and recommends adoption of the ordinances noted below:

- International and National Codes (general administration provisions)
  - Ordinance No. 1009 amends Westwood Municipal Code (WMC) Chapter 4 Article 1

- Building Code: Ordinance No. 1010 amends WMC Chapter 4 Article 2
- Residential Code: Ordinance No. 1011 amends WMC Chapter 4 Article 3
- Existing Building Code: Ordinance No. 1012 amends WMC Chapter 4 Article 4
- Fire Code: Ordinance No. 1013 amends WMC Chapter 4 Article 5
- Plumbing Code: Ordinance No. 1014 amends WMC Chapter 4 Article 6
- Fuel Gas Code: Ordinance No. 1015 amends WMC Chapter 4 Article 7
- Mechanical Code: Ordinance No. 1016 amends WMC Chapter 4 Article 8
- Electrical Code: Ordinance No. 1017 amends WMC Chapter 4 Article 9
- Energy Code: Ordinance No. 1018 amends WMC Chapter 4 Article 10

The latest code cycle adopted by the City of Westwood is the 2003 ICC codes

Adoption of these ordinances will effectively result in changes to the City’s current operations and requirements as highlighted below:

- A. The City will begin requiring builders and building contractors have a Johnson County contractor's license (IBC Section 105.1.3)
- B. Foundation designs for one- and two-family dwellings and decks and balconies may use the approved standards and designs provided by Johnson County approved and adopted guidelines in lieu of the prescriptive requirements of the IRC
- C. Maximum girder and header spans are updated assuming a lower, but most commonly used, grade of dimensional lumber is used for their construction (IRC Section R602)
- D. Carbon monoxide alarms are now required outside of each separate sleeping area in homes with fuel-fired appliances and in homes with attached garages (IRC Section R315)
- E. A separate 20-amp branch circuit is now required to serve receptacle outlets of attached and detached garages with electrical power (IRC Section E3703.5)
- F. A mayoral-appointed Board of Building Code Appeals may be called on an as-needed, case-by-case basis when an appeal is filed with the City Clerk. A Board of Building Code Appeals shall determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of the codes incorporated in this Chapter. The Board of Building Code Appeals shall be the final determiner of the scope and meaning of all provisions of the building code which may be unclear, ambiguous, or requiring interpretation.
- G. Except for when an ice barrier exists, new roof coverings shall not be installed without first removing all existing layers of roof coverings down to the roof decking. (IRC Section R907.3)

The recommended effective date for the new building codes taking effect is April 1, 2021 and contractors, builders, and other interested individuals who have made inquiry have been made aware for some months now that the City would be recommending adoption of the 2018 codes, to take effect in Spring 2021.

Mr. McNeil was present and offered to answer any questions.

Motion by Councilmember Harris to adopt Ordinance No. 1009 repealing and replacing Chapter 4, Article 1 of the Westwood City Code – International and National Codes (general administration provisions). Second by Councilmember Cummins. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

Motion by Councilmember Harris to adopt Ordinance No. 1010 repealing and replacing Chapter 4, Article 2 of the Westwood City Code – Building Code. Second by Councilmember Cummins. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

Motion by Councilmember Harris to adopt Ordinance No. 1011 repealing and replacing Chapter 4, Article 3 of the Westwood City Code – Residential Code. Second by Councilmember Cummins. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

Motion by Councilmember Harris to adopt Ordinance No. 1012 repealing and replacing Chapter 4, Article 4 of the Westwood City Code – Existing Building Code. Second by Councilmember Cummins. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

Motion by Councilmember Harris to adopt Ordinance No. 1013 repealing and replacing Chapter 4, Article 5 of the Westwood City Code – Fire Code. Second by Councilmember Cummins. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

Motion by Councilmember Harris adopt Ordinance No. 1014 repealing and replacing Chapter 4, Article 6 of the Westwood City Code – Plumbing Code. Second by Councilmember Cummins. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

Motion by Councilmember Harris to adopt Ordinance No. 1015 repealing and replacing Chapter 4, Article 7 of the Westwood City Code – Fuel Gas Code. Second by Councilmember Cummins. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

Motion by Councilmember Harris to adopt Ordinance No. 1016 repealing and replacing Chapter 4, Article 8 of the Westwood City Code – Mechanical Code. Second by Councilmember Cummins. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

Motion by Councilmember Harris to adopt Ordinance No. 1017 repealing and replacing Chapter 4, Article 9 of the Westwood City Code – Electrical Code. Second by Councilmember Cummins. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

Motion by Councilmember Harris to adopt Ordinance No. 1018 repealing and replacing Chapter 4, Article 10 of the Westwood City Code – formerly Appeals. Second by Councilmember Cummins. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

#### **EMC Insurance Renewal**

The City's general insurance policy will expire on April 1, 2021. Geoff Gobble with Boulevard Insurance LLC provided an overview of the insurance renewal for the City of Westwood for the next policy coverage year.

