

**ANDOVER CITY COUNCIL  
Tuesday, October 9, 2007  
Minutes**

The Andover City Council met for a regular meeting on Tuesday, October 9, 2007 at 909 N. Andover Road in the Andover Civic Center. Mayor Ben Lawrence called the meeting to order at 7:00 p.m. City Council Members present were Caroline Hale, Kevin Dreiling, Julie Reams, J.R. Jessen, Clark Nelson, and Carol Roberts. Others in attendance were: Director of Public Works and Community Development Les Mangus, Administrative Services Director Donna Davis, Management Assistant Sasha Stiles, City Financial Advisor Larry Kleeman, Administrative Secretary Susan Renner, City Attorney Norman Manley, Fire Chief Jim Shaver, Police Chief Mike Keller, and City Clerk/Administrator Jeff Bridges.

The Pledge of Allegiance was led by Mayor Lawrence.

Pledge of Allegiance

Mayor Lawrence opened the floor to public comment. No one spoke.

Public Forum

Mayor Lawrence proclaimed the week of October 21-26, 2007 as Friends of the Library Week.

Friends of the Library  
Proclamation

**Proclamation  
Of The  
City Of Andover  
State Of Kansas**

WHEREAS, Friends of the Andover Public Library raise money that enables our library to move from good to great, providing the resources for additional programming, much needed equipment, support for children’s summer reading, and special events throughout the year; and;

WHEREAS, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present; and

WHEREAS, the Friends understand the critical importance of well funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance to research, readers’ advisory, and children’s services; and

WHEREAS, the Friends’ gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

NOW, THEREFORE BE IT RESOLVED, I, Mayor of the City of Andover, proclaim October 21<sup>st</sup> – 27<sup>th</sup>, 2007 as Friends of the Library weeks in Andover, Kansas, and I further urge everyone to join the Friends of the Library and thank them for all they do to make our Library and our community so much better.

Signed this 9<sup>th</sup> day of October, 2007, in the City of Andover, State of Kansas, in the witness thereof the seal of the City of Andover in the witness thereof the seal and signature of the city are affixed.

Ben Lawrence, Mayor Lawrence  
Jeffrey K. Bridges Jr., City Administrator/Clerk

Carol Wohlford, Director of the Andover Library, accepted the proclamation and thanked the Council for the recognition and for being visionary leaders.

Jeff Bridges stated there are two (2) ordinances, Ordinance No.'s 1364 and 1365, to be added to Item 10 of the regular agenda. Agenda

Council Member Nelson requested an executive session concerning legal matters to include the Council, Jeff Bridges, Les Mangus, and Norman Manley be added to the regular agenda.

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, to accept the agenda with the addition of Ordinance No.'s 1364 and 1365 to item #10 and the addition of an executive session. Motion carried 6/0.

Jeff Bridges stated that Item E on the Consent Agenda, request for street closure, had a time change to 5:30 - 7:30 p.m.. Consent Agenda

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to accept the consent agenda with the amendment to Item E, change of time to 5:30 - 7:30.

- A. Approval of Minutes: City Council Meeting, September 25, 2007  
City Council Workshop, September 24, 2007
- B. Receive & file Minutes: Site Plan Meeting, August 7, 2007  
Subdivision Committee Meeting, August 14, 2007  
Planning Commission Meeting, August 21, 2007
- C. Receive & file reports:
  - i. Finance
  - ii. Police
  - iii. Fire
- D. Approval of appropriation ordinance B-19-07 in the amount of \$979,844.59

- E. Approval of Street Closure Request – Crescent Lakes Homeowners Association Festival - October 20<sup>th</sup>, 5:30 – 7:30pm – Crescent Lakes Court  
(*Changed time from 11:30am – 2:30pm*)
- F. Resolution No. 07-27 – Fire Apparatus Lease with Pierce (OshKosh Capital Financing)
- G. Approval of Change Order #2 Cornerstone School Addition Sewer and Water Improvements (-\$2,000 water valve deducted)

Recommended action: approve

Motion carried 6/0.

Mayor Lawrence asked Les Mangus to give a brief summary of Vacation Order VA-07-2007 - 421 Crescent Lakes Drive – north 3’ of the rear yard 20’ sewer easement in Lot 6, Block 2, Final P.U.D. – Fourth Phase, Crescent Lakes Addition, Andover, Kansas.

Vacation Order VA-07-2007 – 421 Crescent Lakes Drive

Les Mangus stated it is a part of a rear yard sanitary sewer easement. The developer intends to build a covered deck and the roof overhang would encroach approximately 2 foot into the easement. The Planning Commission did recommend approval.

Mayor Lawrence opened the public hearing. The Mayor asked twice for any comments and no one spoke. The Mayor closed the public hearing.

