

ANDOVER CITY COUNCIL MEETING  
MINUTES  
Andover City Hall  
1609 E. Central Avenue  
October 11, 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. Mayor Ben Lawrence called the meeting to order.
2. Roll Call

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

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, and City Administrator Mark Detter.

A/V: Cindy Barrett and Craig Brown

3. Invocation was given by Council Member Tabor.
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 Tabor to add a proclamation for the Friends of the Library Week and the presentation of a thank you to David Levy of Andover. Motion carried 6/0.

7. Presentations
  - a. Council Member Hale presented David Levy an award of appreciation for his commitment to the Redbud Hike & Bike Trail.

- b. Mayor Lawrence proclaimed the week of October 16-22, 2016 as Friends of the Library Week and presented Sharon Turner of the Friends of the Library and Tom Taylor Andover Public Library Director with the proclamation.
- c. Mayor Lawrence administered the Oath of Office to new hire Police Officer Michael Fear.
- d. Craig Brown IT Director provided information on the utilization of the free WiFi offered during Greater Andover Days.

8. Consent Agenda

- a. Approval of Minutes  
City Council Workshop: September 26, 2016  
City Council Meeting: September 27, 2016
- b. Receive & file reports  
Finance: September 2016  
Fire: September 2016
- c. Approval of appropriation ordinance B-18-16 in the amount of \$ 721,874.17.
- d. Approval of non-elected personnel items
  - Richard Sebbo, Park Department Ground & Building Superintendent, training to regular status, with a pay increase from \$18.50 to \$19.00 per hour, effective September 12, 2016.
  - Toni Usher, Park Department Crew Chief, training to regular status, with a pay increase from \$16.00 to \$16.50 per hour, effective October 3, 2016.
  - Michael Hitch, Park Department Semi-Skilled Maintenance Worker, training to regular status, with a pay increase from \$12.50 to \$13.00 per hour, effective October 3, 2016.
- e. Approval of the CVB check request for the hotel voucher program to the Andover Days Inn for vouchers dated August 8 to October 3, 2016 in the amount of \$1,400.
- f. Approval of the following rules for signage in Central Park and 13<sup>th</sup> Street Sports Park.

Welcome to the Andover Central/13<sup>th</sup> St. Sports Park

To ensure the safety and enjoyment of all users, please follow the Park Rules:

Unauthorized motor vehicles are prohibited on the grass.  
No littering.  
Dogs must be leashed at all times, except in designated dog park areas.  
Pet owners must pick up and properly dispose of their pet's solid waste.  
Unauthorized overnight camping is prohibited.  
Open burning is prohibited except in authorized areas.  
Alcoholic beverages are allowed in authorized areas only.  
Fireworks are prohibited except for authorized areas and times.  
Hunting and the discharge of firearms are prohibited.  
Skateboarding is prohibited within ?? feet of buildings.  
Golf is not allowed.  
No smoking within 20 feet of buildings.

**Violations of the above rules are subject to prosecution pursuant to City of Andover Ordinance 1614**

Please notify the City of any dangerous or hazardous conditions.  
Dial 911 for emergencies or (316)-733-1303 for maintenance issues.  
Emergency phones are located at the emergency shelter restroom.

- g. Approval of the Fourth Amendment to Tower Lease Agreement with New Cingular Wireless (Central Park cell tower).
- h. Approval of Mies Construction, Wichita, Green Valley Greens 12<sup>th</sup> Addition change orders
  - i. Change order 1 in the amount of \$17,872 to add a storm sewer structure to account for a conflict with the existing structure.
  - ii. Change order 2 in the amount of \$750 to remove and replace curb and gutter for water line extension.
- i. Approval of the IT Department network upgrade for City Hall including an HP server and Microsoft Server software from CDW-G, Chicago, in the amount of \$9,065 and set up and installation by One Source Technologies, Wichita, in the amount of \$2,000.

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

9. Zoning Case Z-2016-03 (920 E US Highway 54)

Mayor Lawrence presented an ordinance that would change the zoning at 920 E. US Highway 54 from R-2 Single Family Residential District to B-3 Central Shopping District.

He asked the Council if anyone intended to disqualify themselves from participating due to a conflict of interest. No one did.

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

He confirmed the Council had received copies of the Planning Commission September 20, 2016, unapproved meeting minute. They had.

He asked Zoning Administrator Les Mangus to provide a brief summary of the hearing at the Planning Commission.

Mr. Mangus explained the applicant originally requested a rezoning to B-5 Highway Business District. The Planning Commission unanimously recommended the modified zoning district for approval and include the recommendation the zoning would be contingent upon satisfactory platting

Jason Gish, MKEC, was in attendance representing the applicant, asked consideration for a longer period of time to plat the property.

