

## **City of Westwood, Kansas**

### **City Council Meeting**

**4700 Rainbow Boulevard**

**July 9, 2020 – 7:00 p.m.**

**Held Remotely Via Zoom**

Council Present: David E. Waters, Mayor  
Jeff Harris, Council President  
Lisa Cummins, Councilmember  
Jason Hannaman, Councilmember  
Laura Steele, Councilmember  
Holly Wimer, Councilmember

Council Absent: None

Staff Present: Leslie Herring, CAO/City Clerk  
Greg O'Halloran, Chief of Police  
John Sullivan, Director of Public Works  
Ryan Denk, City Attorney

### **Call to Order**

Mayor David E. Waters called the meeting to order at 7:00 p.m. on July 9, 2020. The City Clerk called the roll. A quorum was present.

### **Presentation**

Michael Poppa, Executive Director of Mainstream Coalition, provided information on the coalition's program Voter to Voter, a non-partisan voter participation program.

### **Comment on Non-Agenda Items**

Any comments for the Governing Body on non-agenda items were to be submitted to Assistant City Clerk Abby Schneweis by 5:00 pm on Thursday, July 9, 2020 to be shared during the meeting. Comments were to be limited to five minutes in length, as read.

Jan Kyle, 4946 Belinder, submitted a written comment, the full comments are attached in Appendix A of these recorded minutes. Mrs. Herring read the comments aloud during the meeting.

### **Approval of June 11, 2020 City Council Meeting Minutes**

Motion by Councilmember Cummins to approve the June, 2020 City Council meeting minutes as submitted. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

### **Treasurer's Report**

#### **Approval of Financial Statement – June 2020**

Mr. Mills referred to the June 2020 Treasurer's Report and offered to answer any questions. June 2020 revenues for the general fund were in the amount of \$451,355 and expenses for the month were in the amount of \$171,360 with an increase of \$279,995 in the fund balance.

Motion by Councilmember Hannaman to accept the June 2020 financial reports as submitted. Second by Councilmember Harris. Motion carried with a 5-0 voice vote.

### **Appropriation Ordinance 716**

Councilmember Hannaman noted with the change in Appropriation Ordinance format, there were no amounts to approve. Councilmember Hannaman asked if the Governing Body approves the appropriation ordinances each month without amounts and any expenditures, so long as they are provided the budget, are ratified and approved. Mrs. Herring confirmed that it did.

Motion by Councilmember Hannaman to approve appropriation ordinance #716.

Councilmember Harris noted the phrase in the ordinance “remainder of calendar year 2020”, and asked about the intent of that language and why it would not be month specific for July 2020. Mrs. Herring said that the ordinance approves expenditures that have occurred to-date, and that sometimes expenditures that were slated for one month actually occur in the next month. Mrs. Herring stated the new format of the appropriations ordinances do not restrict when budgeted expenditures are made. Councilmember Harris asked with the new general language why the ordinances need to be adopted on a monthly basis. Mrs. Herring stated that Kansas Statutes require regular appropriation ordinances.

Second by Councilmember Harris. Motion carried by a 5-0 voice vote.

### **City Attorney Report**

Mr. Denk had nothing to report.

### **Administrative Report**

#### **Fence Variance Request – 3017 W 49<sup>th</sup> Place**

Thomas DeCelles, fence contractor and agent for the property owner Kyle Coffman, is requesting a variance from fence height regulations to install 68 feet of six-foot high horizontal shadowbox cedar privacy fence where the maximum height allowed is four feet. The proposed fence along the east-to-west rear property line of this corner lot at 49th Place and Mission Road would be located in the Mission Road side yard as shown on the accompanying illustrations of corner lot yard definitions and location of the desired variance. If this were an interior lot, a variance would not be required.

The existing fence planned for replacement is, in places, chain link and, in other places, galvanized cattle panel sections. The proposed fence will not create any sight distance issues for drivers on streets or in driveways nor will it adversely affect the general welfare of the immediate neighborhood.

The proposed fence is horizontal shadowbox cedar, which style is illustrated in the meeting packet materials, and which is an acceptable material for this fence height. The Westwood Zoning Ordinance at Section 4.3.9 A sets out the requirements for materials and style of construction of fences in the Single-Family Residential zoning district.

