



Title: **Council reports past KOMA violations**
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ST. JOHN

Council reports past KOMA violations

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St. John city attorney, John Beverlin, Pratt advised council members of KOMA violations by the council dating back to 2010-2011.

After an executive session for attorney client privilege involving possible litigation, council members agreed to self-report KOMA violations to County Attorney Joe Shepack.

An exact copy of the filing has not yet been completed and forwarded to Shepack, but if documentation provided by Beverlin the infractions are due to improper procedure for recessing to executive session.

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Claussen is claiming that he was over charged for approximately 250,000 of water – enough water to fill a 24-foot swimming pool approximately 20 times - in 2010.

While Claussen thought the issue was still unre-

solved he was told recently that the council had made a decision on it in 2011 and he was sent a letter with their decision. Claussen claims he never received any letter or he would have been in to debate the settlement.

Beverlin is looking at past The first instance cited occurred in the Dec. 21 2010 meeting when then council person Jackie Koelsch made a motion for executive session without providing a subject to be discussed in the executive session.

Kansas Open Meetings Act requires that motions for executive sessions include the persons to attend, length of session, justification for session, i.e. attorney client privilege, to discuss non-elected personnel and a limited number of other reasons. The final requirement for an executive session is the

subject to be discussed in the session, i.e possible litigation, firing or disciplinary action.

On Jan. 4 Koelsch made two motions for executive session with no subject given. During the Jan. 18 meeting Koelsch and then councilmember Amy Collins requested executive sessions with no subject for discussion.

The meeting minutes were reviewed by council due to an ongoing issue with St. John resident and business owner, Scott Claussen over a water usage issue.

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meeting minutes to determine when the settlement decision was made and voted on.

A letter about the violations will be sent to County Attorney, who has the decreation of whether to file charges or not.