A motion was made by Council Member Hale, seconded by Council Member Dreiling, to approve Vacation Order VA-07-2007.

Council Member Roberts stated the Council needs to make a stand somewhere regarding the requests for vacation.

Motion carried 5/1. Council Member Roberts opposed.

Mayor Lawrence confirmed the Council had copies of the Prairie Creek plat.

Prairie Creek Addition Final Plat

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, to accept the final plat as presented, specifically subsection items 10. A. Final P.U.D. First Addition, B. Developer’s Agreement for Special Assessment Projects, C. Developer’s Agreement for Developer Installed Improvements, D. Petitions for Improvements as follows: Prairie Creek Addition – Paving, Sanitary Sewer, and Water Distribution System Petitions; 13<sup>th</sup> Street & Prairie Creek Road Phase 1 – Paving, Sanitary Sewer Main and Water Main Petitions; 13<sup>th</sup> Street Phase 2 – Paving and Water Main Petitions; and the Prairie Creek Road Phase 3 – Paving and Water Main Petitions. Motion carried 6/0.

J.T. Klaus, Bond Council, presented Resolution No. 07-28 - a resolution determining the advisability of making certain internal improvements in the City of Andover, Kansas; setting forth the general nature of the improvements, the estimated or probable costs thereof, the extent of the benefit district to be assessed for the costs thereof, the method of assessment and the apportionment of the costs between the benefit district and the City at large; authorizing and providing for the making of the improvements in accordance with the findings of the Governing Body; and directing the publication and recording of this resolution (Prairie Creek Addition Water Improvements, Prairie Creek Addition Sewer Improvements and Prairie Creek Addition Paving Improvements)

Resolution No. 07-28  
Prairie Creek Addition  
Internal Improvements

Mr. Klaus explained this resolution deems advisable the construction of the paving, sanitary sewer and water as requested by the first three petitions for internal improvements inside Prairie Creek Addition.

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to accept Resolution No. 07-28 as presented. Motion carried 6/0.

J.T. Klaus, Bond Council, presented Resolution No. 07-29 - a resolution determining the advisability of making certain internal improvements in the City of Andover, Kansas; setting forth the general nature of the improvements, the estimated or probable costs thereof, the extent of the benefit district to be assessed for the costs thereof, the method of assessment and the apportionment of the costs between the benefit district and the City at large; authorizing and providing for the making of the improvements in accordance with the findings of the Governing Body; and directing the publication and recording of this Resolution (13th Street & Prairie Creek Road Water Main Phase 1 Improvements, Sanitary Sewer Main Improvements and 13th Street & Prairie Creek Road Paving Phase 1 Improvements).

Resolution No. 07-29  
Prairie Creek Addition  
Phase 1 External  
Improvements

Mr. Klaus explained this resolution approves the 13<sup>th</sup> Street water and sewer improvements for the 1<sup>st</sup> phase of the external improvements that will benefit Prairie Creek and the surrounding properties.

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, to adopt Resolution No. 07-29 as stated. Motion carried 6/0.

Mr. Klaus, Bond Council, presented Resolution No. 07-30 - a resolution determining the advisability of making certain internal improvements in the City of Andover, Kansas; setting forth the general nature of the improvements, the estimated or probable costs thereof, the extent of the benefit district to be assessed for the costs thereof, the method of assessment and the apportionment of the costs between the benefit district and the City at large; authorizing and providing for the making of the improvements in accordance with the findings of the governing body; and directing the publication and recording of this Resolution (13th Street Water Main Improvements, and 13th Street Paving Improvements).

Resolution No. 07-30  
Prairie Creek 13<sup>th</sup> St  
External Improvements

Mr. Klaus explained this resolution approves the 13<sup>th</sup> Street paving and water improvements for Phase 2 external improvements to benefit Prairie Creek and the surrounding properties.

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, to adopt Resolution No. 07-30. Motion carried 6/0.

J.T. Klaus, Bond Council, presented Resolution No. 07-31 - a resolution determining the advisability of making certain internal improvements in the City of Andover, Kansas; setting forth the general nature of the improvements, the estimated or probable costs thereof, the extent of the benefit district to be assessed for the costs thereof, the method of assessment and the apportionment of the costs between the benefit district and the city at large; authorizing and providing for the making of the improvements in accordance with the findings of the governing body; and directing the publication and recording of this resolution (Prairie Creek Road Water Main Improvements and Prairie Creek Road Paving Improvements).

Resolution No. 07-31  
Prairie Creek Rd  
Phase 3  
External Improvements

Mr. Klaus explained this resolution deeming advisable the paving and water main improvements for Phase 3 external improvements.

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, to adopt Resolution No. 07-31 as stated. Motion carried 6/0.

