

ANDOVER CITY COUNCIL MEETING

Andover City Hall
1609 E. Central Avenue
November 25, 2014 – 7:00 p.m.

(The times noted on this document are for ease of location on the video, not necessarily the number of minutes passed since the meeting began.)

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, and Kris Estes. Council Member Byron Stout IV was absent.

Staff: Police Chief Michael Keller, 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: Cindy Barrett

00:01

3. Invocation was given by Pastor Jerry Smith of the Andover Police Department Chaplains.

00:05

4. Pledge of Allegiance was led by members of Boy Scout Troop 584.
5. Public Forum

Tim King, 326 Fairway Circle, representing Boy Scout Troop 584, requested use of Central Park for their campout on Friday and Saturday, December 12 and 13. The site they had previously scheduled was no longer available. They will work with the Police, Fire and Park Departments.

A motion was made by Council Member Clark Nelson, seconded by Council Member Caroline Hale to approve the request. Motion carried 5/0.

00:07

6. Acceptance of Agenda

Staff requested the addition of a KDOT Authority to Award for the Redbud Trail and an additional executive session for legal matters.

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

7. Consent Agenda

- a. Approval of City Council Meeting Minutes
 - i. Special Meeting: November 6, 2014
 - ii. Council Meeting: November 11, 2014

- b. Receive & file reports
 - i. Police: October 2014

- c. Receive & file minutes
 - i. Site Plan Review: September 2, 2014
 - ii. Subdivision: August 12, 2014
 - iii. Planning Commission: August 19, 2014
 - iv. CVB: September 3, 2014

- d. Approval of appropriation ordinance B-21-14 in the amount of \$ 381,853.73.

- e. Approval of non-elected personnel items
Marcus Duncan, Police Officer to MPO I, with a pay increase from \$17.15 to \$17.48 per hour, effective November 9, 2014.
Troy Snedeker, MPO II to MPO III, with a pay increase from \$18.53 to \$18.86 per hour, effective October 26, 2014.

- f. Approval of Cereal Malt Beverage license renewals
 - i. Kwik Shop – 114 W Highway 54
 - ii. Billy Sims Barbeque – 513 S Andover Road
 - iii. Walgreens #05840 – 440 N Andover Road
 - iv. Timbuktu Bar & Grill – 1251 N Andover Road
 - v. Pizza Hut – 307 N Andover Road

- g. Approval of a one year extension of the employee benefits broker contract with IMA, Wichita, in the amount of \$16,000 for the term July 1, 2015 to June 30, 2016.

- h. Approval of check request for CVB funds to the Holiday Inn Express for vouchers from September 16 through October 30 in the amount of \$1,560.

8. The Highlands at Terradyne

- a. Offsite storm sewer and drainage easement

Les Mangus explained this drainage easement was necessary for offsite storm water sewer improvements for the development.

A motion was made by Council Member Sheri Geisler, seconded by Council Member Kris Estes to accept the easement as presented. Motion carried 5/0.

- b. Ruggles & Bohm, P.A. engineering contract for design and construction engineering for sanitary sewer extensions, waterline extensions and storm sewer and grading construction. The fees are assessed 100% against the benefitting properties.

Les Mangus explained Ruggles & Bohm was the firm that has been working with the developer on the plat and design of the project and the developer prefers them to continue the work on the project.

A motion was made by Council Member Clark Nelson, seconded by Council Member Sheri Geisler to approve the contract. Motion carried 5/0.

9. Services for 2014 audit

Sasha Stiles explained staff had sent Request for Proposals to eleven firms requesting audit services. Only one replied, George, Bowerman & Noel, P.A., Wichita, the City's current auditor.

- a. Audit RFP
- b. Letter of Engagement with George, Bowerman & Noel, P.A.

A motion was made by Council Member Clark Nelson, seconded by Council Member Sheri Geisler to accept the RFP from George, Bowerman & Noel, P.A., and the letter of engagement in the amount of \$15,380. Motion carried 5/0.

00:14

10. 159th Street Improvement Project Letter of Local Commitment

Les Mangus stated the design was complete and approved by KDOT to be let in December. KDOT is asking for the Letter of Local Commitment for the amount of \$2,030,000 which the City will be responsible for one-half and the City of Wichita one-half.

A motion was made by Council Member Troy Tabor, seconded by Council Member Sheri Geisler to approve the Letter of Local Commitment and authorize the Community Development Director to sign. Motion carried 5/0.

00:14

11. Authorization to solicit Request for Qualifications - South Andover Road Four Mile Creek Bridge to SW 120th Street Preliminary Engineering for WAMPO 2017 TIP

Les Mangus explained this project is scheduled for construction beginning in 2017. In order to keep the project on schedule the preliminary engineering is budgeted and needs to begin early 2015.

A motion was made by Council Member Caroline Hale, seconded by Council Member Kris Estes to authorize City staff to solicit the RFQ as presented. Motion carried 5/0.

00:16

12. An ordinance authorizing the City of Andover, Kansas to issue its taxable Industrial Revenue Bonds, Series 2014 (Vornado Air, LLC), in the aggregate principal amount of \$1,150,000 for the purposes of (1) purchasing, acquiring, constructing, furnishing and equipping an expansion to an existing warehouse facility located in the City of Andover, Kansas; and (2) paying certain costs of issuance; authorizing the execution of a first supplemental trust indenture by and between the City and UMB BANK, N.A., Kansas City, Missouri, as trustee; authorizing execution of a first supplemental lease between the City and Vornado Air, LLC; approving the form of a guaranty agreement; authorizing the execution of a bond purchase agreement by and between the City, Vornado Air, LLC, and UMB BANK, N.A., Wichita, Kansas, as purchaser of the bonds.