Mr. Sullivan asked if the existing chain link fence on the property would be removed, Mr. DeCelles confirmed that it would. Mr. DeCelles stated the new fence would be moved two feet further inside the property to avoid the existing trees and ensure the fence was straight throughout.

Motion by Councilmember Cummins to approve the fence variance at 3017 W 49th Place to allow the east-to-west six-foot tall cedar horizontal shadowbox fence in the corner lot side yard area of the

property and to remove the entire chain link fence to an existing post on the property for aesthetics. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

### **Consideration of acceptance of proposal for service from Adams, Brown, Beran, & Ball for accounting services**

Ms. Herring stated that the City is in the midst of a protracted integration of its financial information into Blackbaud Financial Edge, a cloud-based accounting platform approved by the City Council for use in 2014 and again in 2018, and intended to replace the City's current financial software, MAS 90. As the integration with Blackbaud has proven to be cumbersome for the City, and as the City further understands how Blackbaud will function once it's fully-integrated (and also its limitations), it has become attractive to explore alternative solutions for the City's accounting and financial management before fully-committing to the use of Blackbaud.

As such, an internal working group led by City Clerk Leslie Herring and Administration & Compensation Committee Chair Jason Hannaman has explored alternatives to Blackbaud and MAS 90. Through that work, Kansas-based Adams, Brown, Beran, & Ball (Adams Brown) was identified as a potential partner. Adams Brown provides a host of services to businesses and local governments including outsourced accounting, audit, tax, and advisory and consulting services. Adams Brown worked with the internal working group to create a package tailored to meet the needs expressed by the City and has provided a proposal including costs and timelines associated with both implementation and ongoing services.

If the City were to engage Adams Brown, the firm's services (as proposed) would cover a broader scope of work than that of Blackbaud (as contracted). As such, other vendor relationships would likely be impacted. An illustration of the City's management of existing operations and relationships – and the City's current contractual and financial relationship with each was enumerated in the agenda packet; also included in that attachment was a comparison of services between the proposal of Adams Brown and a proposal received from Miller Management Systems (Miller). Although Miller worked with the City's internal working group to develop a tailored scope of services for consideration by the City, Miller acknowledged it would be difficult for them to tailor their services (i.e. modify their standard package) to meet the unique needs of the City of Westwood. Miller's proposal and pricing was provided for the benefit of comparison.

Following examination of the proposals received, and of the City's current operations, the following options were considered by the Administration and Compensation Committee

- Complete the integration of Blackbaud and move City staff to that solution.
- Identify alternate software system solutions and discontinue use of Blackbaud.
- Engage Adams Brown to provide outsourced financial services, restructure vendor relationships, and reallocate staff resources following implementation accordingly.
- Status quo – continue using MAS 90 and maintain vendor relationships as detailed in the Status Quo column of the attached/referenced table.

Ultimately, the Administration and Compensation Committee arrived at consensus to recommend engaging with Adams Brown to provide outsourced financial services, restructure vendor relationships, and reallocate staff resources following implementation accordingly to the City Council for consideration.

Michelle Ryan, Adams Brown, was present at the meeting and provided an overview of the firm and offered to answer any questions.

Councilmember Harris asked if the current general ledger data was located on MAS 90, Blackbaud or both platforms. Councilmember Hannaman stated that the current general ledger data is on MAS 90. Councilmember Harris asked Ms. Ryan if Adams Brown had experience migrating data from MAS 90 to Intaact, the platform proposed for the City's use. Ms. Ryan said data has not been migrated directly from MAS 90, but Adams Brown has used a Quickbooks transition and her team feels confident they can get the information from MAS 90 on to Intaact.

Councilmember Wimer asked if the bill.com portion of the service proposal had been vetted. Ms. Ryan said she would be providing Mrs. Herring with some referrals.

Councilmember Steele asked Ms. Ryan if staff could pull reports from the Intaact platform. Ms. Ryan said that there are different roles within Intaact, providing different levels of access to users, but data reports can be easily generated by users.

