

ANDOVER CITY COUNCIL
Tuesday, January 14, 2014
Minutes

1. Mayor Ben Lawrence called the meeting to order.

2. Roll Call

City Council Members present were Troy Tabor, Clark Nelson, Caroline Hale, Kris Estes, and Byron Stout IV. Council Member Sheri Geisler was absent.

Staff: Police Chief Michael 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 IT/Communications Director Bill Duggan.

A/V: Cindy Barrett

3. Invocation was given by Council Member Byron Stout. (00:00:34)

4. Pledge of Allegiance was led by Mayor Ben Lawrence. (00:01:34)

5. Public Forum (00:01:56)

Butler County Commissioner Dan Woydziak (represents Andover citizens south of US Highway 54), provided information on the re-build of the bridge on Andover Road over Four Mile Creek south of Harry. The plans are currently under review, have been revised and hope to bid the job early spring.

Mr. Woydziak stated the railroad bridge west of Sante Fe Lake Road, over Highway 54, part of the old railroad corridor, will be torn down and paid for 100 percent by KDOT and when the bike trail reaches that location KDOT will try to find funds for a pedestrian type bridge.

Mr. Woydziak stated if the legislature repeals mortgage registration fees the county would have to either raise taxes or cut \$1.5 million from the budget and if there is another decline in the assessed value in the county there will be no place to make budget cuts. The regionalization of the community colleges, 75% of the students attending Butler Community College do not live in Butler County, is also begin addressed by the legislature.

6. [Acceptance of Agenda \(00:12:39\)](#)

Sasha Stiles stated there were two consent agenda items that had been revised; item i. YMCA contract; and item k. computer purchases. The revised documents were on the bench.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to accept the agenda as modified. Motion carried 5/0.

7. [Presentations \(00:15:00\)](#)

a. Andover Chamber of Commerce – unable to attend

b. [Regional Economic Area Partnership - Keith Lawing](#)

Keith Lawing, Executive Director, gave a summary of the administrative changes made within the organization and their work plan and goals for 2014.

c. [IMA - employee insurance \(00:27:42\)](#)

Bridget Tatum, IMA Account Executive, Wichita, explained the employee health benefits that if accepted by the Council on this agenda will be in effect March 1, 2014. Ms. Tatum stated it was a very favorable renewal with Blue Cross Blue Shield of Kansas. She added the vision portion was a two year guaranteed rate with Ameritas so it was not bid.

d. [Move 2040 - Kristen Zimmerman \(00:38:16\)](#)

Kristen Zimmerman, Wichita Area Metropolitan Planning Organization (WAMPO) provided an update on the long range transportation plan. These plans are updated every five years.

8. [Consent Agenda \(00:54:30\)](#)

- a. Approval of Minutes
 - i. City Council Meeting: December 30, 2013
- b. Receive & file reports
 - i. Fire: December 2013

- c. Receive & file minutes
 - i. Site Plan Review: November 5, 2013
 - ii. Subdivision: November 12, 2013
 - iii. Planning Commission: November 19, 2013
- d. Approval of appropriation ordinance B-24-13 in the amount of \$ 456,442.00.
- e. Approval of non-elected personnel items
Chad Russell, Fire Chief new hire, \$61,000 annual salary, effective February 10, 2014.
Kaylie Clark, Assistant Recreation Director new hire, at \$16.00 per hour, effective January 2, 2014.
- f. Approval of the Mayoral appointment of Rick Lanzrath to the Butler County Solid Waste Planning Committee, term B, through December 2016.
- g. Approval of the renewal of the employee health and dental insurance contract with Blue Cross Blue Shield of Kansas effective March 1, 2014.
- h. Approval of an amendment to the Discovery Benefits Health FSA to allow up to a \$500 benefit carryover in an employee flex spending account.
- i. Approval of the renewal of the YMCA Corporate Wellness agreement for 2014 in the amount of \$3,120.
- j. Approval of the streetlight installation for the Shadow Rock Addition.
- k. Approval of the IT Department request (revised) to purchase two notebook computers from CDWG.com in the amount of \$4,067.38 and three desk top computers from Dell.com in the amount of \$3,563.10.
- l. Approval of the IT Department request to replace fourteen iPads purchased from CDWG.com in an amount not to exceed \$9,800.
- m. Acceptance of a Memorandum of Understanding for a GIS project ensuring data integrity and compatibility for GIS files across the state.
- n. Approval of a Mayoral appointment of Mr. Glen Lang, Holiday Inn Express General Manager, replacing Tim Johnson in the CVB committee.

- o. Approval of a Fire Department purchase of two RAD-57s self-contained breathing apparatus plus accessories from Masimo of Irvine, California, with remaining grant funds from the 2012 Federal Fire Grant EMW-2011-FO-06196 in the amount of \$8,589.