The package for consideration by the City Council is the EMC Insurance Policy, which Boulevard brokers for the City of Westwood. Overall, insurance rate premium costs within this policy have increased mostly due to increases in property valuations, adjusted property limits, rising auto rates, and an additional Public Safety vehicle for a full year.

The coverage comparison provided by Boulevard Insurance also covers policies outside the scope of the EMC renewal but which Boulevard monitors on behalf of the City; these include coverage for the 4th of July fireworks event typically will be secured by a separate policy (this event has not yet been confirmed so this coverage may not be needed/sought); worker's compensation insurance (which is provided through KMIT and for which the City has budgeted an increased expenditure); fidelity bonds for City staff and officials; and Cyber Liability/Data Breach coverage.

Mr. Gobble is wrapping up a reconciliation of the auto liability line premium, which may result in a lower premium than that illustrated in the table and the overview document.

The City Council approved expanded cyber liability coverage in October 2020 which eliminated the need for coverage under the EMC policy. The adopted 2021 budget reflects a premium for the policy forecast at \$65,316 vs. the \$70,348 reflected in the comparison; the KMIT premium is paid from the same line and came in under budget, which savings will help to offset the premium increase reflected in the EMC policy.

Motion by Councilmember Hannaman to renew the City's insurance coverage with EMC Insurance as reflected in the conditional premium quote date March 5, 2021, following any additional changes in

coverage as are currently being negotiated by Boulevard Insurance on the City's behalf. Second by councilmember Harris. Motion carried by a 5-0 voice vote.

### **Public Safety Report**

Chief O'Halloran referred to the February 2021 Public Safety report and offered to answer questions.

### **Public Works Report**

Mr. Sullivan referred to the February 2021 Public Works report and offered to answer any questions.

### **Consider Interlocal Agreement with Westwood Hills and Kansas City, MO for Public Improvements to State Line Road**

State Line Road is slated to be resurfaced in 2021 with a three-inch mill and overlay. The project is a joint project with Kansas City, Missouri and Westwood Hills, KS. The agreement lays out the estimated costs for each City. Westwood will act as the project administrator. The agreement has been reviewed by both the Westwood and the Westwood Hills City attorneys and as such been approved as to form.

Motion by Councilmember Cummins to authorize the Mayor to execute the Agreement between Westwood, Westwood Hills, and Kansas City. Second by Councilmember Steele. Motion carried by a 5-0 voice vote.

### **Consider an Interlocal Agreement with Westwood Hills for the Joint Construction of Alley Between W. 48<sup>th</sup> Street and W. 48<sup>th</sup> Terrace**

The City of Westwood desires to work with the City of Westwood Hills to make certain improvements to the existing alley between W. 48th Street and W. 48th Terrace. Each city agrees and understand that the costs to rehabilitate said alley in their respective cities shall be borne by that city. It is further understood that the parties can affect substantial savings by Westwood assuming responsibility for administering construction of the Alley Project within the agreed upon limits. The agreement describes those responsibilities. The agreement has been reviewed by both cities attorneys and found to be approved as to form.

Motion by Councilmember Harris to authorize the Mayor to sign the agreement as presented. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

### **Change Order #1, State Line Road**

State Line Road is slated to be resurfaced in 2021 with a three-inch mill and overlay. The project is a joint project with Kansas City, Missouri and Westwood Hills, KS.

UHL Engineering has agreed to include the Westwood Hills portion of the project in the bid. As such, Westwood Hills has considered a change order for the amount of the design and construction engineering with UHL Engineering to cover those costs. UHL Engineering is requesting a change order to our design contract for the Construction Engineering which will be reimbursed by Westwood Hills to Westwood via the Interlocal Agreement.

Motion by Councilmember Cummins to authorize the Mayor to execute the Change Order #1 between Westwood and UHL Engineering, Inc. Second by councilmember Hannaman. Motion carried by a 5-0 voice vote.

**Committee Reports**

**a. Administration & Compensation Committee**

Councilmember Hannaman had nothing to report.

**b. Business & Community Affairs Committee**

Councilmember Cummins thanked Jayme Tebow for her suggestion during her public comment.

**c. Public Safety Committee**

Councilmember Harris had nothing to report.

**d. Public Works Committee**

Councilmember Steele noted the Committee is working to form a task force for the Complete Streets project.

**e. Parks & Recreation Committee**


Councilmember Wimer noted the Committee met determined it will not hold an Easter Egg Scramble this year due to concerns about COVID-19. The Committee is watching health orders closely in order to plan for possible summer events.

**Mayor's Report**

Councilmember Harris read a COVID-19 Heroes Week Proclamation into the records in Mayor Waters' stead, as he lost connectivity while reading the proclamation.

**Adjournment**

Motion by Councilmember Hannaman to adjourn the meeting. Second by Councilmember Cummins. Motion carried by a 5-0 voice vote. The meeting adjourned at 9:00 pm.

APPROVED:   
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David E. Waters, Mayor

ATTEST:   
\_\_\_\_\_  
Leslie Herring, City Clerk