

ANDOVER CITY COUNCIL MEETING

Andover City Hall  
1609 E. Central Avenue  
July 29, 2014 – 7:00 p.m.

00:00

1. Mayor Ben Lawrence called the meeting to order.
2. Roll Call

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

Staff: Police Chief Michael Keller, Chief Financial Officer Donna Davis, Fire Chief Chad Russell, Assistant City Administrator Jennifer McCausland, City Attorney JT Klaus, Public Works & Community Development Director Les Mangus, City Clerk Susan Renner, and City Administrator Sasha Stiles.

A/V: Bill Duggan

3. Invocation was given by Pastor Leon Hiebert of the Andover Police Department Chaplains.

00:02

4. Pledge of Allegiance was led by Mayor Ben Lawrence.
5. Public Forum

- a. Denise Kelley, Andover Chamber of Commerce Executive Director, requested a change in date on a temporary use permit granted at the May 13 council meeting for a Chamber event on June 28. The event at the Andover Plaza shopping center was cancelled due to weather. They rescheduled for August 8.

A motion was made by Council Member Byron Stout, seconded by Council Member Sheri Geisler to approve the request. Motion carried 6/0.

- b. Mark Benson, St. Vincent de Paul church requested partial street closures on Sunday, September 19, from 9:30 a.m. to 11:30 a.m. for their 3<sup>rd</sup> annual Walk for the Poor. The walk will start in the parking lot of the church and take Douglas west to Chapel, north on Chapel to 1<sup>st</sup> Street, east on 1<sup>st</sup> and return to the church parking lot. The walk begins at 10:00 a.m. and will take approximately 60 minutes. The extra time will allow for set up and take down.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to approve the request. Motion carried 6/0.

00:07

6. Acceptance of Agenda

Mayor Lawrence requested an additional executive session to discuss land acquisition prior to regular agenda item number 11. US Highway 54 Right of Way.

A motion was made by Council Member Caroline Hale, seconded by Council Member Kris Estes to accept the agenda as modified. Motion carried 6/0.

7. Mayor Ben Lawrence presented a proclamation in support of the Pink Heals Tour, August 7, 2014.

Fire Chief Chad Russell proudly invited everyone to this event beginning with a parade of fire trucks down Andover Road beginning at 9:00 a.m. from 21<sup>st</sup> Street south to Dillons. Chief Russell added this event is to bring awareness about cancer and its victims, not a fund raiser. If donations are made they will be kept local and he is working with a few agencies in Wichita. Fire Fighters will be carrying groceries on August 5<sup>th</sup> & 6<sup>th</sup> for Dillons patrons advising them of the tour and inviting everyone to come.

00:11

8. Presentations

- a. Bobby Seacat, Andover Rotary Immediate Past President, presented Matt Johnson with the Andover Food Bank a check in the amount of \$2,433. These funds were raised through beer sales at the Little River Band concert held June 14.

Mr. Johnson stated they were extremely grateful for the donation. The Food Bank had seen a 30% increase in need for 2014. The average assistance provided each month had been approximately 52 households and has now reached 70 per month.

- b. Beverly McWilliams, Flint Hills Services Board Chair, introduced herself and announced their board will be looking for a board member next year if anyone was interested.

Kathy Walter, Flint Hills Services Executive Director, presented a video and information regarding the services their organization provides. She added plans are in the works for a satellite office to open in Andover late August or early September.

00:27

9. Consent Agenda

- a. Approval of Minutes
  - i. City Council Meeting: July 8, 2014
- b. Receive & file reports
  - i. Police: June 2014
  - ii. Library: June 2014 Finance; June 2014 Directors
- c. Receive & file minutes
  - i. Library: June 11, 2014
- d. Approval of appropriation ordinance B-13-14 in the amount of \$ 548,639.80.
- e. Approval of Police Department General Order P3105 “Vacation Watch Program”.
- f. Approval of a check request of CVB funds for the hotel voucher program to the Holiday Inn Express for vouchers from May 31, 2014 – July 6, 2014 in the amount of \$2,160.
- g. Approval of the Mayoral appointment of Dennis Axcell, 111 Putter, to the Golf Course Committee. There is no term for members; they serve at the leisure of the Council.
- h. Approval of APAC Change Order #6 for the 2013 Street Rehabilitation Project in the amount of \$13,527.23, to replace a sidewalk and reconcile estimated to actual quantities.
- i. Acceptance of Right of Way and Easement documents and payment for the 159<sup>th</sup> Street Improvement Project.
  - i. Andover Farm at Cedar Park (McCoy) right of way, drainage easement, and temporary construction easements just compensation \$83,900.
  - ii. William & Mary Hadwiger right of way, drainage easement, and temporary construction easements just compensation \$39,223.
  - iii. Jones, Dekoning, and Garwood temporary construction easements
- j. Acceptance of Bob FM Radio proposal for GAD advertising in the amount of \$2,550.

