

City of Westwood, Kansas
City Council Meeting
4700 Rainbow Boulevard
May 13, 2021 – 7:00 p.m.

Council Present: David E. Waters, Mayor
Andrew Buckman, Councilmember
Jeff Harris, Council President
Jason Hannaman, Councilmember - Remotely
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
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 May 13, 2021. The City Clerk called the roll. A quorum was present. The evening's meeting was held in a hybrid manner, with attendees joining both in person and via Zoom.

Comment on Non-Agenda Items

Jayne Tebow, 4952 Norwood, was in attendance via Zoom, requested that the city continue to utilize Zoom to provide access and transparency to city meetings as COVID-19 restrictions lessen and in person meetings resume.

Presentations/Appointments

Appointment of Andrew Buckman

Westwood City Councilmember Lisa Cummins notified the mayor of her relocation out of the Westwood in February 2021, effective April 2021. Following an open call for candidates to fill her seat, the mayor received letters of interest from two (2) residents. Following an interview process where Mayor Waters and City Council President Jeff Harris met with the interested individuals, Andrew Buckman was identified as the candidate to be recommended for approval to the Governing Body pursuant to Section 1-209 of the Westwood City Code.

Andrew Buckman, who resides at 3007 W. 49th Terrace, as a qualified appointee, is being nominated to fill the vacancy of Lisa Cummins on the Westwood City Council. Lisa Cummins' unexpired term runs until December 2021.

Mr. Buckman thanked Mayor Waters and Councilmember Harris for the opportunity to serve on the City Council.

Motion by Councilmember Wimer appoint Andrew Buckman to fill the vacancy of City Councilmember Lisa Cummins' term on the Westwood City Council, which expires in December 2021, upon the election of her successor, and for City Clerk Leslie Herring to administer the oath of office. Second by Councilmember Harris. Motion carried by a 4-0 voice vote.

Mrs. Herring administered the oath of office and Councilmember Buckman took his seat on the dias.

Resolution No. 91-2021; Appointments to the Westwood Foundation

The Westwood Foundation is a Kansas not-for-profit corporation organized and existing as an instrumentality of the City of Westwood, Kansas and is governed in the conduct of its affairs by its Board of Directors, its articles of incorporation, and its bylaws. The Westwood Foundation bylaws as amended state that residents of the City of Westwood, Kansas may be appointed by the Mayor and confirmed by a resolution adopted by a majority of the members of the Westwood City Council to serve terms of four (4) years on the Westwood Foundation Board of Directors.

The proposed Resolution would appoint Westwood residents Justin Bridges, Thomas Scott, and Rita Zeller, and would reappoint Sean O'Brien to the Westwood Foundation.

Motion by Councilmember Harris to adopt Resolution No. 91-2021 confirming mayoral appointments to the Westwood Foundation Board of Directors. Second by Councilmember Steele. Motion carried by a 5-0 voice vote.

Presentation

Mayor Waters recognized and presented a plaque to Court Clerk Shelley Floyd for 20 years of service to the city of Westwood.

Approval of March 11, 2021 City Council Meeting Minutes

Minutes from the April 8, 2021 Council Meeting and April 21, 2021 Council Worksession were included in the agenda packet. Motion by Councilmember Harris to approve minutes documents as submitted. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

Treasurer's Report

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

Motion by Councilmember Harris to approve Appropriations Ordinance No. 726 as presented. Second by Councilmember Steele. Mrs. Herring performed a roll call vote, motion carried by a 5-0 vote.

City Attorney Report

Due to concerns of Woodside Racquet Club Management relating to the continued declared pandemic of COVID-19, certain additional health and safety precautions and protocols are deemed necessary to implement at its facilities to ensure the health and safety of Woodside Club ("the Club") members and Westwood residents using the Club's swimming facilities. As some of these additional health and safety precautions and protocols impact Westwood residents' access to the swimming facilities (as they will impact all Woodside Club members), the City and the Club agree to formalize both the temporary impact to Westwood resident access to the Club's swimming facilities and also Westwood residents' ongoing of access.