Mayor Waters asked where Ms. Ryan is located on a regular basis and if she would be appointed as Westwood's Treasurer for statutory purposes. Ms. Ryan said she is based out of Adams Brown's south Overland Park office at College and Quivira. Ms. Ryan confirmed she would be able to meet the role of City Treasurer, and is willing to do so. Mayor Waters asked if Adams Brown were to serve as the City's accounting service and treasurer, they would be unable to provide auditing services to the City. Ms. Ryan confirmed that if hired, Adams Brown would be ineligible to provide auditing services to Westwood.

Motion by Councilmember Hannaman to authorize the Mayor to execute the Letter of Engagement of Adams, Brown, Beran, & Ball, Chtd. for outsourced treasurer and accounting services for the City conditioned upon favorable references for Intacct cloud-based accounting software and Bill.com accounts payable cloud-based software; and receipt of a Certificate of Liability Insurance in the amount of \$1M per occurrence through the term of its engagement with the City. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

#### **Resolution for Removal of Nuisance Vehicles – 2330 W 48<sup>th</sup> St**

Ms. Herring stated that a total of eight (8) nuisance motor vehicles without current registration and with no indication of recent movement are located on residential property located at 2330 W. 48th Street. The property owner, Mark Cohanzadeh, passed away in November 2017 and the property has been vacant since his death. Since that time, City staff has received numerous complaints from neighboring Westwood residents about the nuisance vehicles. As such, and after multiple attempts to resolve the matter and have the vehicles removed by Mr. Cohanzadeh's heirs, City staff is requesting the City Council act to abate the nuisance by removal of the vehicles from the property.

Mr. Cohanzadeh was first notified of the violations by letter sent first class mail January 26, 2017, with no response received. Two requests for the owner to contact the City were posted on the front door of the residence on March 28, 2018 and September 4, 2018. Again, no response was received. On May 12, 2020, notice of violation was sent via certified mail with return receipt requested to the Westwood property address as well as the address of Mr. Cohanzadeh's daughter, Celine, the executrix of his estate, who resides out of state. Service of the notice sent to the Westwood address was accepted. No

response was received from notice sent to Mr. Cohanzadeh's daughter, Celine; neither by return receipt nor undeliverable return

Pursuant to the governing state and city laws, staff is presenting the City Council with a proposed resolution for adoption. Adoption and publication of the resolution will allow City staff to call a tow company to haul the vehicles from the property and store them at the tow company's lot. Upon referral, City staff contacted Pro Tow in Overland Park, which commonly provides this service to other Johnson County cities. Pursuant to conversation with Pro Tow staff, the City could call them to tow the vehicles and Pro Tow would cover the full cost of hauling, storage, and ultimate disposition of the vehicles (most likely public auction), with no charge to the City, following publication of the resolution.

Motion by Councilmember Cummins to approve Resolution 82-2020 authorizing the removal of abandoned vehicles from property located at 2330 W 48<sup>th</sup> St. Second by Councilmember Stelle. Motion carried by a 5-0 voice vote.

### **Public Safety Report**

Chief O'Halloran referred to the June 2020 Public Safety report and offered to answer any questions.

### **Public Works Report**

Mr. Sullivan referred to the June 2020 Public Works report and offered to answer any questions.

### **Contract for Demolition of the 5050 Rainbow Boulevard Property**

Mr. Sullivan stated that the City of Westwood purchased the Westwood Christian Church located at 5050 Rainbow Boulevard approximately five years ago. The property has been vacant and therefore not utilized since its purchase. It has been determined that the building should be razed, and the property be utilized as green space.

The City of Westwood received three bids for the demolition of the building and removal of the parking lot. The low bid was received from Denton Excavating, Inc. dba Midland Wrecking. The City requested a base bid plus three bid alternates. The Council will need to consider the base bid alone or adding any or all three bid alternates to the base bid cost and therefore the scope of work.

The base bid is for the complete removal of the building including the basement and footings, the parking lot and the driveways leading to the sidewalk/driveway approaches and the monument sign and the ground light footings. This project also includes the basement to be backfilled with clean soil and compacted in lifts with the disturbed area to be fine graded with topsoil and then hydro-seeded. The low base bid from Denton Excavating is \$67,535.00.