Les Mangus stated he, City Attorney JT Klaus and Zoning Consultant Bickley Foster discussed the issue and it was determined the platting condition could be left open ended with the requirement that the property must be platted before any zoning permits will be considered. The City does not have a rule or law regarding platting deadlines; traditionally there has been a one (1) year time limit.

Mayor Lawrence asked if anyone in the audience would like to speak. No one did.

A motion was made by Council Member Tabor, seconded by Council Member Geisler to adopt an ordinance changing the zoning district classification as recommended by the Planning Commission findings and factors for case Z-2016-03 for the property located at 920 East Highway 54 contingent upon the platting or re-platting of the property and recording of the plat with the Butler County Register of Deeds prior to any application for approval of a Zoning Permit by the Zoning Administrator for development. Motion carried 6/0. Ordinance number 1628 was assigned.

#### 10. 159<sup>th</sup> Street Project

Les Mangus presented a landscape plan and a lighting plan to complete the 159<sup>th</sup> Street widening project from the KTA bridge north to 21<sup>st</sup> Street. At the request of the Quail Crossing Homeowners Association staff worked with Jayhawk Landscaping, the HOA landscape maintenance contractor, to provide landscaping with seasonal coloring and buffering for the properties adjacent to 159<sup>th</sup> Street.

Cynthia Donaldson, 1615 W. Savage Court, expressed her concerns for the safety of those whose homes back up to 159<sup>th</sup> Street. She stated there are children playing in the backyards of the homes and cars speed up and down the road at all hours of day and night. She wants some kind of barrier put between her home and the road.

The council addressed that it was unfortunate that the existing hedgerow had to be removed to allow for the widening of the road and addition of the sidewalk. They did not believe trees would make the road safer but felt it was already safer with the widening of the road and completion of the project. It was noted that in Andover there are many homes adjacent to streets without fencing or trees. It was suggested she contact the Homeowners Association to see if they have interest in putting up a concrete fence.

A motion was made by Council Member Nelson, seconded by Council Member Estes to approve the landscape plan as presented for 159<sup>th</sup> Street between 13<sup>th</sup> and 21<sup>st</sup> and authorize staff to develop a contract for services with Jayhawk Landscaping in an amount not to exceed \$21,820 and authorize the Mayor to sign the agreement. Motion carried 6/0.

Mr. Mangus presented the lighting plan designed by Westar. Westar will install fixtures on existing poles from 21<sup>st</sup> Street to the Redbud Trail and add new poles to have the lighting on 200' +/- centers.

A motion was made by Council Member Nelson, seconded by Council Member Geisler to approve the placement of the poles and authorize Westar to begin installation. Motion carried 6/0.

#### 11. Foster Design Associates, LLC Agreement for development of a Unified Development Manual (UDM)

Les Mangus explained the development of the Unified Development Manual was contracted in a three phase process. This is the Phase II portion, compilation and complete draft of the manual through adoption, approval and coordination with the website administrator.

David Foster, Foster Design Associates was in attendance.

A motion was made by Council Member Nelson, seconded by Council Member Geisler to approve the agreement with Foster Design Associates, LLC, Wichita, for development of Phase II of the Unified Development Manual in an amount not to exceed \$88,850 and authorize the Mayor to sign the agreement. Motion carried 6/0.

#### 12. Intergovernmental Agreement with KTA for 159<sup>th</sup>/KTA bridge project

Les Mangus explained this project had been put on hold in 2005 due to other priorities. The Kansas Turnpike Authority has now stepped up to share in the cost to reconstruct the KTA bridge on 159<sup>th</sup> Street at MM 54.447. WAMPO has now selected the project for funding in 2019 and in the interim and while Jeff Bridges was City Administrator he and I worked with Senator Todd Tihart and secured a congressional earmark of almost one million dollars to help fund the project. It would be scheduled for 2019 and the almost four (4) million-dollar cost will be shared amongst four (4)

groups, KTA, City of Andover (approximately \$700,000), WAMPO, and the federal funds. This agreement sets up the relationship with KTA.

Mayor Lawrence would like consideration made to the finishing of 159<sup>th</sup> Street south from the KTA bridge to Central at the same time the bridge is being reconstructed. He asked Mr. Mangus to obtain costs of construction for the approximately one-half (1/2) mile road south from the KTA bridge to Central Avenue.

