



MINUTES OF MISSION WOODS CITY COUNCIL
December 3, 2013
7:00 p.m.

The City Council of Mission Woods, Kansas met in regular session on Tuesday, December 3, 2013 at the Westwood City Hall, 4700 Rainbow, Westwood, Kansas.

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

Council members absent: Councilman Cory Fisher
Councilman Charles Bachand

Visitors present: Heather S. Esau Zerger, City Attorney
Charles Haviland, City Treasurer
Mike Knierim, Mission Woods resident

I. Call to Order

Mayor Robert Tietze called to order at 7:03 p.m. the meeting of the City Council to complete the business before it. A quorum was present.

II. Approval of Meeting Minutes

The first item on the agenda was approval of the November minutes which were provided to the Mayor and Council by Ms. Heather Zerger in advance of the meeting. Upon motion by Council member Dunn and second by Council member Baenisch, the October minutes were unanimously approved as submitted.

III. Approval of Warrants

The Council reviewed the materials provided. Council member Sanders inquired about billing for the legal services associated with potential eminent domain work. The City Attorney agreed to bill Karbank directly for eminent domain work reimbursable by the agreement between the City and Karbank. Council member Sanders moved to approve the warrants as presented. Council member Dunn seconded the motion. The Council voted and the motion was approved unanimously.

IV. Police Reports

The Council turned its attention to a review of police reports. Council member Sanders inquired about the timing for the retirement of the Chief. He retires at year-end. Nine applicants have been interviewed and Westwood expects to have someone hired by the time Chief Wells departs, though Chief Wells will stay on to help train the new Chief. Mayor Tietze plans to invite the new Chief to a meeting shortly after the person is hired. Mayor Tietze reported an incident involving a resident who was approached for gas money and who claimed to be visiting someone who lived on the resident's street. Mayor Tietze reported that he passed the information on to the Chief as well.

V. Review of Financials Through October 30, 2013

The Council next reviewed the City's financial position through October 30, 2013. Mr. Haviland provided a handout which reflects information for the end of October. All of the funds have increased. Mr. Haviland then directed the Council to the General Fund Budget Performance and reported that the City is doing well for the year. Net income is \$68,000 for the year, which exceeds what the City had budgeted. Traffic fines are up above what was budgeted, as are permit fees. Expenses are down about \$15,000 across several categories. Mr. Haviland reminded the Council that there are expenses that will come in yet at year-end, as will expenses associated with the Capital Improvement engineers. Mr. Haviland said the City will make a transfer to the capital improvement fund at the end of the year.

Mayor Tietze inquired how often Westwood reimburses the City for the permit fees they collect. Mr. Haviland reported that it appears to be quarterly. Council member Dunn asked whether we are getting simple interest on our checking account. Mr. Haviland reported that, by law, we are rather limited in the way we can invest.

VIII. General Comments

Mayor Tietze reminded the Council of recent developments related to 1968 Shawnee Mission Parkway. City Attorney Zerger provided the Council with an update on communications received from the property owner and the ground lessee. The Council was comfortable with the

City Attorney proceeding with direct communications with the individuals that have reached out to the City.

Mayor Tietze also provided an update on the Capital Improvement Project. Mr. Belcher was asked to provide a 5 and 10 year plan. He will be present at the January meeting to present this information. Mr. Haviland asked whether he should provide to Mr. Belcher a few years of financial information, as requested by the engineer. Some discussion occurred as to whether to provide this information.

Council member Sanders commented that the leaf pick up when well. Council member Baenisch indicated that it seemed to go well on the north side of Shawnee Mission Parkway as well. Mr. Haviland also reported that the company was very accommodating in answering questions and making a few trips through the City, which gives people several opportunities to get their leaves out for pick-up.

Council member Baenisch reported about complaints from his neighbors related to new lights that had been put up by the Church. They are placed high on telephone poles and were placed without permits. Mayor Tietze reported that there is a light on the north side that shines toward the church. There is another over the playground that shines into a resident's back window. There is reportedly another on the south side. None of these lights were approved. Jim Sherman will speak to the representatives of the Church to discuss remedies to the situation. Mr. Haviland queried whether any penalty would be assessed for their failure to get a permit. Council member Baenisch stated that materials are present on the property for fencing and questioned whether that has been approved. Mayor Tietze recalls that the first offense is around \$50.00. Mayor Tietze will ask Jim Sherman to tell the Church that if the lights are not taken down within a certain period of time, the Church will be fined. On a similar note, Mayor Tietze reported that a house has been painted without a permit.

The Council opened the floor for public comment. Council member Sanders asked resident Mike Knierim about what had taken place with respect to his dry creek bed, an issue Mr. Knierim had reported to the Council several months earlier. Mr. Knierim reported that the problem has grown worse. Mr. Knierim commented also that the new Church lights are shining into his home. The light on the playground is new within the last two weeks. It is quite bright.

Mr. Knierim asked whether the playground is governed by the same rules as the Pembroke property. Mayor Tietze responded that the playground property is governed by the same noise ordinance but the zoning on the property is different. Mayor Tietze reported about the zoning-related topics coming before the Planning Commission in January, which include a review of usage times for property zoned Planned Rec and a review of the types of businesses that may locate within property zoned Planned Office District.

There was no further discussion. The meeting adjourned at 7:54 p.m.

Prepared by: _____
Heather S. Esau Zerger, City Attorney

Approved by: _____
Robert Tietze, Mayor