00:28

10. Vacation Case VA-2014-03

- a. Public hearing (continuance to August 26<sup>th</sup>, 2014)

Mayor Ben Lawrence opened a public hearing, no one spoke, the hearing was continued to the August 26 City Council meeting.

Les Mangus explained the legal notice for public hearing had been published but the applicant still needed to obtain a survey legally describing the property they are seeking to vacate.

A motion was made by Council Member Clark Nelson, seconded by Council Member Sheri Geisler to continue VA-2014-03, Lot 6, Block B, Lakeview Heights Addition, to the August 26, 2014 Council meeting. Motion carried 6/0.

00:31

A motion was made by Council Member Byron Stout, seconded by Council Member Sheri Geisler to go in to executive session to discuss land acquisition and include the Governing Body, City Administrator, Zoning Administrator and City Attorney for approximately five minutes. Motion carried 6/0.

A motion was made by Council Member Sheri Geisler, seconded by Council Member Troy Tabor to come out of executive session. Motion carried 6/0.

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

00:40

11. US Highway 54 Right of Way (54-8KA-0927-01)

- a. KDOT agreement for advance acquisition of right of way for Marketplace Commercial 2<sup>nd</sup> Addition tracts and the Raymond Oil Co., tract outlining the responsibilities of all parties.

A motion was made by Council Member Clark Nelson, seconded by Council Member Sheri Geisler to accept the KDOT contract and authorize the Mayor to sign the agreement. Motion carried 6/0.

- b. Marketplace Commercial 2<sup>nd</sup> Addition Road Purchase agreement for right of way

A motion was made by Council Member Clark Nelson, seconded by Council Member Sheri Geisler to approve the purchase agreement with Vantage Andover, LLC in an amount not to exceed \$596,900 and authorize the Mayor to sign the agreement.

00:45

12. 159<sup>th</sup> Street Project design contract supplemental

Les Mangus explained the supplement is for design services to add a retaining wall at the southwest corner of 159<sup>th</sup> and Central Avenue that was deemed necessary for safety reasons.

A motion was made by Council Member Byron Stout, seconded by Council Member Sheri Geisler to approve the contract supplemental in the amount of \$9,297.68. Motion carried 6/0.

00:47

13. An ordinance prohibiting the display of vehicles marked “for sale” on private property without permission of the property owner; and creating Chapter XVIII, Article 4, Section 18-403 of the Code of the City of Andover, Kansas.

Police Chief Keller explained this ordinance would give the Police Department recourse when a property owner reports vehicles parked on private property without permission.

A motion was made by Council Member Sheri Geisler, seconded by Council Member Kris Estes to adopt the ordinance as presented. Motion carried 5/1. Council Member Byron Stout opposed. Ordinance 1573 was assigned.

01:09

14. 937 N. Andover Road HVAC replacement

Les Mangus explained the air conditioning unit needs to be replaced. The Historical Society currently occupies the building and per the lease agreement the City would be responsible for this replacement. Mr. Mangus added three bids were received and Greenstar Heating & Air LLC, Augusta, was the low bid with \$4,850.50. Ball Heating of Andover bid 5,839.08 and Hanna of Andover bid \$6,009.00.

A motion was made by Council Member Sheri Geisler, seconded by Council Member Byron Stout to replace the air conditioning units at a cost of \$4,850.50. Motion carried 6/0.

01:11

15. Executive session – matters of attorney client privilege

A motion was made by Council Member Sheri Geisler, seconded by Council Member Byron Stout to go into executive session to discuss matters of attorney client privilege for approximately fifteen minutes and to include the governing body, City administrator, City attorney, and public works director. Motion carried 6/0.

A motion was made by Council Member Sheri Geisler, seconded by Council Member Troy Tabor to come out of executive session. Motion carried 6/0.

01:31

A motion was made by Council Member Sheri Geisler, seconded by Council Member Byron Stout to go back into executive session for an additional ten minutes for a continuation of the discussion. Motion carried 6/0.

A motion was made by Council Member Byron Stout, seconded by Council Member Troy Tabor to come out of executive session. Motion carried 6/0.

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

01:45

16. Executive Session – matters of attorney client privilege

A motion was made by Council Member Byron Stout, seconded by Council Member Sheri Geisler to go into executive session to discuss matters of attorney client privilege for approximately fifteen minutes and to include the governing body, City administrator, and City attorney. Motion carried 6/0.

A motion was made by Council Member Byron Stout, seconded by Council Member Troy Tabor to come out of executive session. Motion carried 6/0.

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

02:08

17. Member Items

Council Member Troy Tabor had none.

Council Member Sheri Geisler had none.

Council Member Clark Nelson had none.

Council Member Caroline Hale had none.

Council Member Kris Estes had none.

Council Member Byron Stout

- Commented on how well the partnership with the Rotary, the City and local clubs and business worked together for good.

02:08

A motion was made by Council Member Sheri Geisler, seconded by Council Member Troy Tabor to adjourn. Motion carried 6/0.

Adjourn

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 12<sup>th</sup> day of August, 2014, by the City Council, City of Andover, Kansas.