

**MINUTES OF MISSION WOODS CITY COUNCIL**  
**August 4, 2015**  
**7:00 p.m.**

The City Council of Mission Woods, Kansas met in regular session on Tuesday, August 4, 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 Treasurer Chuck Haviland  
Vern Schallen, Accountant  
Chief O'Halloren  
Heather S. Esau Zerger, City Attorney

**I. Call to Order**

Mayor Tietze called to order a public hearing for the Mission Woods Budget. No one from the public was in attendance. The public session was adjourned at 7:04 p.m.

**II. Minutes of Prior Meeting**

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

**III. Warrants**

The Council next turned to approval of the warrants. Council member Ruff moved to approve the warrants and Council member Fisher seconded the motion, which passed unanimously.

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

The Council then reviewed the police report. Council member McAnarney inquired about a recent incident in which she saw someone walking through the City and taking photos, photographing every home. Council member McAnarney indicated her husband had reported it to the police. Chief O'Halloren had not heard about it, so it was likely checked and not an issue but agreed to look into it.

#### **IV. Ordinance 202 and Ordinance 203**

Mayor Tietze next introduced proposed ordinances 202 and 203, which are the annual ordinances adopting the new versions of the uniform public offense code and the uniform traffic code. Council member Dunn moved passage of Ordinance 202 and Council member Ruff seconded. All voted in favor and Ord. 202 was approved. Council member Dunn moved to approve the passage of Ordinance 203 and Council member Ruff seconded the motion. Ord. 203 passed by unanimous vote.

#### **V. Approval of Budget**

Mayor Tietze next moved to approval of the City's annual budget. He inquired whether any Council members had received feedback to his letter regarding the raise in the mill levy. No Council member reported having received any response or feedback. Council member Fisher moved to approve the City's budget and Council member McAnarney seconded the motion. All voted in favor.

#### **VI. Amendment to Signage Restrictions in Planned Office Districts**

Mayor Tietze introduced the next item on the agenda. Steve Karbank is in the process of renovating his property at 1900 SMP. He inquired about the ability to place monument signage on both SMP and State Line, since his property is located on a corner. The current ordinances do not permit two signs. Rather than requiring Mr. Karbank to seek a variance or special use permit from the BZA, Mayor Tietze inquired about whether the Council should consider an amendment to the City's ordinances in this regard to allow any corner property in the Planned Office District or Limited Office District the ability to erect signage on both streets adjacent to its building. The Council concluded that such an amendment should be considered and, per City ordinances, directed consideration of an amendment to the City Planning Commission. Council member Franklin moved to refer the question to the CPC and Council member Ruff seconded the motion. All voted in favor.

#### **VII. Franchise Agreement with KGS**

Next on the agenda was approval of a new, 20-year gas franchise contract with KGS. The City Attorney's office had reviewed the renewal contract and approved it. The renewal, like the original, pays 5% to the City. Council member Ruff moved to approve Ordinance 201, containing the renewal contract. Council member McAnarney seconded the motion and it carried unanimously.

## **VIII. Approval of Signatories on Accounts**

Mayor Tietze reported that before Council member Bachand resigned his position and moved away from the City, he was a signor on the City's primary account. In his absence, the City needs to appoint a replacement. Currently, the Mayor and Council member Fisher are signatories and Mayor Tietze recommends the Council approve Council member Darrell Franklin as a signatory also. Three signatures are not required, but two are and it is helpful to have 3 authorized signors in the even someone is out of town or unavailable. Council member McAnarney moved to remove Charles Bachand as a signatory on the City's accounts and Council member Dunn seconded the motion. The Council voted unanimously in favor. Council member McAnarney then moved to approve the addition of Council member Darrell Franklin as a signatory on the City's accounts. Council member Ruff seconded the motion and it carried unanimously.

## **X. General Comments**

Mayor Tietze provided an update to the Council on the issues related to the gas line to 1900 SMP and the substantial conversation that has taken place between Mr. Karbank, the Gas Company, and KU regarding acquisition of easements and the like. Today, KU indicated it would agree to grant an easement 8' north of the existing right of way but only if a sidewalk is installed on its property from Rainbow to the east end of its property line. Mayor Tietze indicated that if the easement cannot be acquired next to SMP, the alternative is for the gas company to install on the north side of the hospital property, which would result in the removal of many trees dividing the residents and the KU property. The Council determined this was not an attractive option. Mayor Tietze asked permission of the Council to enter negotiations with Mr. Karbank and the gas company to see if an agreement for installation of a sidewalk could be reached, with each party contributing a third of the cost. The Council supported exploration of this idea further, as it would be a much better alternative for the residents than removal of the trees on the north side of the KU property and because the sidewalk could be a good feature for all City residents.

Mayor Tietze also indicated the City's General Liability and Public Official liability policies were up for renewal. The cost of the renewal went down. The policies are to be renewed for the first of September 2015 through 2016. Council member Ruff moved to approve and Council member McAnarney seconded the motion, which passed unanimously.

Council member Franklin asked for an update to the status of Ms. Schulenberg's property. Mayor Tietze reported that the City's codes official reported the exterior has been cleaned up but the interior has not. She has until Friday, August 7 to address the interior and our codes official will insist on inspecting the interior. The Council discussed the continued need for maintenance and upkeep of the property and how to ensure continued compliance. The Council also discussed next steps in the event Ms. Schulenberg does not address the issues with the property.

Council member Fisher indicated he reached back out to A-1 Sewer and is still pursuing the bid for the inspection of the City's sewer lines.

Mayor Tietze opened the floor to comments from the members of the public in attendance. Kathy Henley shared her experience in dealing with gas companies and expressed she was not surprised about the situation related to obtaining the easement for the gas line at 1900 SMP.

Meeting adjourned 7:51 p.m.