

ANDOVER CITY COUNCIL MEETING
MINUTES
Andover City Hall
1609 E. Central Avenue
September 13, 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.)

1. Call to Order
2. Roll Call

Council Members present were Troy Tabor, Clark Nelson, Kris Estes, and Caroline Hale. Council Members Sheri Geisler and Phil White were absent.

Staff: Police Chief Michael Keller, Chief Financial Officer Donna Davis, Fire Chief Chad Russell, Assistant City Administrator Jennifer McCausland, City Attorney J.T. Klaus, Public Works and Community Development Director Les Mangus, City Clerk Susan Renner, City Administrator Mark Detter, City Engineer Steve Anderson and Police Captain Justin Phillips.

A/V: Cindy Barrett

0:01

3. Invocation was given by Pastor Daniel Ivey of the Andover Police Department Chaplains.

0:02

4. Pledge of Allegiance was led by Mayor Ben Lawrence.
5. Public Forum – no one spoke.

0:03

6. Acceptance of Agenda

Mark Detter requested the addition of two (2) items to the agenda; 1) a bid tab for the 2016 Street Rehab Project-Crack Sealing and 2) a bid tab for Cornerstone 7th Addition improvements. He added on the bench for agenda item 11 was the negotiated proposal for Cornerstone 2nd Additional drainage.

A motion was made by Council Member Nelson, seconded by Council Member Tabor to accept the agenda with revisions as requested. Motion carried 4/0.

0:04

7. Proclamation – Chamber of Commerce Week

Mayor Lawrence presented Andover Chamber of Commerce Executive Director Becky Wolfe and Chamber President Travis Griffin with a proclamation for Chamber of Commerce Week, September 12-16, 2016. Mayor Lawrence added the chamber is the best it has ever been.

0:06

8. Presentations

- a. Gary Steed, Executive Director, Kansas Commission on Peace Officers' Standards and Training, presented Andover Police Chief Michael Keller an award for his eight (8) years of service as a commissioner with their organization.
- b. Kandace Hunt, representing the Greater Andover Days committee, announced "Handfuls of Fun" as the 2016 event theme and presented the schedule of events from September 29 through October 2. She added admittance buttons were currently on sale for \$3; beginning September 29 they will be \$5. The GAD committee chose Andover Augusta Rail Trail Initiative (AARTI) as this year's recipient of a portion of the button sales.

0:16

9. Consent Agenda

- a. Approval of Minutes
City Council Workshop: August 29, 2016
City Council Meeting: August 30, 2016
- b. Receive & file reports
Finance: August 2016
- c. Approval of appropriation ordinance B-16-16 in the amount of \$ 988,414.29.
- d. Approval of the CVB check request for the hotel voucher program to the Holiday Day Inn Express for vouchers dated July 24, 2016 to August 22, 2016 in the amount of \$1,320.
- e. Approval of the revised City of Andover Employee Handbook.

- f. Approval and acceptance of a temporary drainage and utility easement for the Cornerstone Office 7th Addition.
- g. Approval of a Stellar Fireworks, Wichita, display permit for Greater Andover Days on October 1, 2016.
- h. Approval of Kansas Paving change order 1 for paving in Cornerstone Office 2nd Addition in the amount of \$3,162.25 (*includes original requests 1, 2 and 4 and was corrected from agenda stating Cornerstone 7th Addition*).

A motion was made by Council Member Nelson, seconded by Council Member Tabor to approve the consent agenda. Motion carried 4/0.

10. Zoning & Special Use Cases for 1609 W Central

Mayor Lawrence stated the application was to change the zoning district classification.

Mayor Lawrence asked the Council if any of them intended to disqualify themselves from participating in the case due to a conflict of interest. No one did.

Mayor Lawrence asked the City Clerk if any protest petitions had been received. She had not.

Mayor Lawrence confirmed the Council had received the unapproved minutes of the August 16, 2016, Planning commission meeting.

Mayor Lawrence asked Zoning Administrator Les Mangus for a brief description of the case.

Mr. Mangus explained the case included two (2) ordinances, the first changing the zoning classification from B-1 Office Business District to R-4 Multiple-Family Residential District. Upon approval of the zoning change the second ordinance requests a special use to allow multiple dwelling units for the elderly and handicapped for the purpose of an assisted living type facility with reduced parking spaces. He added the Planning Commission held the public hearing on both cases and unanimously recommend approval of both cases.

No written communications were received and there were no public comments.

- a. An ordinance approving the recommendation of the Andover City Planning Commission changing the zoning district classification of certain lands located in the

City of Andover, Kansas, under the authority granted by the Zoning Regulations of the City as originally approved by Ordinance 1187 (Z-2016-02)

A motion was made by Council Member Tabor, seconded by Council Member Nelson to adopt an ordinance based on the findings and factors and recommendation of the Planning Commission for case Z-2016-02. Motion carried 4/0. Ordinance number 1624 was assigned.

- b. An ordinance approving a special use in the R-4 Multiple-Family Residential District to establish certain permitted uses allowed in the R-4 Multiple-Family Residential District on certain lands located in the City of Andover, Kansas, under the authority granted by the Zoning Regulations of the City, as originally approved by Ordinance 1187 (SU-2016-01)

A motion was made by Council Member Tabor, seconded by Council Member Nelson to adopt an ordinance based on the findings and factors and recommendation of the Planning Commission for case SU-2016-01. Motion carried 4/0. Ordinance number 1625 was assigned.

0:21

11. Cornerstone Office 2nd Addition drainage improvement proposal

Steve Anderson reminded the Council at the August 30, 2016, meeting they authorized the negotiation of a contract for the improvements as requested by the landowner. The cost of these improvements will be assessed to the property 100%. He stated there was a contract with TreeTop Nursery & Landscape, Inc. on the bench and asked for approval after review of bonds and insurance by the City Attorney.