J.T. Klaus, Bond Council, presented Ordinance 1361 - an ordinance authorizing the construction of certain internal improvements in the City of Andover, Kansas, as heretofore determined advisable and authorized to be made by Resolution No. 07-29 of the City, under the authority of K.S.A. 12-6a01 *et seq.*, as amended and supplemented; providing for the payment of the costs of said improvements; authorizing the issuance of general obligation internal improvement bonds for the payment of the costs of said improvements and authorizing and providing for the issuance of temporary improvement notes from time to time as funds are needed for the orderly construction of said improvements.

Ordinance 1361  
Prairie Creek Addition  
Phase 1  
External Improvements

Mr. Klaus explained this ordinance authorizes the construction of and issuance of temporary notes to finance the construction of Phase 1 external improvements of Prairie Creek as authorized in Resolution No. 07-29.

A motion was made by Council Member Nelson, seconded by Council Member Hale, to approve Ordinance 1361 as presented. Motion carried 6/0.

J.T. Klaus, Bond Council, presented Ordinance 1362 - an ordinance authorizing the construction of certain internal improvements in the City of Andover, Kansas, as heretofore determined advisable and authorized to be made by Resolution No. 07-30 of the City, under the authority of K.S.A. 12-6a01 *et seq.*, as amended and supplemented; providing for the payment of the costs of said improvements; authorizing the issuance of general obligation internal improvement bonds for the payment of the costs of said improvements and authorizing and providing for the issuance of temporary improvement notes from time to time as funds are needed for the orderly construction of said improvements.

Ordinance 1362  
Prairie Creek Addition  
13<sup>th</sup> St Phase 2  
External Improvements

Mr. Klaus explained this ordinance authorizes the construction of and issuance of temporary notes to finance the construction of 13<sup>th</sup> Street Phase 2 external improvements of Prairie Creek as authorized in Resolution No. 07-30.

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to approve Ordinance 1362 as presented. Motion carried 6/0.

J.T. Klaus presented Ordinance 1364 - an ordinance authorizing the construction of certain internal improvements in the City of Andover, Kansas, as heretofore determined advisable and authorized to be made by Resolution No. 07-31 of the City, under the authority of K.S.A. 12-6a01 *et seq.*, as amended and supplemented; providing for the payment of the costs of said improvements; authorizing the issuance of general obligation internal improvement bonds for the payment of the costs of said improvements and authorizing and providing for the issuance of temporary improvement notes from time to time as funds are needed for the orderly construction of said improvements.

Ordinance 1364  
Prairie Creek Addition  
Prairie Creek Rd  
External Improvements

Mr. Klaus explained this ordinance authorizes the construction of and issuance of temporary notes to finance the construction of Prairie Creek Road Water Main and Paving Improvements as authorized in Resolution No. 07-31.

A motion was made by Council Member Nelson, seconded by Council Member Hale, to accept Ordinance 1364. Motion carried 6/0.

J.T. Klaus presented Ordinance 1365 - an ordinance authorizing the construction of certain internal improvements in the City of Andover, Kansas, as heretofore determined advisable and authorized to be made by Resolution No. 07-28 of the City, under the authority of K.S.A. 12-6a01 *et seq.*, as amended and supplemented; providing for the payment of the costs of said improvements; authorizing the issuance of general obligation internal improvement bonds for the payment of the costs of said improvements and authorizing and providing for the issuance of temporary improvement notes from time to time as funds are needed for the orderly construction of said improvements.

Ordinance 1365  
Prairie Creek Addition  
Internal Improvements

Mr. Klaus explained this ordinance authorizes the construction of and issuance of temporary notes to finance the construction of Prairie Creek Addition Water, Sewer and Paving Improvements as authorized in Resolution No. 07-28.

A motion was made by Council Member Nelson, seconded by Council Member Hale, to accept Ordinance 1365. Motion carried 6/0.

Norman Manley, City Attorney, approved the Engineering Design Services contracts with Baughman Engineering; one for external and one for internal improvements.

Prairie Creek  
Engineering Contracts  
Baughman Design

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, to approve both contracts as provided. Motion carried 6/0.

A motion was made by Council Member Nelson, seconded by Council Member Dreiling to accept the Right of Way dedication from Susan and Timothy Neff dated August 10, 2007. Motion carried 6/0.

Right of Way Dedication - Neff

Jeff Bridges presented Ordinance No. 1363 - an ordinance amending Ordinance No. 1127 of the City of Andover, Kansas, re-spreading special assessments for various lots owned by the developer of Chateauroux. (generally located ¼ mile south of Central Ave on 159<sup>th</sup> Street).