A motion was made by Council Member Geisler, seconded by Council Member Estes to approve the agreement with the Kansas Turnpike Authority for bridge project on 159<sup>th</sup> Street and authorize the Mayor to sign the agreement. Motion carried 6/0.

13. Andover Fire & Rescue purchase of fire hose

Fire Chief Russell stated the department received a FEMA Assistance for Firefighters Grant that will pay for 90% of the purchase proposed. The proposal from Weis Fire & Safety Equipment of Salina, the only bid received, was in the amount of \$45,992.36, which would cost the department \$4,599.24.

A motion was made by Council member Nelson, seconded by Council Member Hale to approve the proposed purchase from Weis Fire & Safety in an amount not to exceed \$45,992.36, and authorize Fire Chief Russell to sign documents related to the grant funding from FEMA. Motion carried 6/0.

A motion was made by Council Member Tabor, seconded by Council Member Geisler to recess the City Council meeting and convene the Public Building Commission meeting. Motion carried 6/0.

14. Public Building Commission President Estes called the meeting to order.

a. Roll Call

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

b. September 27, 2016 Minutes

A motion was made by Commissioner Nelson, seconded by Commissioner Geisler to approve the minutes as presented. Motion carried 6/1. Commissioner Lawrence abstained; he did not attend that meeting.

c. Authorizing resolution for amphitheater stage

Mark Detter explained the development of plans to construct an amphitheater in Central Park has been discussed by staff, the CVB and governing body for some time. There are current PBC bonds set to expire in 2019 that could be rolled into taxable bonds to pay for the project. The project would be paid for with funds from fireworks stands, alcohol sales, cell tower leases and funds generated through rental of the facility; not property taxes. The following resolution would begin the process for the PBC to issue bonds related to the project.

Commissioner Hale inquired how a citizen could petition the construction of the amphitheater and issuance of the bonds.

City Attorney JT Klaus explained citizens would have thirty (30) days following the second publication of the resolution, scheduled for October 22, 2016, to file a protest petition. He suggested legal assistance to prepare a petition that would be legally sufficient.

A motion was made by Commissioner Nelson, seconded by Commissioner Lawrence to adopt an advisability resolution related to the issuance of \$1,150,000 in PBC Revenue Bonds for the purpose of acquiring, constructing, and equipping an Amphitheater in Central Park as presented. Motion carried 7/0. Resolution number PBC 16-01 was assigned.

d. Piper Jaffray Municipal Advisory Agreement

Mark Detter presented the agreement for financial services for the bonds.

A motion was made by Commissioner Nelson, seconded by Commissioner Lawrence to approve the Financial Advisory Agreement with Piper Jaffray, Leawood, Kansas, for services related to the issuance of \$1,150,000 in Public Building Commission Revenue Bonds and authorize the PBC President to sign the agreement. Motion carried 7/0.

e. GLMV Change Order 03 for street maintenance shop

Les Mangus stated there were four (4) changes in this change order for a total amount of \$4,578; extension of cold water line and mount a reduced pressure backflow device for truck fill by Don Vaughn, Inc., Wichita, \$2,328; change size of three (3) wall hydrants by Don Vaughn, Inc., Wichita, \$225; increase water service to building from 2" to 2½" by Dutton Construction & Plumbing, Wichita, \$2,025; and electrical changes per WCPR 005 at no charge.

A motion was made by Commissioner Tabor, seconded by Commissioner Geisler to approve change order 03 for the street maintenance shop and authorize the PBC President to sign the change order. Motion carried 7/0.

A motion was made by Commissioner Nelson, seconded by Commissioner Hale to adjourn the Public Building Commission meeting and reconvene the City Council meeting. Motion carried 7/0.

#### 15. Salary review committee appointments

Mayor Lawrence asked for volunteers.

Council Members Phil White, Clark Nelson and Mayor Ben Lawrence volunteered. Jennifer McCausland will contact them with meeting dates.

#### 16. Member Items

Council member Troy Tabor

- Attended the League of Kansas Municipalities Conference with Mark Detter and Susan Renner. He found the League does a lot of advocating for municipalities.
- Would like staff to look into a yellow flashing light for left turn lanes that he has seen in the Kansas City area.

Council Member Sheri Geisler had none.

Council Member Clark Nelson

- Reminded everyone they are invited to the “Wet Down” (christening) for the new fire truck on Saturday, at City Hall.

Council Member Kris Estes had none.

Council Member Caroline Hale had none.

Council Member Phil White had none.

Mark Detter announced the closing on the sale of the last piece of city owned property in the Andover Industrial Park.

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

*Adjourn*

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 25<sup>th</sup> day of October, 2016, by the City Council, City of Andover, Kansas.