

**ANDOVER CITY COUNCIL  
Tuesday, October 29, 2013  
Minutes**

1. [Mayor Ben Lawrence called the meeting to order.](#)

2. [Roll Call](#)

City Council Members present were Troy Tabor, Caroline Hale, Kris Estes, and Clark Nelson. Council Member Byron Stout IV arrived at 7:02 p.m. and Council Member Sheri Geisler was absent.

Staff: Police Chief Mike Keller, Chief Financial Officer Donna Davis, Fire Chief Jim Shaver, Assistant City Administrator Jennifer McCausland, City Attorney JT Klaus, Public Works & Community Development Director Les Mangus, City Clerk Susan Renner, City Administrator Sasha Stiles, and Mike Thompson City Consulting Engineer.

A/V: Cindy Barrett

3. [Invocation was given by Pastor Greg Perkins of the Eastside Community Church and Andover Police Department Chaplains.](#)

4. [Pledge of Allegiance was led by Mayor Ben Lawrence.](#)

5. [Public Forum - no one spoke.](#)

Council Member Bryon Stout arrived at 7:02 p.m.

6. [Acceptance of Agenda](#)

Mayor Ben Lawrence requested an executive session be added at the end of the agenda to discuss matters related to the attorney-client privileged relationship.

A motion was made by Council Member Clark Nelson, seconded by Council Member Kris Estes to accept the agenda with the addition of the executive session as requested. Motion carried 5/0.

## 7. Presentations

- a. Greater Andover Days committee

Ms. Kandace Hunt presented the Police and Fire Foundation with a check in the amount of \$998.50 representing \$.50 of each button sold for Greater Andover Days. The Police and Fire Chiefs thanked the committee for the donation. Police Chief Michael Keller stated two years ago the GAD committee began the donations to the foundation providing scholarships for local high school students.

## 8. Consent Agenda

- a. Approval of Minutes
  - i. City Council Meeting: October 8, 2013
- b. Receive & file reports
  - i. Police: September 2013
- c. Approval of appropriation ordinance B-19-13 in the amount of \$ 920,600.92.
- d. Approval of non-elected personnel items

Seth Carey, Assistant Recreation Director to Recreation Director, with a pay increase from \$17.50 per hour to \$45,000 annually, effective October 14, 2013.

Natasha Ward, Police Officer non-certified to certified, with a pay increase from \$15.96 per hour to \$16.71 per hour.

Marcus Dunkin, re-hire Police Officer, at a rate of \$17.15 per hour, effective October 28, 2013.

Jeremiah Bishop, Semi-Skilled Park Department Maintenance Worker, training to regular status, with a pay increase from \$11.50 to \$12.00 per hour, effective October 9, 2013.

Steve Cullinane, Firefighter, from part time to full time, at a rate of \$12.00 per hour, effective October 20, 2013.
- e. Approval of a request by the Wastewater Department to submit RFP's for the purchase of a work truck.
- f. Approval of a CVB check request to the Andover Days Inn for the hotel voucher program in the amount of \$1,880 for vouchers dated September 9 through October 9, 2013.

- g. Approval of Cereal Malt Beverage 2014 license renewals.  
The Pantry, Inc. for Presto #1614, 2035 N Andover Road  
The Pantry, Inc. for Presto #1619, 105 W Central  
City of Andover, 1607 E Central
- h. Approval of a request by the Fire Department to purchase a 10 x 16 storage shed from All Size, Wichita, in the amount of \$2,695.
- i. Approval of an agreement with Celebrations, Wichita, for the employee and volunteer appreciation event January 18, 2014, in the amount of \$2,395.
- j. Approval of an agreement with Rice-Foster Associates, Wichita, for landscape architectural services for Phase II of the design for the proposed Central Park amphitheater in an amount not to exceed \$3,350.

A motion was made by Council Member Clark Nelson, seconded by Council Member Kris Estes to approve the consent agenda. Motion carried 5/0.

[9. An ordinance denying a special use for a mini-storage facility in the B-1 Office Business District on certain lands located in the City of Andover, Kansas. \(SU-2013-01 Block 1 Lot 1 Kutter Addition - general location of southeast corner of 159th & Central Ave\)](#)

Mayor Lawrence presented an ordinance denying the change in the zoning district classification of certain lands located in the City of Andover, Kansas, under the authority granted by the zoning regulations of the City as originally approved by Ordinance No. 1187.

The Mayor asked the City Council if anyone intended to disqualify themselves from discussing or voting on this case because they have conflicts of interest or particular bias. No one did.

The Mayor asked the City Clerk if the City had received any protest petitions. She responded she had not.

The Mayor confirmed with the Council that they had received the September 17, 2013 Planning Commission meeting minutes.

The Mayor asked Zoning Administrator Les Mangus to give a brief report regarding the case.