JT Klaus explained the ordinance was the culmination of the past few month's actions and authorizes the issuance of the bonds. He added Vornado CFO, Kay Reed, was in attendance to answer any questions.

A motion was made by Council Member Clark Nelson, seconded by Council Member Caroline Hale to adopt the ordinance as presented. Motion carried 5/0. Ordinance number 1581 was assigned.

00:17

13. An ordinance authorizing the City of Andover, Kansas to issue its taxable Hospital Facility Revenue Bonds, Series 2014 (FOUNDERS' REAL ESTATE, LLC) in the aggregate principal amount of \$2,542,000 for the purpose of providing funds to (1) purchase, acquire, construct, equip, furnish, and install additions to an existing acute care hospital, and (2) pay certain costs of issuance; authorizing execution of a trust indenture between the City and Security Bank of Kansas City, Kansas City, Kansas, as trustee; authorizing execution of a lease agreement between the City and FOUNDERS' REAL ESTATE, LLC; authorizing the execution of a bond

purchase agreement between the City, FOUNDERS' REAL ESTATE, LLC and Kansas Medical Center, L.L.C., as purchaser of the bonds; and approving the form of a guaranty agreement by FOUNDERS' REAL ESTATE, LLC.

JT Klaus explained this ordinance was the culmination of a letter of intent issued in 2013 for two additions at the Kansas Medical Center hospital. He added KMC CFO, Steve Hadley, was present to answer any questions.

A motion was made by Council Member Troy Tabor, seconded by Council Member Caroline Hale to adopt the ordinance as presented. Motion carried 5/0. Ordinance number 1582 was assigned.

00:19

14. An ordinance authorizing the City of Andover, Kansas to issue its taxable Industrial Revenue Bonds, Series A, 2014 (KMC MOB, LLC), in the aggregate principal amount of \$1,960,000 and its subordinated taxable Industrial Revenue Bonds, Series B, 2014 (KMC MOB, LLC) in the aggregate amount of \$490,000 for the purposes of (1) paying the costs of purchasing, acquiring, constructing, furnishing and equipping a medical office facility located in the City of Andover, Kansas, and (2) paying certain costs of issuance; authorizing the execution of a trust indenture by and between the City and Community National Bank & Trust, Winfield, Kansas, as trustee; authorizing the City to lease the project to KMC MOB, LLC; authorizing execution of a lease between the City and KMC MOB, LLC; approving the form of a guaranty agreement; approving the form of an individual guaranty agreement; authorizing the execution of a bond purchase agreement by and between the City, KMC MOB, LLC and Community National Bank & Trust, Newton, Kansas, as purchaser of the Series A, 2014 bonds; and authorizing the execution of a bond purchase agreement by and between the City and Kansas Medical Center, L.L.C., as purchaser of the Series B, 2014 bonds.

JT Klaus explained the bonds are for the medical offices, owned by KMC MOB, LLC, and next to the Kansas Medical Center. They are substantially complete and there will be final draw of funds in January/February of 2015.

A motion was made by Council Member Clark Nelson, seconded by Council Member Sheri Geisler to adopt the ordinance as presented. Motion carried 5/0. Ordinance number 1583 was assigned.

00:21

Add-on

Redbud Trail Authority to Award Contract and Commitment of City Funds

Les Mangus explained KDOT had accepted bids for the Redbud Trail project and Bryant & Bryant, Halstead, Kansas, were the apparent low bid in the amount of \$1,269,842.30. Of this

amount the City will be responsible for approximately \$343,000 and KDOT asked the City to accept the bid.

A motion was made by Council Member Sheri Geisler, seconded by Council Member Caroline Hale to authorize the commitment of City funds for the project. Motion carried 5/0.

00:23

Add-on

Executive session – matters privileged in the attorney-client relationship

A motion was made by Council Member Sheri Geisler, seconded by Council Member Caroline Hale to go into executive session to include the Governing Body, City Administrator, Assistant City Administrator, City Attorney, and Director of Public Works for approximately ten minutes. Motion carried 5/0.

00:40

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

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

00:41

15. Executive session – non-elected personnel

A motion was made by Council Member Sheri Geisler, seconded by Council Member Troy Tabor to go into executive session to include the Governing Body for approximately ten minutes. Motion carried 5/0.

00:54

A motion was made by Council Member Kris Estes, seconded by Council Member Sheri Geisler to come out of the executive session. Motion carried 5/0.

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

00:55

16. 2015 Recommended Pay Plan

A motion was made by Council Member Caroline Hale, seconded by Council Member Sheri Geisler to approve the recommended pay plan with modification to line 1 of the fire department pay plan and line 2 of the administration pay plan. Motion carried 5/0.

17. Member Items

Council Member Troy Tabor had none.

Council Member Sheri Geisler

- * Wished everyone a happy Thanksgiving and to be safe.

Council Member Clark Nelson

- * Commented on Council Member Byron Stout and hopes of him getting well soon.

Council Member Caroline Hale

- * Wished Council Member Stout to get well soon.
- * Reminded everyone Hometown Christmas is December 11.

Council Member Kris Estes

- * Wished Council Member Stout to get well soon.
- * Is looking forward to Hometown Christmas.
- * Wished everyone a happy Thanksgiving.

00:57

A motion was made by Council Member Caroline Hale, seconded by Council Member Sheri Geisler to adjourn. Motion carried 5/0.

Adjourn

Respectfully Submitted by

Susan Renner
City Clerk

Approved this 9th day of December, 2014, by the City Council, City of Andover, Kansas.