The three bid alternatives were stated as follows:

1. Salvage the stone from the original 1951 structure by removing it free of deleterious material on the property for removal by the City. The value of the stone when clean and placed on a pallet is estimated by staff to be around \$10,000.00. The stone matches the stone used throughout the city and would be stored at the Public Works facility to be used in future projects. The cost of bid alternative No. 1 is \$800.00.
2. Salvage the archway stone that surrounds the front entrance for removal by the Public Works Department. The front entrance is surrounded by a wonderful cut stone archway. The archway is thought to possibly be used as an entrance incorporating the salvaged stone over a sidewalk entrance to a future park. The cost of bid alternative No. 2 is \$3,500.00.

3. Salvage the steeple in one piece from the ridge line of the building. The steeple along with the arch and the building cornerstone could be used on the property as a monument to the original church and the congregants who met there for all those years. The church began its existence two years after the incorporation of the City of Westwood. The cost of bid alternative No. 3 is \$6,740.00.

Councilmember Harris said he thought Bid Alternative 1 is a very good idea to help keep the City supplied in stone for the various walls around the city at a reasonable price. Councilmember Harris said he could support Bid Alternative 2 to salvage the stone archway and to use in the future.

Councilmember Harris stated he is apprehensive about Bid Alternative 3 as preserving the church steeple and placing it on City property in the future could blur the line between church and state.

Councilmember Cummins said she agreed with Councilmember Harris on his positions on the bid alternatives and pointed out that preserving the steeple is costly and that the City has no plans or practical use for it.

Councilmember Steele noted that the condition of the steeple after salvaging it could be less than desirable. Councilmember Steele said she supported Bid Alternative 1.

Councilmember Hannaman said he supported Bid Alternative 1 because it keeps the City in good supply of building materials when they are needed.

Councilmember Wimer said she supported Bid Alternatives 1 and 2.

Motion by Councilmember Harris to authorize the Mayor to accept the bid of Denton Excavating, Inc. dba Midland Wrecking for the base bid plus alternate nos. 1 & 2 and to authorize him to execute a contract for those services. Second by Councilmember Cummins. Motion carried by a 5-0 voice vote.

### **Consideration of acceptance of bid for scope of services for bike/pedestrian enhancements to 47<sup>th</sup> Street**

Mr. Sullivan stated that the City of Westwood has contracted with CFS Engineers to design a "stripe only project" for the W. 47th Street/W. 47th Avenue Corridor to demonstrate the "Road Diet" concept and Complete Streets concept. The goal of this project is to demonstrate the effectiveness of a three-lane profile with bike lanes prior to the design for the actual project scheduled for 2022 utilizing federal Surface Transportation Program (STP) funds. Mr. Sullivan stated that this project was bid on July 6<sup>th</sup> and that two bids were received. The low bid was received from K&G Striping, Inc. in the amount of \$65,806.60 which included two bid alternates. Bid alternate no. 1 is for a southbound approach on Mission Rd. (requested by The UG) and bid alternate no. 2 is a mid-block crossing. The City of Westwood will be paying \$31,779.80 to include one half of the base bid and one half of the bid alternate number two on this contract. The U.G. will be paying \$34,026.80 to include one half of the base bid, one half of bid alternate number two and all of bid alternate number 1. Mr. Sullivan stated he had spoken to Troy Shaw, U.G. Engineer and he agrees with moving forward with both alternates.

Motion by Councilmember Steele to authorize the Mayor to sign the Agreement with K&G Striping, Inc. for improvements to the W. 47th Street/W. 47th Avenue Corridor in the amount of \$65,806.60. Second by Councilmember Harris. Motion carried by a 5-0 voice vote.

### **Committee Reports**

#### **a. Administration & Compensation Committee**

Councilmember Hannaman noted the 2021 budget work session is Wednesday, July 15<sup>th</sup> and encouraged the Governing Body to come prepared.

**b. Business & Community Affairs Committee**

Councilmember Cummins thanked Mrs. Herring for her work with the committee to prepare for the 2021 budget.

**c. Public Safety Committee**

Councilmember Harris stated the committee is ready for the 2021 budget work session. Councilmember Harris thanked Chief O'Halloran and Mayor Waters for their work on recent citizen and media inquiries regarding use of force.

**d. Public Works Committee**

Councilmember Steele noted the committee met on June 23<sup>rd</sup> to discuss complete streets in Westwood and again on June 30<sup>th</sup> to prepare for the 2021 budget work session. Councilmember Steele said the committee is working to draft a Complete Streets document to be discussed during a City Council Work session.

