



## MINUTES OF MISSION WOODS CITY COUNCIL

April 1, 2014

7:00 p.m.

The City Council of Mission Woods, Kansas met in regular session on Tuesday, April 1, 2014 at the Westwood City Hall, 4700 Rainbow, Westwood, Kansas.

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

Visitors present: JD Moor, City Attorney  
Charles Haviland, City Treasurer  
Michael Ludwig

### I. Call to Order

Mayor Robert Tietze called to order at 7:00 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 March 2014 minutes which were provided to the Mayor and Council by Ms. Heather Zerger in advance of the meeting. Upon motion by Council member Baenisch and seconded by Council member Bachand, the March minutes were unanimously approved.

### III. Approval of Warrants

The Council reviewed the materials provided. Mayor Tietze asked if there were comments or questions and none were received. Council member Sanders moved to approve the warrants as

presented. Council member Fisher 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. Mayor Tietze asked for comments and Council member Dunn inquired about an issue related to a downed tree. General discussion ensued.

#### **V. Estimate for Clean Up of 5306 Mission Woods Road**

Mayor Tietze explained to the Council that the owner of the property at 5306 Mission Woods Road appears to be absent. Multiple attempts have been made to contact the owner, which have not been successful. Mayor Tietze recommended placing matter on May agenda for hearing and giving the 21 days advance notice required by City ordinance. The eventual goal is to clean up the property and tax the cost as a special assessment against owner for cost reimbursement.

Mayor Tietze requested a brief presentation by Mr. Ludwig regarding the state of property and estimated cost of cleanup. Mr. Ludwig reported the cost for remediation for the property is estimated to be \$620. Leaves, volunteer trees, trash, bamboo and rotten wood are all present at the property. Council member Dunn raised the issue of complaints by neighbors. Mayor Tietze raised an issue regarding any remaining items of value by way of "yard art", pots, decaying property present. Council member Sanders inquired regarding potential liability for damage to what could be considered property of value. Mr. Moore recommended a detailed inventory, picture log and multiple witnesses. Discussion ensued regarding the interior condition of house and presence of two vehicles. The house is filled with old clothes, mattresses, newspapers and mail three feet deep at the door. Discussion ensued regarding vehicles on the property and the City's right to tow vehicles. Mr. Moore reminded the Council of its obligation to apply any ordinance regarding vehicles on property in an equal manner to all property owners in the City.

#### **VI. Review of Financials**

Chuck Haviland presented an overview of Financial Statement evidencing \$397,338.50 in General Funds, \$521,748.95 in Capital Improvement Funds and \$38,802.33 in Special Highway Funds for a total of \$957,889.78. Mr. Haviland identified significant expenditures as Westwood payments, police service, snow removal, leaf pickup, ZM legal, etc. Council member Sanders inquired as to reimbursement from Karbank for legal expenses. None are expected as all expenses required to be reimbursed by Karbank were billed directly and have been paid in full. Council member Bachand raised a question regarding KCP&L payments. KCP&L payments are offset by franchise tax contributions and billed sporadically if and when amounts are due. Mr. Haviland raised an issue with accrued values remaining in the General Fund. Discussion ensued regarding transfer of funds to the Capital Improvement Fund ("CIF"). Council member Sanders moved to transfer \$85,000 to the CIF. The motion was seconded by Council member Bachand. All voted in favor. Mr. Haviland raised another question regarding CDs; he recommended renewing the CDs for short terms and to shop for the best rates at local banks. The

Council agreed with this recommendation. Council member Bachand inquired regarding a breakout of residential verses commercial expenditures.

**VII. Approval for Mayor to execute contract with American Municipal Services**

Mayor Tietze framed the issue regarding collection of an estimated 1024 warrants with a value of over \$176,210.00. Mayor Tietze states that new Chief of Police is pressing for additional collection action. Mayor Tietze provided an overview of a proposed contract with AMS. A brief discussion followed regarding terms of the agreement and reconciliation with potential comments from Westwood's attorney regarding the content of the proposed contract. Mr. Moore stated that the City Attorney would advise should the comments from Westwood's attorney materially change the agreement. Council member Fisher moved to authorize Mayor to execute agreement when ready and Council member Sanders seconded the motion. Upon a vote of the Council, the motion carried unanimously.

**VIII. Approval of contribution to annual fireworks display**

Mayor Tietze reminded the Council that the City contributed \$500 last year for the fireworks display. Council member Sanders moved to make the same contribution again. Council member Fisher seconded the motion. All members voted in favor. Council member Fisher raised the possibility of coordination with HOA for the event.

**IX. General Comments**

Council member Dunn raised the need to address storm sewer and landscaping issues. He also noted the need to address asphalt and pot holes. Mayor Tietze recommended the Council review the CIP and its priorities.

Council member Baenisch raised an issue that arose in a recent ARB meeting regarding lighting at the church. He proposed that inquiry be made into who pays for certain lighting on the church property, given that the representative of the church indicates that the church pays for only 2 lights. Also, the neighbors have complained that the lights are too bright, which is the issue before the ARB.

Council member Bachand inquired into the City's ability to bank in Missouri. The City currently has a UMB bank account. The City Attorney agreed to look into this issue.

Mayor Tietze also stated that the City needs to publish on the City Calendar the Deffenbaugh bulk items pickup dates.

Meeting adjourned by Mayor Tietze at approximately 8:10