Ordinance 1363  
Chateauroux Addition  
Re-spread of Assessments

J.T. Klaus, representing the developer/owner Bob Brown, explained the redistribution request. Mr. Brown would like for two (2) adjoining lots to pay an assessment equal to that of the other seven (7) lots after a re-spread. To prevent any issues with previous or subsequent owners of the lots not in favor of the assessment being increased the City typically requires the developer, both as a corporation and personally, to indemnify the City for any issues that may arise.

Council Member Nelson confirmed with Mr. Klaus that this will not affect any of the current property owners and the amount they pay.

Mr. Klaus also confirmed this would not have any effect on the City at large.

A motion was made by Council Member Dreiling, seconded by Council Member Jessen, to accept Ordinance 1363 redistributing the special assessments in the Chateauroux Addition as requested. Motion carried 6/0.

Jeff Bridges explained the City has received Corridor Management funds to do a concept design of US 54 Expressway through the intersection of Andover Road and transition back to divided highway around Prairie Creek. Our share of this project is approximately \$247,000 or 33% of the cost, with a total cost \$750,000.

KDOT Corridor  
Management Project  
Funds  
US 54 Expressway

Mayor Lawrence is adamantly opposed to a flyover at the intersection of Kellogg and Andover Road.

Jeff Bridges explained there are reverse full functional frontage roads off of Highway 54 if the Expressway extends through the intersection.

Jeff Bridges explained this does not need to be accepted tonight and if accepted does not force the City to do anything in the future.

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, to table Item 12 – KDOT Corridor Management Project Funds - US 54 Expressway Concept Design for more detailed information. Motion carried 6/0.

Jeff Bridges explained this KDOT agreement is for the construction of a fully functional signalized intersection at US 54 and Yorktown. The total project cost is \$878,000 with KDOT paying \$590,000. The City’s share is 33%.

KDOT Corridor  
Management Projects  
Funds  
US 54 & Yorktown

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, to approve the KDOT Corridor Management Project funds for US 54 and Yorktown stoplight as prepared. Motion carried 6/0.

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, at 7:55 p.m. to recess to executive session for legal matters to include the Council, Mayor Lawrence, Jeff Bridges, Les Mangus, and Normal Manley for approximately 10 minutes.

Executive Session

A motion was made by Council Member Dreiling, seconded by Council Member Jessen, at 8:06 p.m. to come out of executive session. Motion carried 6/0.

Member Items:

Member Items

J.R. Jessen – had none

Kevin Dreiling stated everyone involved with Greater Andover Days did a great job. It was a lot of fun.

- Council Member Dreiling thanked all of his friends at Meadowlark who took home the big trophy. Especially Janet Cusik who coordinated the float.
- Council Member Dreiling said a little birdie told him Wichita State University is in 3<sup>rd</sup> place underwriting the reading room for the Andover Library. He challenged all Andover WSU Alumni to step up to the plate and get the \$1,200 in! If the amount is not reached by Thanksgiving he asked Carolyn Kaplan to contact him and he would find the money somewhere.

Caroline Hale – Greater Andover Days was very enjoyable and most had a good time. Dairy Queen was great donating the ice cream.

- Council Member Hale stated Detective Montague was leaving the Andover Police Department, after nine (9) years, and has been a wonderful employee. Through the exit interview she conducted Detective Montague had nothing but wonderful things to say about Chief Keller and Jeff Bridges.

Clark Nelson thanked everyone for GAD with special thanks to Caroline Hale for her dedication.

Julie Reams shared she had a very educational time at the LKM conference she had just returned from. She looks forward to attending more conferences and representing Andover.

- Council Member Reams wants the Planning Commission to be aware that some developments are not fulfilling promises made to home buyers. Referring to the subdivision she lives in, Reflection Lake, the park has not been completed as promised in Phase 1. She believes that before the City commits funds to a specific development it should be confirmed that all previous phases are complete.
- Council Member Reams congratulated Sasha Stiles on her nomination to the KMIT Board of Trustees. KMIT is our workers compensation board.

Carol Roberts – had none

Mayor Lawrence inquired if it is allowed to withhold funding for future phases until all previous phases are complete. Jeff Bridges stated the City does not have to offer specials to anyone and maybe the City should require benchmarks for public amenities.

Sasha Stiles announced that for the second year in a row the City has received a gold star for the safety programs that have been implemented and entitles the City to a 5% discount on their workers compensation policy renewal. Our employees are working hard and doing a great job at being safe.

A motion was made by Council Member Jessen, seconded by Council Member Hale, to adjourn the meeting at 8:18 p.m. Motion carried 6/0.

Adjourn

Respectfully Submitted by

Susan Renner  
Administrative Secretary

Approved this 30th day of October, 2007 by the City Council, City of Andover.

Jeffrey K. Bridges  
City Clerk