

ANDOVER CITY COUNCIL MEETING

Andover City Hall
1609 E. Central Avenue
May 12, 2015 – 7:00 p.m.

Meeting agendas are subject to change without notice.

0:01

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

City Council Members present were Troy Tabor, Sheri Geisler (arrived at 7:03), Clark Nelson, Caroline Hale, and Kris Estes. Council Member Byron Stout IV was absent.

Staff: Police Captain Justin Phillips, Chief Financial Officer Donna Davis, Fire Department Division Chief Andy Saville, Assistant City Administrator Jennifer McCausland, City Attorney JT Klaus, Public Works & Community Development Director Les Mangus, City Clerk Susan Renner, and City Administrator Mark Detter.

A/V: Cindy Barrett and Craig Brown.

0:02

3. Invocation was given by Council Member Tabor.

0:03

4. Pledge of Allegiance was led by Mayor Lawrence.

0:04

5. Public Forum

Jennifer Blakely, 618 S. Pleasantview Drive, requested the use of Central Park on August 22, 2015 to host a fund raiser for St. Jude Children's Hospital. The event will be hosted during the day with many activities. None of the park building facilities are needed. Approximately 50% of the vendor sales and 100% of any other proceeds will be donated to St. Jude. Ms. Blakely will coordinate her efforts with City staff, police and fire departments.

A motion was made by Council Member Hale, seconded by Council Member Estes to allow the event in Central Park on August 22, 2015.

0:12

6. Acceptance of Agenda

Mayor Lawrence requested the addition of an executive session prior to the regular agenda to discuss attorney client privileged information.

A motion was made by Council Member Nelson, seconded by Council Member Hale to accept the agenda with the addition of an executive session. Motion carried 5/0.

7. Proclamations

Police Officers Memorial Week May 10-16, 2015

Police Captain Justin Phillips stated this is an important time within the police profession as it recognizes those killed in the line of duty.

0:14

8. Presentations

Andover Police & Fire Foundation presentation of scholarships.

Brett White, member of the Andover Police & Fire Foundation, explained how the partnership developed, mission of the foundation and eligibility requirements for scholarship recipients.

Mr. White introduced Stepheni Peltier, a senior at Andover Central High who is planning to attend the University of Central Missouri with a major in crisis and disaster relief and a minor in fire science. Fire Dept. Division Chief Andy Saville presented the certificate.

Mr. White introduced Taran Langston, a senior at Andover High who is planning to attend Wichita State University and major in criminal justice. Police Captain Justin Phillips presented the certificate.

0:20

9. Consent Agenda

a. Approval of Minutes

City Council Workshop: April 27, 2015

City Council Meeting: April 28, 2015

b. Receive & file reports

Fire: February 2015; April 2015

Library: 1st Quarter 2015 Income & Expense; February & March 2015 Balance Sheet;
February & March 2015 Directors

- c. Receive & file minutes
Library: February 11 & 25, 2015; March 11, 2015
CVB: May 7, 2014
- d. Approval of appropriation ordinance B-08-15 in the amount of \$ 394,214.85.
- e. Approval of a request for a street closure at S. Fairway Circle in Green Valley for their annual pool party on Saturday, June 27, 2015. Police Captain Phillips is the liaison to the Green Valley 5 & 6 HOA and will coordinate with them. They are requesting the use of City barricades. *(A motion was made during the public forum that was unnecessary)*
- f. Approval of the Grant of Public Funds Committee recommendation to award a grant to Leadership Butler, 2375 W. Central, El Dorado, in the amount of \$500.
- g. Approval of check request for CVB funds to the Andover Days Inn for vouchers from March 31 through May 2 in the amount of \$1,360.

A motion was made by Council Member Nelson, seconded by Council Member Geisler to approve the consent agenda as presented. Motion carried 5/0.

Add-On

Executive Session to discuss attorney client privilege information

0:20

A motion was made by Council Member Geisler, seconded by Council Member Tabor to go into executive session for approximately fifteen (15) minutes to discuss attorney client privileged information and include the Governing Body, City Administrator, and City Attorney's Klaus and Casey. Motion carried 5/0.

0:37

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

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

0:38

10. Z-2015-01 - 742 N. Andover Road

Mayor Lawrence stated this case was a request to change the zoning district classification from the B-2 Neighborhood Business District to the B-3 Central Shopping District at 742 N. Andover Road.

Mayor Lawrence asked if any Council Member intended to disqualify themselves from discussing and voting on the case because of a conflict of interest or a particular bias on the matter. No one did.

Mayor Lawrence asked if any Council Member had received any prior ex parte verbal or written communications they would like to share with all members. No one did.

Mayor Lawrence asked the City Clerk if any protest petition had been filed. No one had.

