



**MINUTES OF MISSION WOODS CITY COUNCIL**  
**February 3, 2015**  
**7:00 p.m.**

The City Council of Mission Woods, Kansas met in regular session on Tuesday, February 3, 2015 at the Westwood City Hall, 4700 Rainbow, Westwood, Kansas.

Council Members Present: Mayor Tietze  
Councilman Darrell Franklin  
Councilman Cory Fisher  
Councilwoman Joan Ruff

Visitors present: Heather S. Esau Zerger, City Attorney  
Fr. John Fongemie, St. Rose Philipinne Catholic Church  
Fr. Joshua Curtis, St. Rose Philipinne Catholic Church  
Fr. Justin Nolan, St. Rose Philipinne Catholic Church

**I. Call to Order**

Mayor Tietze called the meeting to order at 7:03 p.m. A quorum was present.

**II. Minutes of Prior Meeting**

The next item of business to come before the Council was approval of January Council meeting minutes. There were no questions or comments. Council member Fisher moved to approve the minutes and Council member Ruff seconded the motion. All voted in favor and the motion carried unanimously.

**III. Warrants**

The Council turned its attention to approval of the warrants. Mayor Tietze reported that he had made a request to have the streets and curbs swept and by 10:30 a.m., the work was being done. This worked particularly well because it then snowed a few days later. Mayor Tietze expressed gratitude to the Westwood public works group for their responsiveness. Council member Ruff

inquired about the prisoner fee that appears on the warrants. Westwood has only a temporary boarding facility for arrestees and the fee reflects a transfer to the Sheriff. Usually this fee is incurred when an arrest has been made in Mission Woods. There is often a ticket with a fine that offsets the cost. Council member Fisher asked about landscaping supplies for Planet Mars. Mayor Tietze reported that this is where the landscaping contractor takes all material from what is cleaned up around the islands. Mayor Tietze indicated he would check into the specifics regarding the charge. Council member Ruff moved, and Council member Franklin seconded the motion to approve the warrants. All voted in favor.

#### **IV. Police Report**

The Council next turned its attention to a review of the police report. Mayor Tietze reported a conversation he had with Chief O'Halloran. One of the Westwood officers was involved in the arrest of an individual involved in the shooting that took place at a gun shop in Shawnee that resulted in fatality. This is a good example of how the Northeast Johnson County cities and public safety groups pull together to make sure there is adequate back up and coverage. There were no questions related to the police report.

#### **V. Representatives from St. Rose Philipinne Church**

Mayor Tietze welcomed the three representatives from the St. Rose Church and asked them to introduce themselves and their church. Father Fongemie introduced himself and indicated the C Church is grateful for the work done thus far on their facility and grounds and the welcome from the City and would like to work together further in terms of trying to facilitate issues with respect to complaints from neighboring property owners. He reiterated that the Church wants to be a good neighbor and enjoys the neighborhood. He indicated that they realize there were some issues.

Father Fongemie provided some background regarding the Church and the priesthood to which he and his fellow representatives belong. The parishioners of the Church come from all over Wyandotte, Johnson, Douglas and Miami Counties in Kansas, as well as from Missouri. The Church was previously located in Wyandotte County. They searched for property for 18 months before locating the facility in Mission Woods.

The Fathers are very committed to making their Church work in Mission Woods. They understand any time change occurs, there will be "feathers ruffled," particularly with neighbors being accustomed to a quieter atmosphere on the weekends. However, the Church building and property suffered from much deferred maintenance that has had to be addressed. Father Fongemie reported plans on which they are working for some nice landscaping projects in the future to increase beauty of property and beauty of City. He noted, however, that there will be inevitable noise while that work is being undertaken.

Mayor Tietze responded that the City is very proud and happy to have the Church as property owners in Mission Woods and that the City always wants to talk through any issues that may arise and to work together for resolution. He stated that the City looks forward to a continued relationship with the Church. Father Fongemie noted there are many single income families and the economic model for this Church property is different than many churches. They do not have substantial cash reserves. 204 is the capacity of Church.

Council member Fisher noted that people are appreciative of them moving and taking on responsibility of the Church and property. However, the citizens want to be sure that the Church is treated the same as they are, so the rules that apply to residents as homeowners should be applicable to Church as a property owner also. Council member Fisher reiterated that all property owners are subject to the same rules. Father Noland asked whether there are any other property owners within Mission Woods that are not individual owners, to which it was noted that there are commercial properties, and an athletic field owned by a private school. Father Noland noted that the nature and function of a church is different than the nature and function of a private residence. He offered that some exceptions may be appropriate due to the nature of the church. Council member Fisher noted that the ordinances were put in place knowing the church was there. Council member Fisher reiterated that he wanted to be sure the voice of the Church's neighbors is heard and the Church is cognizant of the fact that it has neighbors in very near proximity.

