



Council gets dressing down from Law firm

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Attorney Robert Coykendall with the Law Offices of Morris Laing Evans Brock and Kennedy chtd stated in a letter obtained by the News that St. John needs to adopt a "more open and inclusive approach to governing."

Coykendall's law firm represents, Steve and Jeni Jones in various manners. It was incorrectly reported last week that they were the

attorneys hired by the city to look into the handling of the purchase of the Olivier property by council member Kevin Davis.

St. John Mayor Juliann Owens read the dressing down to council members in open session, July 1.

Steve and Jeni Jones were among those that questioned the ethics behind the sale since councilman Davis had been involved in the decision-making process that ended up

razing a hazardous structure and cleaning up the lot at the city's

"Motions to adjourn to executive session are woefully lacking,"

Attorney Robert Coykendall

expense.

Jones owns the property north of the lot, Davis purchased the building south of the lot and the Olivier

property shortly after the agreement to demolish the building was completed.

After taking possession of the property councilman Davis did reimburse the city for all demolition costs as well as tax and other liens.

"We were in their office talking to them about something else," Jeni Jones said. "While we were in there we said, 'And look at this, what do you think about that?'"

In the letter addressed to St. John City Attorney, Rodney Lyons, Coykendall did not think well of it.

"After perusing the available information on how the city of St. John conducts its business, I have serious concerns that the statutory requirement that city business be conducted in open meetings is being routinely ignored by the City of St. John," he said.

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One example cited was a review of the minutes of the city council that failed to show that there was any public discussion of the city's role in the demolition of the building; and "there does not appear to be any recorded vote authorizing the city to enter into the unusual contract to demolish this property on behalf of the property owner."

The agreement by the city was that it would clean up the lot by razing the building and any profit Olivier got from the sale of the property would go to the city to offset the approximately \$11,000 demolition costs.

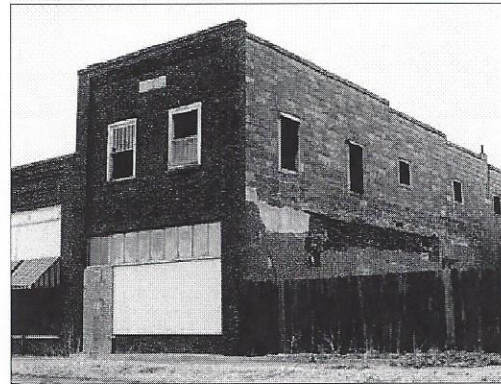
The letter states that a more public discussion of the City's role in the transaction and inclusion in city minutes would have placed all interested parties on equal bargaining footing in regard to possible acquisition of the cleared property, and would have avoided "the

clear appearance of impropriety that resulted when the property was acquired by secret treaty by a council member who was one of the few citizens in the city who had knowledge of the City's role with regard to the property.

"The impression given by the city council is that the business of the City is a matter of concern only to the few elected officials in the city; - why else would Mr. Davis have asked Jeni not to talk about his interest in the property until his acquisition of the property was accomplished? This attitude is the antithesis of the principles underlying KOMA, (Kansas Open Meetings Act)."

The letter goes on to point out that there are limited topics that can be discussed in executive session, and that it is not permissible to take binding action in an executive session.

"If the minutes of the meetings that are posted on-line are accurate, it appears that St. John is han-



Unsafe structure that previously stood on Olivier property.

TERRY SPRADLEY/ST. JOHN NEWS

dling most of its affairs in executive session with few substantive items carried out in open meeting.

"Moreover, the motions to adjourn to executive session are woefully lacking in detail to give any person notice of both; the justification for going into executive session and the subjects to be discussed in executive session as required by K.S.A. 75-4319."

Coykendall stated that instead of taking these concerns to the Attorney General office and subjecting the city to thousands of dollars in legal

costs and possible fines Jones would just like the city officials to correct their deficiencies and comply with KOMA practices.

"Steve and Jeni Jones desire that St. John adopt a more open and inclusive approach to governing. Adhering to the minimum requirements of KOMA would appear to be the first place to start."

After reading the letter, Mayor Owens told council members they would contact Kansas Municipalities for recommendations on KOMA training.