During the 2021 pool season, Woodside may use a reservation system to ensure comfortable capacity limits aren't exceeded. These reservations are to be equally offered to Westwood residents and Club members and if reservations are no longer required for Club members, they should likewise not be required for Westwood residents. To ensure accountability of reservations, the Club may revoke or charge Westwood residents and Club members for failing to show up for a reservation. This policy/practice is expected to be consistently applied to Woodside members and Westwood residents and not based on age.

The Club will issue pool passes during the 2021 as well as future seasons in order to enroll Westwood residents into their online member system for pool access. The Club will then remit the collected pool pass revenues and an accounting to the City.

The Club may adopt reasonable rules and regulations which shall be binding upon City resident pool pass holders and repeated and knowing violation of those rules and regulations could result in revocation of an individual resident's pool pass; however, revocation may be appealed to the City. The City's determination shall be final and binding.

The Governing Body tabled the proposed amendment and directed staff and Mr. Denk to continue to work through some terms of the agreement. The Governing Body will consider the amendment during the June 10th City Council meeting.

Administrative Report

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

Fence Variance Request – 2807 W 50th Terrace; variance requested for height and placement

On May 3, 2021, City staff received an application for a fence variance for 2807 W. 50th Terrace. Homeowner Andrea Boswell-Burns is proposing to replace a 4' steel fence with a new 6' wood fence in her backyard. This application requires a variance for:

- A. Height – a 6' fence would only be allowed in the rear yard of the property; side yard fences may not exceed 4' (Westwood Zoning Ord. Section 4.3.9.B.2).
- B. Placement – No rear yard fence or wall shall be closer to the front property line than the rear line of the primary structure (Westwood Zoning Ord. Section 4.3.9.C.3).

The City Council may approve fence variances pursuant to Westwood Zoning Ord. Section 4.3.9.F, and as set forth below.

Pursuant to previous City Council direction, City staff has evaluated the following factors:

- a. Neighbor acknowledgement/consent – This is a coordinated project with the adjoining neighbor to the east, 2808 W. 50th Terrace. The applicant has also confirmed that both the adjoining neighbors to the west and south have consented to the project.
- b. ROW impediment – No;
- c. Established tree impact/removal – No; and
- d. Resulting sight lines issues - No.

The applicant desires to align the 6' horizontal wood fence with both east and west adjoining neighbors' fences, as shown below. Per the illustration above, this would result in the applicant's fence being placed in the side yard of the house.

JJ Burns, 2807 W 50th Terrace, was present and offered to answer any questions.

Motion by Councilmember Wimer to approve the requested fence variance at 2807 W 50th Terrace to allow a 6foot wood fence in the side yard of the primary structure as described in the application. Second by Councilmember Buckman. Mrs. Herring performed a roll call vote, motion passed with a 5-0 voice vote.

Proposal for services of BOARDynamics to provide individualized board development to the Westwood City council, Planning Commission, and Foundation Board

Since 2020,

- the Westwood City Council has gained three new members and a new mayor,
- the Westwood Planning Commission has/is gaining three new members and a new chair and vice-chair,
- the Westwood Foundation Board has gained four new members and a new chair, and
- City staff has/is gaining two new department heads.

As a result of these recent elections and appointments to leadership, questions related to purpose, roles, goals, and expected behaviors have arisen. To aid the City in evaluating these questions and establishing a shared understanding of how to respond, a professionally-facilitated conversation amongst these individual boards would be helpful.

BOARDynamics has developed a process to lead a board toward unified and agreed upon purpose, roles, goals and behaviors: (a) to review current perceptions and practices and identify areas of concurrence and differences, and the resulting impacts; (b) to reimagine how they carry out their responsibilities, agree upon improvements and commit to implementation; and (c) realize the modifications and commit to periodic review and improvement.

