



MINUTES OF MISSION WOODS CITY COUNCIL
August 5, 2014
7:00 p.m.

The City Council of Mission Woods, Kansas met in regular session on Tuesday, August 5, 2014 at the Westwood City Hall, 4700 Rainbow, Westwood, Kansas.

Council members present: Mayor Robert Tietze
Councilman John Baenisch
Councilman Charles Bachand
Councilman Bill Dunn, Jr.

Visitors present: Heather S. Esau Zerger, City Attorney
Mike and Kathy Henley, Residents
David Sederholm, Resident
Michael Knierim, Resident
Jody Cash, Resident
Chuck Haviland, City Treasurer
Vern Schallen, Accountant
Police Chief O'Halloren
John Watkins
Representatives of Shaw Electric
Representatives of Impact Henderson

I. Call to Order

Mayor Tietze called the meeting to order at 7:02 p.m. A quorum was present.

II. Minutes of Prior Meeting

The first item on the agenda was approval of the July Council meeting minutes. Council member Bachand moved to approve the minutes. Council member Dunn seconded the motion and upon a vote of the Council, the motion carried unanimously.

III. Review and Approval of Warrants

The Council reviewed the warrants. Council member Bachand asked if the insurance expense was for an annual policy. Mayor Tietze confirmed that it was. Council member Baenisch moved, and Council member Bachand seconded approval of the warrants. The Motion carried unanimously.

IV. Review of Police Report

The Council members then turned their attention to a review of the police report. Council member Bachand asked if Chief O'Halloren had any comments on the report and he indicated the report was self-explanatory and nothing out of the ordinary was present.

V. Amendment to Agreement for Police Services with Westwood

Chief O'Halloren referenced the public safety document that had been distributed prior to the meeting and addressed questions he had received from Council members regarding the document. First, he noted the extra patrol paid for by Mission Woods is counted as revenue and is included in the general fund for City of Westwood. The extra patrol is a program where an officer is focused on traffic enforcement in Mission Woods. It is used to increase safety and gain compliance and crime prevention. While the extra enforcement creates revenue, that is not motivation behind the program. The extra enforcement revenue can't really be measured but Chief O'Halloran notes it is the predominate source.

Council member Baenisch asked about the history of the program and whether Mission Woods requests extra enforcement at certain times or whether it is a standing type request. Chief O'Halloren indicated that the police department varies the times when it engages in the extra patrols in order to give the sense of omnipresence to the public. Mission Woods does not make specific requests but generally requests the extra enforcement and the department decides when the enforcement will take place.

Mayor Tietze noted that Mission Wood's agreement with Westwood is out of date, as it was based on number of rooftops in the City but was implemented at a time when the commercial properties were not as active. Council member Bachand indicated he has no issue with the assessment tools: rooftops and miles covered seem like appropriate measures for making the allocation. The extra enforcement is not part of the budgeted amount already – the 7.7%. It is truly extra. Therefore, the extra enforcement is about 50% of what Mission Woods pays for in its law enforcement expense each year. Chief O'Halloren's opinion is that to remove the extra enforcement is to take away one of the most effective tools he has to prevent and reduce crime.

Chief O'Halloren indicated that Westwood Hills' cost is also going up, as is the cost of law enforcement in general. Council member Bachand thanked the Westwood PD and expressed his appreciation for their work.

Council member Dunn moved the City amend the agreement with Westwood for 2015 to incorporate the Chief's recommendations, which amount to a \$2000/month increase. Council member Bachand seconded the motion. Mayor Tietze noted that Mr. Haviland and Mr. Schallen reviewed the increases and saw no need to amend the budget under consideration for 2015. Upon vote of the Council, the motion carried unanimously.

VI. Lighting

The next issue on the agenda was a discussion of recommendations regarding the lighting situation in the St. Rose church parking lot. John Watkins, representative of the church, addressed the Council by reminding all of the changes that had taken place to date. The north light had been angled down and switched from 400 watts to 150 watts. The southern light had also been angled down but the glare increased, so it was adjusted back to its original position. He then introduced a representative of Impact Henderson, a company that the church engaged to provide information about the lighting. This representative explained briefly about the measurement of foot-candles and what is normal for a retail parking lot such as Hy-Vee, which is between 2 and 3 foot-candles. The St. Rose parking lot is around .58 foot candles. Mr. Watkins indicated the church would like to add another 150 watt light at the southern end of the lot facing to the north. The church considers this to still be less light than what they originally had. Substantial discussion occurred regarding the difference between "glare" and "light trespass" and the findings of Impact Henderson that there was no light trespass occurring on the properties to the north of the parking lot. Mr. Knierim, a neighbor to the north, disagreed noting that prior to any changes, light from the church parking lot did not shine through his home but it does now.

