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## DA finds Shawnee<sup>300</sup> council violates KOMA

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Shawnee city council members violated the Kansas Open Meetings Act (KOMA), Johnson County District Attorney Steve Howe determined.

Howe recommends that the council and mayor receive "detailed and specific" training on KOMA laws.

Howe said the penalty is a slap on the wrist.

"The real power lies where it should: with the electors in the city of Shawnee," Howe wrote in a letter to the city's governing body. "The electors will ultimately have the ability to judge the actions of the members of the city council and Mayor (Jeff Meyers.)"

The council violated KOMA when they reached a decision to appoint a relative of Mayor Meyers to a vacant seat on the governing body last summer.

Four of six council members approved the appointment of Allan Willoughby during a special meeting on July 9. However, the district attorney's office determined that a majority of council members in a series of meetings discussed the appointment prior to the special

meeting.

Council member Neal Sawyer did not take part in any of the discussions, however the remainder of the council discussed the appointment prior to the meeting.

In his decision, Howe said while the majority of the council, including members Michelle Dislter, Dawn Kuhn, Jim Neighbor, Dan Pflumm, Mickey Sandifer and Jeff Vaught; did violate KOMA, they did not act in bad faith.

"We must conclude that the legislators acted out of ignorance of the applicable law," Howe wrote.

"...In the future, the safest way to proceed would be to either provide the notice required by KOMA or avoid discussions where there is an exchange of ideas on the business of the city of Shawnee."

In 2011, Howe recommended that Gardner City Council members undergo KOMA training after they violated KOMA laws through a series of emails and during an unlawful executive session.

Members of a governing body who knowingly violate KOMA laws could be fined up to \$500 per incident.