Mayor Lawrence confirmed the Council had received the March 24, 2015 draft minutes of the Planning Commission meeting.

Les Mangus, Zoning Administrator, explained the applicant's desire to construct the second phase of the strip center for an interior design company. The proposed space would exceed the 5,000 sq. ft. limitation in the B-2 district.

The Planning Commission has recommended approval with a protective overlay that prohibits the following uses; car wash, hotels and motels, auto service or sales, night clubs, drive thru restaurants within 200 feet, no lighting shall be cast on the R-2 zoning district other than down shade lighting, wall packs are not allowed, the maximum height of the building will be no more than 35 ft. within 200 ft. of the R-2 zoning district with the exception of a clock tower amenity.

There was no one present to represent the applicant.

There was no public response to the application.

Mayor Lawrence stated he spoke with the applicant as they were looking for assistance from the City to fill up a very empty strip center. This proposed venture fulfills the second phase and should draw people to the center.

A motion was made by Council Member Nelson, seconded by Council Member Geisler to approve the zoning change with the conditions set forth by the Planning Commission. Motion carried 5/0. Ordinance number 1591 was assigned.

0:43

11. Cloud Avenue street lights

Les Mangus presented a proposal from Westar Energy for street lighting on Cloud Avenue in the Cloud City Marketplace subdivision. He explained the property had been completely platted and the Sunstone Apartments finished and staff believes it is time to place the street lights in

that area. The lights will be black fiberglass poles with LED lights and underground electric. They are strictly light poles and will not support power lines.

A motion was made by Council Member Geisler, seconded by Council Member Tabor to approve the proposal as presented. Motion carried 5/0.

0:45

12. Redbud Trail - proposal for aggregate surfacing

Les Mangus explained as part of the design of the trail project any contaminated soil left by the railroad would be buried in a trench at the street shop. During construction it was determined there was not enough of the contaminated material to fill the already excavated trench. The contractor has offered to grade the next quarter-mile (1/4) from Patricia Lane to where the trail intersects with 13th Street to generate enough material to fill the trench to KDHE specifications. The cost of the grading will be paid for as part of the KDOT project and the cost of a 4" aggregate (gravel) to the surface to encapsulate the approximate eleven-hundred (1,100) feet would be the responsibility of the City.

A motion was made by Council Member Nelson, seconded by Council Member Geisler to approve the extension of the Redbud Trail and authorize the Mayor to sign the contract. Motion carried 5/0.

0:48

13. An ordinance amending Chapter 1, Article 5, Section 1-504 of the Code of the City of Andover, Kansas regarding the copying fee.

Mark Detter explained this ordinance was a result of a discussion at a previous workshop and was only amending the fees as they relate to the police department.

A motion was made by Council Member Hale, seconded by Council Member Geisler to adopt the ordinance as presented. Motion carried 5/0. Ordinance 1592 was assigned.

0:49

14. A resolution adding a social media policy to the Andover, Kansas Code of Municipal Policies as Section 2-8.16 Official City Social Media

Mayor Lawrence explained there had been several conversations regarding a social media policy and this resolution is a result of those conversations.

A motion was made by Council Member Geisler, seconded by Council Member Estes to adopt the resolution as presented. Motion carried 5/0. Resolution number 15-10 was assigned.

0:50

15. Discussion: separation of personnel policy's from administrative policy's

Jennifer McCausland explained the reasoning for separating the Employee Handbook from the Code of Municipal Policies and the name change of the documents to Employee Handbook and City Policy Handbook.

The rationale for removing the word "code" in the title is because is a word with legal meaning to municipalities and can be easily confused with the Code of the City of Andover which is the City's written document of enforceable laws.

Removing the Employee Handbook from the City policies is recommended as they are overseen by two different positions. The Employee Handbook is specific to rules and regulations related to being an employee of the City and the City Policy Handbook are rules and regulations as they relate to the business conducted with the public and others.

At the advice of our City Attorney changes can then be made to the Employee Handbook through the consent agenda and policy changes for the City will remain on the regular agenda in resolution form.

Staff is looking for direction from the Council and if supportive of the request the document will be separated as suggested, reviewed by staff for necessary updating, reviewed by the City Attorney, and then brought back to the Council at a future meeting for consideration.

After discussion the Council concurred the staff could move forward with the separation and name change of the Code of Municipal Policies.

1:03

16. Member Items

Council Member Troy Tabor.

- Asked for prayers for Council Member Byron Stout who is ill.

Council Member Sheri Geisler.

- Concurred with the request for prayers.

Council Member Clark Nelson had none.

Council Member Caroline Hale had none.

Council Member Kris Estes had none.

1:02

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

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 26th day of May, 2015, by the City Council, City of Andover, Kansas.

Adjourn