

**ANDOVER CITY COUNCIL
Tuesday, March 25, 2008
Minutes**

The Andover City Council met for a regular meeting on Tuesday, March 25, 2008 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 Engineer Mike Thompson, 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 Invocation was given by Reverend Leon Heibert of the Andover Assembly of God Church. Invocation

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

Jeff Bridges presented the Council with three (3) separate bid tabs for, 1) Cornerstone 3rd Addition improvements, 2) Crescent Lakes 5th Addition improvements and 3) GO Bonds, Series A, 2008, sale information in the amount of \$5,563,000.00.

A motion was made by Council Member Nelson, seconded by Council Member Reams, to accept the agenda as presented. Motion carried 6/0. Agenda

A motion was made by Council Member Dreiling, seconded by Council Member Jessen, to accept the consent agenda as follows: Consent Agenda

A. Approval of Minutes: City Council Workshop, February 25, 2008
City Council Meeting, March 11, 2008

B. Receive & file Minutes: Site Plan Review Minutes, January 3, 2008
No Subdivision Meeting in January 2008
Planning Commission Minutes, January 15, 2008
Library Board Minutes, January 9, 2008

C. Receive & file reports:
i. 2007 Fire Department
ii. Library

D. Approval of appropriation ordinance B-05-08 in the amount of \$437,820.26

- E. Approval of use Andover Central Park, May 16 and 17, 2008, by Andover Cub Scout Pack 533. This event is to be coordinated with Parks, Fire, and Police Departments.
- F. Acceptance of Utility Easements – USD 385 Subdivision, Lot 1, Block 1. (Generally located ½ mile east of Andover Road on the south side of Central Avenue)
- G. Approval of the Annual Kansas Land & Water Conservation Fund Annual Operation and Maintenance Assurance Statement. (13th Street Sports Park/Andover Municipal Golf Course)
- H. Approval of Temporary Use (30 day permit) request for a 50 x 100 tent inside the lot at Mid Kansas Marine for their 25th Anniversary celebration.
- I. Approval of an extension of 2,330’ of 2” PE natural gas main east in a 10’ utility easement and 95’ of 1-1/4” PE service line, at a cost of \$20,092.50, to serve the new Andover Public Library
- J. Approval of 2008-2009 Property and Liability Insurance for the Andover Fire and Rescue Department thru American Alternative Insurance Corporation at a annual premium of \$20,399.00.
- K. Approval of Revised Standard Operating Procedures for the Andover Police Department; Use of Force Reporting, Electronic Control Weapons, Personal Appearance and Grooming, and Uniforms and Equipment policy effective upon Council approval.
- L. Approval of the contract with POE & Associates for engineering services related to the Crescent Lakes 5th Addition. (Generally located ½ mile east of Andover Road on Central Avenue)
- M. Authorization for the taking of bids for a new Building Inspector vehicle. Bids to be opened at 1:00 p.m., Thursday, April 3, 2008, at Andover City Hall. .
- N. Approve Kansas Department of Transportation, Bureau of Local Projects, request for funds in the amount of \$3,125,000.00 for construction of the 21st Street paving project from 159th Street to 1,000’ east of Andover Road.

Motion carried 6/0.

Larry Kleeman, DeWaay Financial, presented Ordinance 1378 - an ordinance of the City of Andover, Kansas, authorizing the issuance of the City’s General Obligation Bonds, Series A, 2008, in the aggregate principal amount of \$5,563,000, for the purpose of financing the otherwise unpaid costs of multiple capital improvements in the City; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds;

Ordinance 1378
 \$5,563,000 GO Bonds
 Winchester Estates
 Cornerstone 1st Addition
 Keystone & 21st Street
 Improvements

authorizing certain other documents and actions; and making certain covenants with respect thereto.

Mr. Kleeman stated the bond sale was at 2:00 p.m., March 25, and there were two (2) bids. The lowest interest rate was offered at 4.364% by George K. Baum (syndicate including Baum, Wachovia, Oppenheimer, Edward Jones, Cooper Malone and DeWaay).

Mr. Kleeman noted that Ordinance 1378 requests the issuance of the bonds and the following Resolution spells out the details of the bonds.

A motion was made by Council Member Nelson, seconded by Council Member Reams, to accept the George K. Baum bid as stated in the principle amount of \$5,563,000.00. Motion carried 6/0.

A motion was made by Council Member Dreiling, seconded by Council Member Hale, to approve Ordinance 1378. Motion carried 6/0.

Larry Kleeman, DeWaay Financial, presented Resolution 08-11 - a resolution prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Bonds, Series A, 2008, in the total aggregate principal amount of \$5,563,000, of the City of Andover, Kansas, previously authorized by ordinance No. 1378 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.

Resolution 08-11
\$5,563,000 GO Bonds
Winchester Estates
Cornerstone 1st Addition
Keystone & 21st Street
Improvements

A motion was made by Council Member Nelson, seconded by Council Member Reams, to approve Resolution 08-11. Motion carried 6/0.

Norman Manley, City Attorney, stated he has reviewed the proposed assignment of lease for the cell tower at the Andover Waste Water Plant and sees no reason to not approve.

