

ANDOVER CITY COUNCIL MEETING
MINUTES
Andover City Hall
1609 E. Central Avenue
February 9, 2016 – 7:00 p.m.

(The times noted on this document reflect the time on the video, not necessarily the number of minutes past 7:00 p.m.)

0:04

1. Call to Order by Mayor Ben Lawrence.
2. Roll Call

City Council Members present were Troy Tabor, Sheri Geisler, Clark Nelson, Caroline Hale, Kris Estes and Quentin Coon.

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 Mark Deter.

A/V: Cindy Barrett and Craig Brown

3. Invocation was given by Pastor Brad Tuggle of the Andover Police Department Chaplains.

0:06

4. Pledge of Allegiance was led by Mayor Lawrence.
5. Public Forum – no one addressed the Council.
6. Acceptance of Agenda

A motion was made by Council Member Nelson, seconded by Council Member Coon to accept the agenda with the addition of the bid tab for agenda item 11) General Obligation Refunding and Equipment Bonds Series A, 2016. Motion carried 6/0.

0:07

7. Presentations
 - a. Neil Flickenger, Andover Municipal Golf Course Manager, provided an update on activities at the course. Approximately 10,000 rounds of golf were played in 2015, with

1,000 of those being foot golf; a thirteen percent (13%) increase in activity. He added there were some irrigation issues and some leaking in the club house that needed to be addressed.

Mayor Lawrence requested a Golf Committee meeting be scheduled and appointed Council Member Nelson to the Committee as liaison.

- b. Michele Carlini, Andover Caring & Sharing, reported sixty-five (65) families were provided food baskets and Christmas gifts for adults and children during the 2015 holiday season. She added seven-hundred dollars (\$700) and five-hundred (500) cans of food were donated at the Hometown Christmas event and thanked the Andover Police and Fire Departments for their major part in the Caring & Sharing program. Ms. Carlini requested use and a waiver of the fee for the Central Park Lodge for wrapping and the giving of the gifts to the families on December 10 and 11, 2016.

A motion was made by Council Member Nelson, seconded by Council Member Geisler to approve the use of the Lodge and waiver of fee as requested. Motion carried 6/0.

Matt Cartwright, representing the local Kansas Department of Wildlife, Parks & Tourism Hunter Educators, requested use of the Central Park Lodge for a Hunter Education Event on March 6, 2016. Mr. Cartwright added that unlike the past classes held at the Lodge there would be no gun or archery live fire in the park or any live ammunition on the property. There is no charge to the students for this course.

A motion was made by Council Member Estes, seconded by Council Member Geisler to approve the use of the Lodge and waiver of fee as requested. Motion carried 6/0.

- c. Fundraiser for Officer Smith request - Didi Vincent

Council Member Tabor represented Ms. Vincent, who was not present, for a request to use the Lodge for a fund raiser on April 1, 2016, on behalf of Andover Police Officer Smith and her family. Details for a program to include dinner and a silent auction have not been confirmed to staff but one-hundred percent (100%) of the proceeds will benefit the Smith family.

A motion was made by Council Member Nelson, seconded by Council Member Geisler to approve the use of the Lodge and waiver of fee as requested. Motion carried 6/0.

0:38

8. Consent Agenda

- a. Approval of Minutes
City Council Workshop: January 25, 2016
City Council Meeting: January 26, 2016
- b. Receive & file reports
Fire: January 2016
Library: Finance December 2015; Directors November & December 2015
- c. Receive & file minutes
Library: November 11, 2015
- d. Approval of appropriation ordinance B-02-16 in the amount of \$ 609,999.80.
- e. Approval of non-elected personnel items
 - Toni Usher, Park Department semi-skilled maintenance worker position change to skilled maintenance worker, with a pay increase from \$13.66 to \$14.16 per hour, effective January 25, 2106. Ms. Usher has received certification as a Master Gardener.
- f. Approval of the Wichita Electric Company, Wichita, proposal for replacement of the city hall lighting panel controller in the amount of \$5,868, including labor, materials and training.
- g. Approval of APAC change order 2 for Cornerstone 6th Addition in the amount of \$3,150 for additional earth moving for the drainage improvements.
- h. Approval of check request for CVB funds to the Andover Days Inn in the amount of \$1,080 for vouchers from November 30, 2015 to January 7, 2016.
- i. Approval of an agreement with the Lampo Group, Brentwood, Tennessee, for the Smartdollar All Access financial wellness program, in the amount of two-thousand four-hundred dollars (\$2,400) for eighty (80) employees, beginning March 1, 2016 for a twelve 12-month subscription, as an employee benefit.

A motion was made by Council Member Estes, seconded by Council Member Hale to approve the consent agenda as presented. Motion carried 6/0.

0:39

9. An ordinance approving the recommendation of the Andover City Planning Commission to amend the overlay district known as the Amended Village Crossing Planned Unit Development District and to amend the Amended Preliminary and Final Village Crossing Planned Unit Development plans, each located in the City of Andover, Kansas. (Z-2015-04)

Mayor Lawrence presented the request to amend the preliminary and final PUD to allow for a drive-through window.