A motion was made by Council Member Nelson, seconded by Council Member Tabor to accept the contract with TreeTop Nursery & Landscape, contingent upon proper recordation of the statutory bond, in the amount of \$95,868 and authorize the Mayor to sign. Motion carried 4/0.

0:25

12. A resolution approving a use policy agreement governing use of City park land

Mark Detter explained with an increasing number of requests by outside organizations to use City parks for their events staff felt it was worthy of a policy.

A motion was made by Council Member Nelson, seconded by Council Member Hale to adopt the resolution as presented. Motion carried 4/0. Resolution number 16-15 was assigned.

13. A resolution to approve a purchase policy

Mark Detter explained this policy had been discussed at a previous workshop and it outlines staff purchasing authority.

A motion was made by Council Member Nelson, seconded by Council Member Estes to adopt the resolution as presented. Motion carried 4/0. Resolution number 16-16 was assigned.

0:28

14. Police Department basement remodel bids

Captain Phillips presented the two (2) bids received for the work: Commerce Construction Services, Inc., Wichita, in the total amount of \$93,550; and the low bid Icon Structures, Inc., Andover, in the total amount of \$80,800. Captain Phillips requested approval of the Icon Structures, Inc. bid with the addition of a 5% contingency fund in the amount of \$4,040.

A motion was made by Council Member Hale, seconded by Council Member Nelson to approve the low bid from Icon Structures, Inc. with the addition of the 5% contingency fund. Motion carried 4/0.

0:31

ADD-ON

2016 Street Rehab Project-Crack Repair

Les Mangus explained bids were opened at 10:00 a.m. and staff was satisfied with the four (4) bids received; APAC, Wichita, \$126,146; Cornejo, Wichita, \$301,243.75; Kansas Paving, Wichita, \$165,505; and Barkley Construction, Wichita, \$156,127.

A motion was made by Council Member Nelson, seconded by Council Member Estes to award the contract to the low bidder APAC Wichita in an amount not to exceed \$126,146 and authorize the mayor to sign. Motion carried 4/0.

0:33

ADD-ON

Cornerstone 7th Addition bids for Phases 1 and 2 sanitary sewer, water, and paving and the drainage improvements

Steve Anderson explained this is a single contract with multiple projects corresponding to the required petitions. Three bids were received: Duling Construction, Wichita, \$820,980.50;

Mies Construction, Wichita, \$1,057,657.50; and the low bid from Nowak Construction, Goddard, \$799,966.40.

A motion was made by Council Member Nelson, seconded by Council Member Hale to award the contract to the low bidder Nowak Construction in the amount of \$799,966.40

0:42

A motion was made by Council Member Tabor, seconded by Council Member Nelson to recess the City Council meeting and convene the Public Building Commission meeting. Motion carried 4/0.

15. Public Building Commission President Estes call the meeting to order.

a. Roll call

Public Building Commissioners present were Troy Tabor, Clark Nelson, Ben Lawrence, and Caroline Hale. Commission Secretary Susan Renner was also in attendance. Commissioners Geisler and White were absent.

b. Minutes of August 30, 2016

A motion was made by Commissioner Nelson, seconded by Commissioner Lawrence to approve the minutes as presented. Motion carried 5/0.

c. Duling Construction change order 1

Les Mangus explained both change orders are for the installation of the waterline to the shop. The contractor dug up the connection and found the old waterline was not as it was shown on the plans and required a realignment of the line.

A motion was made by Commissioner Nelson, seconded by Commissioner Tabor to approve Duling Construction change order 1 in the amount of \$3,762 as presented. Motion carried 5/0.

d. Duling Construction change order 2

Les Mangus further explained the street shop is located where the city's wastewater plant was located in 1957. An abandoned manhole was encountered from that plant requiring extra excavation and removal of the manhole.

A motion was made by Commissioner Nelson, seconded by Commissioner Hale to approve Duling Construction change order 2 in the amount of \$1,200. Motion carried 5/0.

Commissioner Lawrence noted he and Commission President Estes met with the security contractor regarding the contract presented and tabled at the August 30, 2016, meeting. They are now satisfied with the purchase and the cost; the contract will be presented at the September 27, 2016, Commission meeting for consideration.

A motion was made by Commissioner Hale, seconded by Commissioner Tabor to adjourn the Public Building Commission meeting and reconvene City Council meeting. Motion carried 5/0.

0:52

16. Executive session – land acquisition

A motion was made by Council Member Tabor, seconded by Council Member Estes to go into executive session for approximately ten (10) minutes and include the governing body, city attorney, community development director and city administrator to discuss land acquisition. Motion carried 4/0.

A motion was made by Council Member Hale, seconded by Council Member Tabor to come out of executive session. Motion carried 4/0.

A motion was made by Council Member Nelson, seconded by Council Member Tabor to authorize staff to make an offer to Jacob and Melynda Sands for sewer easements in the amount of \$23,480. Motion carried 4/0.

1:03

17. Member Items

Council Member Troy Tabor had none.

Council Member Clark Nelson

- Congratulated Police Chief Keller on his award.
- Thanked Fire Chief Russell for the 9/11 remembrance event.

Council Member Kris Estes had none.

Council Member Caroline Hale had none.

Mark Detter inquired if any council members were going to attend the LKM conference. Troy Tabor, Mark and Susan are currently registered.

1:06

A motion was made by Council Member Estes, seconded by Council Member Tabor to adjourn.
Motion carried 4/0.

Adjourn

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 27th day of September, 2016, by the City Council, City of Andover, Kansas.