Cell Tower Lease at the
Andover Waste Water
Plant

A motion was made by Council Member Hale, seconded by Council Member Jessen, to approve the assignment of the lease from Brad Murray Rentals, LLC to Wichita Towers, LLC. Motion carried 6/0.

Jeff Bridges stated the Playground Committee has been working with Rice-Foster Associates, Landscape Architects, for the development of the proposed Cornerstone Park. The contract presented is for services for implementation of the project.

Cornerstone Park
Construction Documents

A motion was made by Council Member Hale, seconded by Council Member Reams, to approve the Rice-Foster contract as presented. Motion carried 6/0.

Jeff Bridges explained the approximate five (5) acre park in Cornerstone will have a play structure, hard surface, multi use field and walking path around it. He also noted this is a City owned park.

Cornerstone Park
Equipment Purchase

A motion was made by Council Member Hale, seconded by Council Member Dreiling, to approve the purchase of the playground equipment as outlined in the bid from Miracle Recreation Equipment Company, Lees Summit, Missouri, in the amount of \$48,982.00. Motion carried 6/0.

Mike Thompson, POE & Associates, stated there were five (5) bids received for the Cornerstone 3rd Addition storm sewer water improvements. Utility Contractor was the lowest bid at \$614,541.92 with a substantial completion date of July 11, 2008 and is within the engineers estimate. Mr. Thompson recommends the Council accept the bid and authorize the Mayor to execute the contract after review by the City Attorney.

Cornerstone 3rd Addition
Storm Sewer Water
Improvements

A motion was made by Council Member Dreiling, seconded by Council Member Hale, to accept the bid and authorize the Mayor to execute the contract for the Cornerstone 3rd Addition improvements. Motion carried 6/0.

Mike Thompson, POE & Associates, stated there were five (5) bids received for the Crescent Lakes 5th Addition water and sanitary sewer improvements. McCullough Excavation was the lowest bid at \$513,450.00 with a substantial completion date of July 13, 2008 and is within the engineers estimate. Mr. Thompson recommends the Council accept the bid and authorize the Mayor to execute the contract after review by the City Attorney.

Crescent Lakes 5th
Addition
Water and Sanitary Sewer
Improvements

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, to accept the bid and authorize the Mayor to execute the contract after review by the City Attorney. Motion carried 6/0.

Mayor Lawrence stated he was unsure what the concern was regarding the temporary request for the Relay For Life of Butler Community College. Jeff Bridges explained they are holding an outdoor event on April 25th, 2008, and they are requesting permission for the noise ordinance to be waived from 10:00 p.m. to 7:00 a.m.

Temporary Use Request
Relay for Life Event

Norman Manley explained the Council cannot waive the ordinance but the chances are pretty remote the ordinance would be violated.

Mayor Lawrence asked Police Chief Keller to handle this with his staff.

A motion was made by Council Member Dreiling, seconded by Council Member Jessen, to approve the use request as outlined. Motion carried 6/0.

Council Member Hale requested a brief executive session to discuss non-elected personnel items.

Executive Session
Non Elected Personnel

A motion was made by Council Member Hale, seconded by Council Member Reams, at 7:28 p.m. to go into executive session for at least five (5) minutes to discuss non-elected personnel issues to include the Mayor, Jeff Bridges, City Administrator, and Norman Manley, City Attorney.

A motion was made by Council Member Reams, seconded by Council Member Jessen, at 7:37 p.m. to come out of executive session. Motion carried 6/0.

A motion was made by Council Member Hale, seconded by Council Member Jessen, to extend the date of Jeff Bridges resignation until such time he has to leave or the Council has found a replacement. Motion carried 6/0.

Council Member Hale thanked Mr. Bridges for allowing the Council to take advantage of him with the extension of his resignation. She also thanked him for all he has done for the City in his 11 years.

Member Items:

Member Items

Council Member Jessen had none.

Council Member Dreiling had none.

Council Member Hale had none.

Council Member Nelson had none.

Council Member Reams had none.

Council Member Roberts asked about a low spot on Andover Road north of 13th. Les Mangus explained the gas company recently installed a main and it has a temporary patch that has settled.

Mayor Lawrence stated the Council had discussed the issue with the Rail Road property at the Council Workshop on the 24th. The Council will extend the discussion to their Council Workshop on April 28th, 2008, 7:00 p.m., and hold the Workshop at City Hall. He also stated that notice would be sent to all adjacent property owners and the public is encouraged to attend. There will be a representative from a 'rails to trails' type organization and Rice-Foster Planning Architects in attendance.

Jeff Bridges stated staff has completed the update to the building and fire codes and they are on the City's website, www.andoverks.com, for the public to review. Staff is also working on an update for the Property Maintenance Code for an upcoming Council meeting.

A motion was made by Council Member Dreiling, seconded by Council Member Reams, at 7:43 p.m. to adjourn. Motion carried 6/0.

Adjourn

Respectfully Submitted by

Susan Renner

Administrative Secretary

Approved this 8th day of April, 2008 by the City Council, City of Andover.

Jeffrey K. Bridges

City Clerk