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 un-approved minutes from the January 19, 2016 Planning Commission meeting.

Les Mangus, Zoning Administrator, explained the applicant desires to open a restaurant with a drive-through window in the existing strip retail center.

The Planning Commission recommended approval of the amendment as a permitted use in Parcel 1 of the Village Crossing Addition PUD with the following conditions: removal of six (6) parking stalls at the rear of the property for installation of landscape screening to be evergreen trees approved by the Site Plan Review Committee; business hours are to be 5:00 a.m. to 10:00 p.m.; and the menu board speaker to be a low volume speaker.

Phil Meyer, Baughman Co., representing the applicant, stated since the Planning Commission meeting it was determined there is a storm sewer drain located directly under the parking stalls and if the stalls were removed they could still not plant any additional screening at that exact location. The owners have requested they be allowed to keep the six (6) parking stalls and they will plant, as requested by the Planning Commission, additional screening next to the curb of the stalls (directly west); maintaining the Planning Commissions original intent of adding additional screening for sound buffering.

Doug and Daniel Day, property owners, and Brad Saville of Landmark Realty were in attendance to address any questions.

After a thorough discussion, a motion was made by Council Member Nelson, seconded by Council Member Tabor to adopt a modified ordinance approving the amendment with an override of the Planning Commissions condition for removal of the six (6) parking stalls. Motion carried 5/1. Council Member Geisler opposed. Ordinance number 1615 was assigned.

1:19

10. Cornerstone Office 2nd Addition

Mark Detter presented the design and engineering agreement with MKEC and the plans for water and sewer improvements.

a. MKEC Engineering agreement

A motion was made by Council Member Tabor, seconded by Council Member Estes to approve the agreement with MKEC for engineering services in Cornerstone Office 2nd Addition. Motion carried 6/0.

b. Plans for water and sewer extensions

A motion was made by Council Member Tabor, seconded by Council Member Geisler to accept the plans as presented. Motion carried 6/0.

c. Authorization to accept bids February 23, 2016

A motion was made by Council Member Tabor, seconded by Council Member Coon to authorize the taking of bids for water and sewer extension in Cornerstone Office 2nd Addition for consideration at the February 23rd, 2016 City Council meeting. Motion carried 6/0.

1:21

11. General Obligation Refunding and Equipment Bonds Series A, 2016

Mark Detter reminded the Council of their authorization in December of these bonds with the savings to offset the cost of new fire department vehicles. He added no protest petition had been submitted.

Greg Vahrenberg, Managing Director for PiperJaffray, Leawood, Kansas, presented the five (5) bids received; the low bid Raymond James and Associates, Dallas, Texas, net interest

\$1,276,403.79; Janney Montgomery Scott LLC of Philadelphia, Pennsylvania, net interest \$1,322,689.96; SunTrust Robinson Humphrey, Atlanta, Georgia, net interest \$1,327,539.42; Robert W. Baird & Co., Inc., Milwaukee, Wisconsin, net interest \$1,388,379.57; and FTN Financial Capital Markets, Memphis, Tennessee, net interest \$1,424,106.13. He added the city's bond rating and stability offered a near perfect bond sale.

a. Bids

A motion was made by Council Member Nelson, seconded by Council Member Tabor to accept the low bid from Raymond James & Associates, Inc., Dallas, Texas, for the purchase of \$9,640,000 in Series A, 2016 General Obligation Refunding and Equipment Bonds at a net interest cost of \$1,276,403.79. Motion carried 6/0.

- b. An ordinance of the City of Andover, Kansas, authorizing the issuance of the city's General Obligation Refunding and Equipment Bonds, in the aggregate principal amount of \$9,640,000, Series A, 2016 for the purpose of refunding certain outstanding general obligation bonds of the city and financing the acquisition costs of certain fire-fighting equipment; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds; authorizing certain other documents and actions; and making certain covenants with respect thereto.

A motion was made by Council Member Nelson, seconded by Council Member Geisler to adopt the ordinance authorizing the issuance of \$9,640,000 in Series A, 2016 Refunding and Equipment Bonds. Motion carried 6/0. Ordinance number 1616 was assigned.

- c. A resolution prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Refunding and Equipment Bonds, Series A, 2016, in the total aggregate principal amount of \$9,640,000, of the City of Andover, Kansas, previously authorized by Ordinance No. 1616 of the City; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith

A motion was made by Council Member Nelson, seconded by Council Member Geisler to adopt the resolution prescribing the form and details and authorizing and directing the sale and delivery of General Obligation Refunding and Equipment Bonds, Series A, 2016 in the total aggregate principal amount of \$9,640,000. Motion carried 6/0. Resolution number 16-04 was assigned.

