

# District attorney says Mission violated open meetings law

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The Kansas Open Meetings Act was violated when Mayor Laura McConwell of Mission signed documents to purchase a building in February without the City Council's binding approval, Johnson County District Attorney Steve Howe said Friday.

Although the Mission City Council could have and did talk about the pending purchase of the Neff building near Martway Street and Metcalf Avenue in a closed meeting, it failed to authorize the purchase, Howe said.

The city paid \$280,000 for the building.

"The purchase of the Neff building was a violation of the Kansas Open Meetings Act and you should refrain from this type of conduct," Howe told the council in a statement.

Howe said he would not charge any of the council members or mayor with violating the law at this time. But he requested that the mayor and City Council attend training on the open

meetings law within the next six months.

“If future violations occur, I will reconsider this decision,”  
Howe said.

Neither McConwell, an attorney, nor City Manager Mike Scanlon returned phone calls requesting an interview.

The city staff had wanted to purchase a vacant building that was becoming an eyesore, bulldoze it and then decide what to do with the property.

The issue was discussed in a properly closed meeting on July 20, 2011, Howe said. The council authorized Scanlon to discuss with the building owners the purchase of the Neff building but nothing more.

City staff negotiated the purchase price Oct. 7, which was within the parameters the council earlier set. But then on Feb. 2, McConwell signed the closing documents without a vote of the council.

Councilman Will Vandenberg said Friday that he was against buying the building but never got a chance to oppose it.

“No decision had been made to purchase anything,”  
Vandenberg said. “After that meeting I never heard anything more about it until someone told me the city had purchased it. I was dumbfounded.”

At a council meeting soon after that, McConwell, who has

been mayor 10 years, tried to get the council to “memorialize” the purchase with a council vote. A heated discussion took place, with several council members opposing McConwell.

“The city administrator said we had bought it, that we have already purchased it,” said John Weber, a council member who retired in April. “I would not support what they did.”

A vote to memorialize the purchase failed, and a complaint alleging the violation was filed with Howe’s office.

Howe said the purchase of the building is not subject to a voidance. But he warned that any mayor or council member “who knowingly violates any provision” of the state law can be penalized up to \$500 for each violation.