Mayor Tietze noted that he attended the opening of the Church and that it is beautiful. The Mayor suggested that a private event for the Mission Woods residents may be a nice way to bring the residents and the church community together.

Council member Fisher asked about whether there are any issues with which the Council can help the Church. The Church representatives stated that continued cooperation and understanding would be appreciated. The parishioners have been notified of the noise ordinance and asked to cooperate. The Church hopes to mitigate unintended noise through some upcoming landscaping efforts. They are also concerned about issues related to run-off and are working with an architect to address this.

The Council expressed appreciation to the Fathers for attending the meeting.

#### **V. Approval of Letter to Google Fiber**

By way of introduction, Mayor Tietze reminded the Council that Mission Woods had a development agreement with Google to bring fiber to the City. Now Google is working on getting fiber to the homes. The City is statutorily entitled to 5% of the revenue generated by Google from customers. A letter requesting the 5% revenue was prepared by the City Attorney and Mayor Tietze indicated he is seeking approval from the Council to send the letter to Google to request the City's share of the revenue. He confirmed that Westwood and Westwood Hills will also be sending similar letters. Council member Franklin moved to authorize the Mayor to send the prepared letter seeking the statutorily-authorized 5%, and Council member Ruff seconded the motion. All voted in favor.

#### **VI. Approval of Engagement of Phelps Engineering**

The Council next turned its attention to approval of the engagement of Phelps Engineering to aid in the City's review of the plans of KU Med Center to expand its parking lot. Mayor Tietze reported that the plan involves expanding by 174 spaces (adding to the 74 existing spaces). It will be expanded east and south. KU has done traffic studies and a landscaping plan, which appear to the Mayor to be thorough. However, in talking with our contacts at Westwood (John Sullivan, Fred Sherman and Eddie McNeal), the scope of the plan goes beyond their collective expertise. They recommend the City do some due diligence and engage Phelps Engineering to

aid in the review of KU's plans. Council member Franklin asked about the cost to engage Phelps. The Mayor indicated his contact at Phelps anticipated it would be a few thousand dollars. Council member Ruff moved to approve the engagement with Phelps and Council member Franklin seconded the motion. All voted in favor. Council member Ruff asked when the review will be completed. Mayor Tietze stated he believes KU wants to start construction in March or April, so the review will need to be completed before that time, so the necessary City approvals can be sought.

## **VII. Banners in City Right-of-Way**

Mayor Tietze reported to the Council that the Karbank group had inquired about placing banners on streetlights and phone poles along Shawnee Mission Parkway and on State Line Road. Examples of the banners (as reflected in drawings) were shared with the Council members. On State Line, all but one of the poles on which they proposed to hang banners are on the Missouri side. Mission Woods City ordinances do not address banners within the City right of way. Karbank has engaged a sign company for installation and maintenance of the banners. Council members expressed concern about sign placement in front of other commercial properties, as well as concern about commercial messages on banners, as opposed to promotion of seasons or events, which is what is allowed by KCMO pursuant to its ordinances. Council members also expressed concern for the precedent it sets for other commercial requests for banners within the City right of way. The Council reached a consensus that they did not want the City Attorney to undertake further research or efforts to develop ordinances and policies related to allowing banners within the City right of way.

## **VIII. Update on Capital Improvement Project**

Mayor Tietze updated the Council on his efforts to get the videotaping of the storm sewers completed. After unsuccessful efforts to get Ace Pipecleaning to return to complete the job it began, the Mayor has terminated them and will be asking Phelps Engineering to obtain new bids to complete the work. He hopes to have bids to bring back to the Council soon, so the work can be completed and the Council can return its attention to the Capital Improvement Plan. The Council asked the City Attorney to check into applicable deadlines.

## **IX. General Comments**

Mayor Tietze noted that he received request for participation in a community paper shredding and electronics recycling day on April 25. There will be a small fee charged for recycling monitors and TVs, but the event is otherwise free to anyone who cares to bring items to shred or recycle. If all 7 cities who have been asked elect to participate, the cost is \$139 per City. If only 6 cities participate, the cost is \$162 per city. The event will be held in the parking lot at Fairway City Hall by Strouds. The Council agreed that in the spirit of cooperation with our neighboring cities and as a service to the residents, participation is a good idea. Council member Franklin moved that the City participate and Council member Fisher seconded the motion. All vote in favor.

Council member Franklin noted that a City resident was involved in an auto accident at an intersection on Shawnee Mission Parkway in which both parties to the accident reported they had

a green light. Discussion then ensued regarding whether cameras might be placed at intersections.

Meeting adjourned at 8:16 p.m.