Mr. Mangus explained the applicant wished to build a mini-storage facility on the property zoned B-1. There was a public hearing at the Planning Commission meeting and they received an overwhelming opposition response from the property owners in the vicinity (letters included in the Planning Commission minutes).

The Mayor asked if anyone in the audience wanted to respond or provide any new information. No one did.

A motion was made by Council Member Caroline Hale, seconded by Council Member Byron Stout to adopt the ordinance as presented. Motion carried 5/0. Ordinance number 1553 was assigned.

[10. An ordinance amending Chapter XIII, Article 4, Section 13-405 of the Code of the City of Andover, Kansas regarding smoking at the 13th Street Park.](#)

Sasha Stiles explained this ordinance will allow enforcement of the no-smoking signs posted at the 13<sup>th</sup> Street Sports Park.

A motion was made by Council Member Kris Estes, seconded by Council Member Caroline Hale, to adopt the ordinance as presented. Motion carried 4/1. Council Member Byron Stout opposed. Ordinance number 1554 was assigned.

[11. The Arbitrage Group, Inc. engagement letter](#)

Sasha Stiles explained the Internal Revenue Service requires the calculation of arbitrage earnings for the 2010A and 2012A Temporary Improvement Notes. Both notes are related to the Prairie Creek Addition improvements and the fees for this agreement will be charged to the Prairie Creek Development as part of the bond costs.

[12. Statement of Nuisance - 1517 Church](#)

Sasha Stiles explained the house at 1517 Church is in foreclosure and is empty. The property has household debris left outside that needs to be cleaned up. The City is following the requirements set by the State for notification and removal and the abatement of the cost of the removal.

A motion was made by Council Member Caroline Hale, seconded by Council Member Kris Estes to approve the Statement of Nuisance for 1517 Church. Motion carried 5/0.

13. [An Ordinance annexing land to the City of Andover Kansas. \(2258 N Andover Road\)](#)

Les Mangus explained this annexation is at the request of the property owners so they can connect the single family home to the City wastewater system. It has been reviewed by the Planning Commission and they recommend approving the request.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to adopt an ordinance annexing land to the City of Andover Kansas. (2258 N Andover Road) Motion carried 5/0. Ordinance number 1555 was assigned.

14. [2013 Street Rehab Project - APAC change order](#)

Mike Thompson, Poe & Associates, City Consulting Engineer, explained once construction had begun it was discovered the existing asphalt in Crescent Lakes and several manhole covers on Andover Road were thicker than anticipated requiring additional milling.

A motion was made by Council Member Caroline Hale, seconded by Council Member Troy Tabor to approve APAC change order number four in the amount of \$13,056.30. Motion carried 5/0.

15. [Salary review committee appointments](#)

Sasha Stiles requested the appointment of three council members for the employee review process. Ms. Stiles added appointees will need to be available during regular working hours to attend scheduled meetings.

Council Members Clark Nelson, Byron Stout, and Caroline Hale volunteered and Council Member Kris Estes will be an alternate if necessary.

Executive session to discuss matters related to the attorney-client privileged relationship (added to agenda)

A motion was made by Council Member Byron Stout, seconded by Council Member Caroline Hale to go in to executive session for approximately five minutes and to include the Governing Body, City Administrator, and City Attorney. Motion carried 5/0.

A motion was made by Council Member Byron Stout, seconded by Council Member Troy Tabor to come out of executive session. Motion carried 5/0.

No action was taken as a result of the executive session.

16. Member Items

Council Member Troy Tabor had none.

Council Member Clark Nelson

Thanked the Fire Department for inviting him to the training burn of a house and allowing him to participate. He learned a lot and was proud of the professionalism and camaraderie shown by the Andover Fire Department.

Council Member Caroline Hale had none.

Council Member Kris Estes

Thanked Sasha Stiles for her service on the KMIT Board which she was recognized for at the League of Kansas Municipalities Conference.

Council Member Byron Stout has none.

Mayor Ben Lawrence

Announced Capitol Federal has purchased a brand new 22' Christmas tree to be displayed in the plaza between City Hall and the Library. The inaugural lighting will be at Hometown Christmas on Thursday, December 12.

Sasha Stiles reminded Council Members of the LKM Suppers they have been invited to attend and the all staff pot luck lunch on 11/12/13.

Police Chief Keller reminded everyone of the Safe Halloween event on October 31.

Sasha Stiles reminded everyone there is an Comp Plan Advisory Committee meeting on November 7 at 6pm, Central Park Lodge.

Adjourn

A motion was made by Council Member Byron Stout, seconded by Council Member Kris Estes to adjourn City Council Meeting. Motion carried 5/0.

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 12<sup>th</sup> day of November 2013, by the City Council, City of Andover, Kansas.