There was a discussion about how to address motorized scooters going forward. There have been a number of occasions where a scooter is left in a place that obstructs pedestrian traffic. Currently, the scooters are moved on the sidewalk to allow for pedestrians to pass. Mayor Waters suggested that the Committee could incorporate further discussion about the electric scooters during a City Council Work Session regarding Complete Streets, Councilmember Steele agreed.

**e. Parks & Recreation Committee**

Councilmember Wimer noted the Parks and Recreation met on Tuesday, July 7<sup>th</sup> to prepare for the 2021 Budget Work Session. The Committee is working to publish a self-guided historical walking tour.

**Mayor's Report**

Mayor Waters noted that about a year ago the Shawnee Mission School District published a list of projects that could be included on the next bond issuance, Westwood View was not included at that time. Mayor Waters (then Councilmember Waters) and former Mayor Yé met with Superintendent Fulton to discuss the future planning of the school site to aid the City in making plans for the Dennis Park area. The District postponed the bond issuance and did a demographic study, and Westwood View had one of the highest projected enrollment growth rates at 18%. Mayor Waters said he had prepared a statement to the District Board of Education to emphasize the importance of Westwood View in the community and encourage them to include a new Westwood View building in the next bond issuance, the statement was provided to the Governing Body in the agenda packet to review and discuss.

Councilmembers Steele and Cummins commended Mayor Water's work on the document. Councilmember Hannaman agreed.

Councilmember Wimer noted that this document is being shared during an upcoming meeting with members of the Shawnee Mission School District Board of Education including Superintendent Fulton and Board Members Brad Stratton, Mary Sinclair, Heather Ousley and the District's Facilities Manager. The document will also be shared with the rest of the board electronically.

Mayor Waters congratulated Councilmember Hannaman on his recent appointment by the League of Kansas Municipalities to the Kansas Department of Transportation's Active Transportation Plan and Economic Impact Study Group.

Mayor Waters noted that he will be making a presentation with Councilmember Steele to the Kansas City, Kansas Chamber of Commerce on the 47<sup>th</sup> Street Corridor on Tuesday, July 14<sup>th</sup>.

**Adjournment**

Motion by Councilmember Hannaman to adjourn the meeting. Second by Councilmember Harris.  
Motion carried by a 5-0 voice vote. The meeting adjourned at 10:00 pm.

APPROVED: \_\_\_\_\_  
David E. Waters, Mayor

ATTEST: \_\_\_\_\_  
Leslie Herring, City Clerk



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**Appendix A**

**Comment on Non-Agenda Items**

Jan Kyle, 4946 Belinder, asked that the text below from a May 2, 2020 email be entered in to the meeting minutes:

Dear Mayor Waters, City Council, Planning Commission and Eddie McNeil,

I am writing out of continued concern for this dilapidated house on W. 48th St. Today I talked with Betsy Cromer, who lives with her husband and children directly across the street at 2427 W. 48th St. She told me that no one lives there, she never sees anyone. It is apparently just a derelict storage space for the deceased owner's relative(s). There are seven old, unused cars parked in the driveway and in the backyard, and the yard is in bad shape. Betsy is very concerned about the fact that it lowers their property value. She says they have outgrown their home, but won't get a fair price based on her home's condition because of this atrocity. Nor will the whole street be as attractive to other potential buyers/builders. It's wrong to allow this situation to damage the property values of all the surrounding neighbors and Westwood as a whole.

My husband, Wayne Hunthausen, and I have invested heavily in Westwood, as we own Westwood Animal Hospital at 4820 Rainbow and our home at 4946 Belinder. We've built our lives here and care deeply about the maintenance and image of Westwood. Betsy tells me she's complained before and gotten nowhere, and I've heard that others have done so as well. I implore you to take action to remedy this situation, which has gone on for far too many years and affects us all.

Ms. Kyle also asked that her public comments include concerns regarding a house located at 5025 Mission, which she raised in an email dated June 11, 2020:

Here's another house that I'm not sure anything can be done about, but it always looks bad with all the junk on the porch and sometimes in the yard as well.

When most residents take pride and care for their homes, it seems an insult to them when a few have such disregard. We are hoping you and the cc will address the homes/yards that give a bad impression and lower all our property values.