A motion was made by Council Member Clark Nelson, seconded by Council Member Kris Estes to approve the Consent Agenda as revised. Motion carried 5/0.

9. Annual membership renewals (00:55:00)

- a. Regional Economic Area Partnership annual assessment in the amount of \$3,766 and the water resources annual assessment in the amount of \$3,883.
- b. League of Kansas Municipalities membership dues in the amount of \$5,900.46 and Kansas Government Journal subscription renewal in the amount of \$20.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to approve the annual membership renewals as presented. Motion carried 5/0.

10. An ordinance approving a special use to allow a 120 foot cellular tower, exceeding the 35 foot maximum height limitation for wireless communication facilities, on certain lands in the B-1 Office Business District in the City of Andover, Kansas, under the authority granted by the Zoning Regulations of the City, as originally approved by Ordinance 1187. (SU-2013-02 Kutter Addition) (00:56:19)

Mayor Ben Lawrence presented an ordinance for a special use in the B-1 Office Business District to allow for a 120 foot cellular tower.

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 approved Planning Commission minutes of November 19, 2013.

The Mayor asked Zoning Administrator Les Mangus for a report and the Planning Commission's recommendation.

Mr. Mangus explained this had been continued at the Planning Commission meeting so that the property owner and his agent could provide additional information. AT&T has explained how this tower would resolve capacity issues in the Andover area with the ideal location being at the Generations Church; they have been approached but with setback requirements it would place the tower at the front door. The location applied for meets the setback requirements, the property owner is willing to lease, and AT&T understands there will be screening requirements determined by the Site Plan Review Committee. The Planning Commission recommended the approval with a 3/2 vote.

The Mayor asked the applicants if they felt they had a fair and impartial hearing at that Planning Commission meeting, the applicants responded that they did.

The Mayor asked if anyone in the audience wanted to respond or provide any new information.

Mike Douchant, Dolan Realty Advisors, agent for AT&T, explained AT&T is looking at a particular location to increase the capacity of calls and added the tower may only be 112' high. Mr. Douchant, stated the FAA requires a light on the pole if it reaches 200' unless a municipality requests a light be placed.

Trish Voth-Blankenship, resident of Chateauroux, stated the neighborhood had put together written information for the Planning Commission and City Council, and she was in attendance to answer any questions regarding those documents. It is the screening elements that the neighborhood is concerned with.

A motion was made by Council Member Caroline Hale, seconded by Council Member Clark Nelson to adopt an ordinance approving a special use to allow a 120 foot cellular tower, exceeding the 35 foot maximum height limitation for wireless communication facilities, on certain lands in the B-1 Office Business District in the City of Andover, Kansas, under the authority granted by the Zoning Regulations of the City, as originally approved by Ordinance 1187. (SU-2013-02 Kutter Addition) Motion carried 4/1. Council Member Kris Estes opposed. Ordinance number 1562 was assigned.

11. [An ordinance establishing certain court costs within the City of Andover, Kansas; and amending Chapter X, Article 1, Section 10-106 of the Code of the City of Andover, Kansas. \(01:24:33\)](#)

Police Chief Keller explained Kansas State Statute KSA 21-2501 was effective January 1, 2014 and requires the Police Department to begin capturing finger and palm prints from individuals that are convicted of a crime identified in the statute. This ordinance outlines

the fees to be charged to those individuals to offset the additional costs to the Police Department and the cost of an officer in the court room.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to adopt an ordinance establishing certain court costs within the City of Andover, Kansas, and amending Chapter X, Article 1, Section 10-106 of the Code of the City of Andover, Kansas. Motion carried 5/0. Ordinance number 1563 was assigned.

12. [Ralph Rust plaque for the 13th Street Park \(01:34:19\)](#)

Sasha Stiles stated at the September 23, 2013 workshop meeting the Council directed staff to obtain a quote for a plaque to be placed at the 13th Street Sports Park honoring the recently retired Ralph Rust. The quote received was \$530 including shipping.

A motion was made by Council Member Byron Stout, seconded by Council Member Kris Estes to approve the purchase of the plaque as presented in the amount not to exceed of \$600 from Economy Engravers, Wichita. Motion carried 5/0.

13. [Member Items \(01:35:36\)](#)

Council Member Troy Tabor had none.

Council Member Clark Nelson had none.

Council Member Caroline Hale

- Stated WAMPO is looking into transit improvement in outlying areas to determine if there is a need.
- Stated her and Sasha Stiles attended a meeting with Butler County regarding water resources. It will be an ongoing discussion.

Council Member Kris Estes

- Wished everyone a happy new year.

Sasha Stiles requested the Council confirm Thursday, February 6, 2014, that they would be available for a joint meeting with the Andover USD 385.

Sasha Stiles provided information to the Council regarding LKM Annual City Hall Day in Topeka on February 5, 2014.

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

Adjourn

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 28th day of January, 2014, by the City Council, City of Andover, Kansas.