



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

The City Council of Mission Woods, Kansas met in regular session on Tuesday, July 7, 2015 at the Westwood City Hall, 4700 Rainbow, Westwood, Kansas.

Members Present: Mayor Tietze  
Council member Darrell Franklin  
Council member Cory Fisher  
Council member Bill Dunn, Jr.  
Council member Joan Ruff  
Council member Amy McAnarney

Visitors present: City Attorney Jessica James  
City Treasurer Chuck Haviland  
Vern Schallen, Accountant

**I. Call to Order**

Mayor Tietze called the meeting to order at 7:05 p.m. A quorum was present.

**II. Swearing In of Council Members Ruff and McAnarney**

Council members Ruff and McAnarney were sworn in by the City attorney.

**III. Minutes of Prior Meeting**

Mayor Tietze first asked for corrections or additions to the May council meeting minutes. Council member Fisher moved to approve the minutes and Council member Franklin seconded the motion, which passed unanimously.

#### **IV. Warrants**

The Council next turned to approval of the warrants. Mayor Tietze explained the charge for the sprinkler system. Council member Dunn moved to approve the minutes and Council member McAnarney seconded the motion, which passed unanimously.

#### **V. Police Report**

The Council next reviewed the police report provided within the Council packets. Council member McAnarney asked what the number of traffic warnings were and why had they decreased. Council member Franklin mentioned that the building checks increased and that this was likely a result of the new Karbank buildings.

#### **VI. Approval of amendment to Investment Ordinance, Article 8, regarding investment of City funds.**

The next item on the agenda was the approval of amendment to the City's Investment Ordinance, regarding investment of City funds. The Mayor briefly introduced the topic by reminding the City Council that the Council had discussed the need to invest its funds at a higher rate of return than it was currently receiving. The Mayor further stated that he, Mr. Haviland and Council member Fisher have been in contact with John Ye with Baird & Company, who put the City in contact with Cross First Bank. The City ultimately decided to invest its funds with Cross First Bank. In doing so, the City realized that to comply with the statutes it needed to update the portion of the City Code addressing idle funds. Mayor Tietze then directed the Council's attention to the proposed ordinance. Council Member Ruff asked what the definition of Idle Funds is. Treasurer Haviland stated that there is no set definition but would just be generally described as the City's liquid funds. Mayor Tietze stated that Cross First Bank is only FDIC insured up to \$250,000.00 per customer which is why the City is only investing this specific amount at this time. Council member Ruff moved to approve the amendment to the Investment Ordinance and Council member Fisher seconded the motion, which passed unanimously.

#### **VII. Review of proposed 2016 Budget/Tax lid.**

The Council next turned to the proposed 2016 Budget and Tax lid. Treasurer Haviland discussed this agenda item and began by addressing the increase in the property valuation for Mission Woods. The property valuation increased from around 7 million to 8.5 million. If the City does not increase its mill levy the increase in the property valuation will result in an increase in the funds the City receives by \$28,000.00. Treasurer Haviland advised the Council that largely as a result in the City's increase in public safety expenses the City will not generate the necessary funds to cover the proposed 2016 budget, and will be approximately \$50,000.00 below the proposed budget unless the mill levy is increased.

The Council then had a lengthy discussion on the mill levy. The Council expressed its concern that raising the mill levy would negatively impact the residents living on fixed incomes. Treasurer Haviland explained that the proposed increase in the mill levy would result in an approximately \$72 increase for a \$300,000.00 home.

Council member Ruff questioned Mission Woods' mill levy as compared to surrounding Kansas cities. Council member Fisher looked online and stated that Mission Woods' mill levy of 12.08 was significantly below all the surrounding Johnson County cities.

Mr. Schallen informed the Council that the City's ability to increase the mill levy would be restricted beginning in 2018 due to Kansas legislation and that the Council needed to keep this information in mind when deciding whether or not to increase the mill levy for the 2016 budget.

The Council discussed not increasing the mill levy and just covering the amount from the funds it already has. Treasurer Haviland then reminded the Council that the City was also attempting to save for the capital improvement projects that have been identified as likely necessary by the City Council.

Mr. Schallen also informed the Council that the action needed at this meeting was approval to publish, and that the publication would need to occur by July 17, 2015. Council member McAnarny moved in favor of publishing the resolution approving the 2016 budget with the full absorption of the proposed increase, and Council member Ruff seconded the motion. All voted in favor and the motion carried unanimously.

The City Council discussed sending a communication from Mayor Tietze and/or the City Council explaining the increase in the mill levy but ultimately decided that any notice would be premature.

#### **VIII. Property cited for Code violations.**

Mayor Tietze next noted that the agenda was amended to include the property located at Property at 5306 Mission Woods Rd. This property was cited for interior and exterior violations of the City Code. Mayor Tietze communicated to the Council that the Code Enforcement Officer informed him that both the interior and the exterior of the property could now pose a risk to the citizens of Mission Woods, as well as any individuals coming through the City. Mayor Tietze asked the City Attorney what options were available to the City for adequately addressing the problems with this property.

The City Attorney outlined that the Kansas statutes and City Code provided several options for addressing any issues with this property. Specifically, since the property could be considered a dangerous building, the City could either move to repair, maintain, or remove the property and assess any fees incurred in doing so to the property owner or the property itself. The City also has the option of condemning the property if it is determined the property is a dangerous building as defined under Kansas law.

The City Council discussed its options at length and determined the best course of action would be to have the City Attorney contact the property owner to formally notify her of the violations. Included in this correspondence would be the time frame provided for in the issued violations, during which the property owner can remedy any violations without the City's involvement. The correspondence would also state that if the property owner refuses to remedy the violations within the specified time frame, or list the property with a third-party real estate agent, the City will have no choice but to proceed under Kansas law to repair, maintain, remove, or condemn the property itself.

## **XI. General Comments**

Mayor Tietze opened the floor for general comments. The Mayor asked Council member Fisher if there was any update on the sewer line video. Council member Fisher stated he was working to schedule a meeting with those responsible for the video but at this point was unable to find a time that would work. Council member Fisher also stated that he was negotiating on the price for the actual video. Mayor Tietze stated he would be willing to facilitate scheduling the meeting if necessary.

The meeting adjourned at 8:45 p.m.