1:35

12. Foster Design Associates, LLC agreement for the Unified Development Code

Les Mangus explained this agreement is for the first phase of a three phase project to bring the city's planning, zoning and subdivision regulations up to date.

David Foster, Foster Design Associates, Wichita, was available to answer questions.

A motion was made by Council Member Estes, seconded by Council Member Hale to approve the agreement with Foster Design Associates, LLC to develop Phase I of the Unified Development Code for the City of Andover, including the City's extraterritorial subdivision regulations and authorize the Mayor to sign the agreement. Motion carried 6/0.

1:37

13. US 54 Highway right of way purchase

Mayor Lawrence explained staff worked for quite some time to obtain this right of way property for the US 54/400 Corridor project.

A motion was made by Council Member Nelson, seconded by Council Member Estes to approve a road purchase agreement with Green Valley Green Commercial Development, LLC in the amount of \$160,000 and authorize the Mayor to sign the agreement. Motion carried 6/0.

1:38

14. Designation of the depository of the City's funds and certification of signatures

Mark Detter explained staff had sent out proposals for services to banks within the city limits of Andover; Equity Bank; Intrust Bank; Andover State Bank; Bank of America; and Emprise Bank. Two (2) proposals were returned; Equity Bank with a proposal of service with no fees; and Intrust Bank with a proposal that included fees. Staff recommended Equity Bank.

a. Bids

A motion was made by Council Member Estes, seconded by Council Member Hale to accept the proposal from Equity Bank for banking services and authorize staff to develop a Banking Service Agreement for a five (5) year term based on the submitted proposal. Motion carried 6/0.

b. Resolution designating a depository of the municipality funds/bank signators

A motion was made by Council Member Estes, seconded by Council Member Hale to adopt a resolution designating Equity Bank as the depository of City funds and authorize the Mayor and

designated staff members as signatories and authorize Council President Estes to sign. Motion carried 6/0. Resolution number 16-05 was assigned.

c. Resolution designating a depository of the municipality safe deposit box/signators

A motion was made by Council Member Estes, seconded by Council Member Hale to adopt a resolution designating Julie Spyres; Donna Davis and Mark Detter; as signatories for the safe deposit box at Equity Bank. Motion carried 6/0.

1:40

15. Mayoral appointments (2) for a health broker selection committee

Jennifer McCausland requested the appointment of two (2) Council Members to assist with the review and selection of a health/dental broker. Proposals are to be received by February 16, 2016. The city administrator and senior management team (assistant city administrator, chief financial officer, police and fire chiefs, IT director, and director of public works/community development) will also serve on the selection committee.

A motion was made by Council Member Estes, seconded by Council Member Geisler to approve the Mayoral appointment of Council Members Hale and Estes to the committee as requested. Motion carried 6/0.

16. Executive session

1:45

A motion was made by Council Member Tabor, seconded by Council Member Geisler to go into executive session for fifteen (15) minutes for the purpose of matters covered under the attorney client privilege to include the governing body, city attorney, city administrator, and public works director. Motion carried 6/0.

2:00

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

The following offers were made as part of the city's sewer interceptor project.

A motion was made by Council Member Coon, seconded by Council Member Hale to offer just compensation to the Fairfield Polo Association and Jacob C. and Melynda S. Sands for a temporary construction easement, a permanent sewer easement and a driveway access license in the amount of \$4,800. Motion carried 6/0.

A motion was made by Council Member Coon, seconded by Council Member Geisler to offer just compensation to Anna Hancock Ralstin Revocable Trust for a driveway access license in the amount of \$400. Motion carried 6/0.

A motion was made by Council Member Coon, seconded by Council Member Hale to offer just compensation to Four Mile Creek, LLC and Jacob C. and Melynda S. Sands for a temporary construction easement, a permanent sewer easement and replacement of trees in the amount of \$23,480. Motion carried 6/0.

2:01

17. Member Items

Council Member Troy Tabor had none.

Council Member Sheri Geisler

- Asked to discuss banking investment limits at a future workshop meeting.
- Announced Police Officer Buck Buchanan was selected by the FBI to attend their National Academy in October, 2017.
 - Police Chief Keller added the FBI pays for almost all expenses.

Council Member Clark Nelson had none.

Council Member Kris Estes

- Inquired about the location of the city limit sign in the westbound lane of US 54/400 east of Andover Road.
 - Les Mangus explained that sign is placed by KDOT and has to do with the right of way ownership.

Council Member Caroline Hale

- Proud of living in Andover and working with the employees of the city.
- American Legion is having an oratorical contest at St. Vincent's DePaul on Sunday.
- Would like the traffic light at 159th and US 54/400 checked; the southbound left turn arrow does work properly.

Council Member Quentin Coon

- Inquired if construction had begun on the street maintenance shop.
 - Les Mangus stated is scheduled for the 2nd week of March.

2:16

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

Adjourn

Respectfully Submitted by

Susan Renner
City Clerk

Approved this 23rd day of February, 2016, by the City Council, City of Andover, Kansas.