Impact Henderson also reported that the fixtures are not ideal for parking lots. For safety reasons, the general rule is to never go below .2 foot candles and according to their report, areas in the church parking lot measured at .2 foot candles or less. There were also points by the fence measuring at 8-9 foot candles. Impact Henderson also noted that there is light trespass occurring to the properties to the south of the parking lot.

Discussion then occurred about ways to minimize glare. The church proposes to add a shield to the light on the north in order to prevent the light from hitting the playground fence. There was some discussion of adding a shield to the light at the north, but the Impact Henderson representative indicated that was not desirable, as the shield would eliminated too much light needed to cover the area of the parking lot. The church needs to have the light emitted straight down to illuminate the lot beneath.

The light the church proposes to add would be affixed to an existing pole. The church would hope to aim both northern lights down to reduce glare to the neighbors. There was some discussion of affixing a light to the church instead of to an existing pole, but the Impact Henderson representative reported that the church building is not high enough

Mr. Shaw of Shaw Electric reported that shades and blinds in homes should alleviate the glare issues that residents are experiencing. Council member Baenisch inquired whether the Council needed to go over and look at the site for themselves. Council members Bachand and Dunn and Mayor Tietze reported they had been to the site before to review it.

The church indicated it was willing to continue tweaking the lighting by adjusting the southern light up a bit further and adding the shield to resolve the glare from the light on the fence.

Mr. Sederholm expressed disagreement with any additional light being added to the north when the issue with the existing light on the north side had not been resolved to the satisfaction of the residents. He also expressed extreme frustration with the church representative and departed the meeting.

Shaw Electric reported that neither they nor anyone else can touch the fixtures as they belong to KCP&L and only KCP&L can address them. When asked for their recommendation, Shaw indicated safety is the primary concern and that while they had no formal recommendation, the church could be criticized for not having more light to better illuminate its parking lot.

The Council agreed to allow the church to tweak the lighting a bit further and for the church to proceed with its application for a permit to place another light fixture in its lot.

VII. Lights in Church Driveway

The Council next turned its attention to the issue of the cobra head lights in the driveway of the church. Upon inquiry with the City's public works department (Westwood), the best guess is the lights were added when the church was used as a polling place. The lights are paid for by the City of Mission Woods. Council member Baenisch inquired as to whether the City should be subsidizing light in the church parking lot when the church is no longer used as a polling place. The City's bill from KCP&L does not itemize how much the City pays for these two lights. The Mayor will get an inventory or estimate from KCP&L and the City Council can then decide whether it cares to continue to pay for the lights or if it will instruct KCP&L to shut them off, such that the church can elect to pay for them if it deems the lighting important for its purposes.

VIII. NEJC Chamber

The Northeast Johnson County Chamber sponsors an annual awards gala and has asked the City to support the event at the \$250 level. This sponsorship level comes with two tickets to the event. The Council agreed it would not sponsor the event this year but would remain on the mailing list for consideration in future years.

IX. Little Free Libraries

The Council then turned its attention to the issue of Little Free Libraries. There had been none built in the City to date, but the Council felt it prudent to review their ordinances and understand what may be required if one were to be proposed. The ordinances do not necessarily prohibit the construction and placement of one, but would require a permit. The Council elected to address any such issue or request when and if it is made, rather than endeavoring to do so in advance.

X. Mayor and Council member Comments

The floor was then opened for general comments from the Mayor and Council members. Mayor Tietze reported that he had received a report from Ace Piping regarding the scope of the storm sewers. A DVD was also included with the report. He believed it would be necessary to have a representative come to a council meeting to explain the report.

Resident Kathy Henley reported two issues to the Council. One related to the removal of a tree from the Pembroke property behind her home. She was disappointed in the manner in which Pembroke's contractor treated her and her property. She also reported disappointment in the church's fencing contractor, as they removed a portion of her fence and did not re-install it when they were done with their work.

Council member Bachand asked about the status of the Google installation. Mayor Tietze reported that the in-ground installation is complete and the aerial installation will take place next. Between the 3 cities, 60 more people need to sign up to ensure delivery of services.

Council member Baenisch inquired about the status of the home on the south side of Shawnee Mission Parkway where the Council had voted to complete work and charge it to the resident's taxes. Mayor Tietze reported that the approved yard work had been done and the costs assessed. The resident is now having the front yard mowed and has had the car in the driveway removed. There is not a POD container in the driveway and the City Attorney was instructed to check the ordinances to determine how long such a structure was permitted.

Mayor Tietze reported that the building permit was issued to the property owners of 1968 Shawnee Mission Parkway.

Meeting adjourned: 8:45 p.m.