Following a preliminary conversation with BOARDynamics, Mayor David Waters and CAO/City Clerk Leslie Herring recommend the City Council, the Planning Commission, and the Westwood Foundation all individually participate in the BOARDynamics facilitated, proposed process with the following objectives:

- The City Council will determine its purpose, as well as identify the purpose of the Planning Commission and the Westwood Foundation Board
- The Planning Commission and Foundation Board will have a clear understanding of their respective purposes and their relationship to the City
- City staff will have a clear understanding of their respective purposes and their relationship to the City Council, Planning Commission, and Westwood Foundation
- The City will be prepared to act on existing and evaluate new strategic planning objectives
- Existing, prospective, and new City Council, Planning Commission, and Foundation Board members will have a clear understanding of expected roles, goals, and behaviors.

Mayor Waters and CAO/City Clerk Leslie Herring recommend engaging BOARDynamics for services 1 – 4 but not services 5 – 6 as outlined in the Proposal for Services which was included in the agenda packet for consideration.

Mayor Waters is seeking alternate funding for this Proposal for Services as this would be an unbudgeted 2021 expenditure and this work is intended to take place in the summer of 2021.

Motion by Councilmember to accept the proposal of BOARDynamics to provide individualized board development to the Westwood City Council, Planning Commission, and Foundation Board and to approve the Mayor to execute the Proposal for Services for services 1 – 4 and excluding services 5 – 6.

The City Council reached a consensus to table this matter in order to invite the BOARDynamics team to the June 10th City Council meeting to provide more information.

Resolution No. 92-2021 adopting a Disposal of Surplus Property Policy

The City of Westwood does not currently have any formal policies relating to the disposal of surplus personal property. From time to time, questions arise from City employees about the proper way to dispose of personal (not real) property in a way that is professional and consistent/standardized across employees and departments.

Resolution 92-2021 details procedures for disposing of City-owned surplus property in an efficient and fiscally responsible manner. The policy seeks to promote transparency, ensure all assets are efficiently utilized to the best of their ability, and protect the financial interest of the City by formalizing best disposal practices.

Councilmember Steele to adopt Resolution No. 92-2021 adopting a Disposal of Surplus Property Policy for the City of Westwood. Second by Councilmember Harris. Motion carried by a 5-0 voice vote.

Public Safety Report

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

Consider Proposal of Turn-Key Mobile, Inc. for Replacement of In-car Computers

The current in car computers for the Public Safety fleet are aging out and have reduced capacity to receive regular updates. The vendor is no longer supporting them. Years of use and exposure to the elements have also had a detrimental impact on them. Chief O'Halloran proposed to purchase four in-car computers out of the Equipment Reserve fund at a total expenditure of \$12,060.00. The computers would be the same model and vendor that the Johnson county Sheriff's Office uses and will help with future updates and maintenance.

Motion by Councilmember Buckman to purchase four new in-car computers for the Westwood City Police Department. Second by Councilmember Hannaman. Motion carried by a 5-0 voice vote.

Public Works Report

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

Committee Reports

a. Administration & Compensation Committee

Councilmember Hannaman provided a brief overview of the upcoming 2022 budget planning process.

b. Business & Community Affairs Committee

Mayor Waters appointed Councilmember Buckman as the Chair of the Business & Community Affairs Committee and the Vice Chair of the Public Safety Committee.

c. Public Safety Committee

Councilmember Harris had nothing to report.

d. Public Works Committee

Councilmember Steele provided an overview of the Complete Streets Task Force meetings that have occurred and next steps in the process.

e. Parks & Recreation Committee

Councilmember Wimer provided an overview of upcoming summer events.


Mayor's Report


Mayor Waters thanked Councilmember Buckman and the newly appointed Foundation Board members for their service to the city.

Mayor Waters noted that Chief O'Halloran has notified the city that he plans to retire over the summer, his final day has not been set. The city has begun accepting applications the Chief of Police position. Mayor Waters congratulated Chief O'Halloran and thanked him for his service to Westwood.

Adjournment

Motion by Councilmember Harris to adjourn the meeting. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote. The meeting adjourned at 8:31 pm.

APPROVED: 
David E. Waters, Mayor

ATTEST: 
Leslie Herring, City Clerk