

**ANDOVER CITY COUNCIL
Tuesday, April 8, 2008
Minutes**

The Andover City Council met for a regular meeting on Tuesday, April 8, 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, 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, City Engineer Mike Thompson, City Bond Council, J.T. Klaus, Administrative Secretary Susan Renner, City Attorney Norman Manley, Deputy Fire Chief Roosevelt, Police Chief Mike Keller, and City Clerk/Administrator Jeff Bridges. Council Member Kevin Dreiling was absent.

The Pledge of Allegiance was led by Mayor Lawrence.

Pledge of Allegiance

Mayor Lawrence opened the floor to public comment. Non one spoke

Public Forum

Mayor Lawrence congratulated Firemen Rocky Craig on his promotion to Fire Captain. Captain Craig started as a volunteer firefighter for the Butler County Fire District #1 in 1998 and was hired on as a career firefighter in 2001.

Fire Department
Promotions for Craig and
Roosevelt

Mayor Lawrence congratulated Captain Mike Roosevelt on his promotion to Deputy Fire Chief. Deputy Chief Roosevelt started as a volunteer firefighter for the Butler County Fire District #1 in 1991. In 1993 he was hired on as a career firefighter and was promoted to Fire Captain in 1994.

Mayor Lawrence thanked them both and the entire fire department for their service to the community.

Jeff Bridges presented the Council with an additional contract with Baughman Company for engineering services for construction staking for Crescent Lakes 5th Addition. The Council could add to this agenda or place on the next council meeting agenda.

A motion was made by Council Member Nelson, seconded by Council Member Reams, to approve the agenda with the addition of the Baughman contract to the consent agenda as Item J. Motion carried 5-0.

Agenda

Mayor Lawrence opened the public hearing for the issuance of Industrial Revenue Bonds in an amount not to exceed \$6,000,000 and Ad Valorem Tax Abatement for the Andover Senior Care II project located at 308 E. Central.

Public Hearing

J.T. Klaus, Triplett, Woolf and Garretson, City Bond Council, explained these bonds would be used to pay for the construction of an extended care facility at 308 E Central.

Dennis Bush, Andover Senior Care LLC partner, was available to answer any questions. Mr. Bush stated the current assisted living facility is licensed for 92 beds and has 89 occupants.

Council Member Nelson asked Mr. Bush if the existing bonds would be retired prior to the issuance of new bonds. Mr. Bush explained their intention would be to redeem the existing bonds on the Fountains and ask for a tax abatement on the new facility

J.T. Klaus, confirmed they would have to make their decision, to redeem the current bonds or not, prior to the city authorizing any abatement. Two Cost Benefit Analysis' were presented, one if the existing bonds are redeemed prior to additional bonds and one if not redeemed prior.

Mayor Lawrence closed the public hearing.

A motion was made by Council Member Nelson, seconded by Council Member Hale, to accept the consent agenda with the addition of the Baughman Contract for construction staking at Crescent Lakes 5th Addition as item J.

Consent Agenda

- A. Approval of Minutes: City Council Meeting, March 25, 2008
- B. Receive & file Minutes:
 - Site Plan Review Minutes, February 5, 2008
 - Site Plan Review Minutes, February 13, 2008
 - Subdivision Meeting Minutes, February 12, 2008
 - Planning Commission Minutes, February 19, 2008
 - Planning Commission Minutes, February 25, 2008
- C. Receive & file reports:
 - i. Finance
 - ii. Police
 - iii. Fire
- D. Approval of appropriation ordinance B-06-08 in the amount of \$472,685.61
- E. Approval of two non-elected personnel items; 1) Rocky Craig, from Firefighter III to Fire Captain, with a rate increase from \$13.48 per our to \$15.50 per hour effective April 7, 2008 and 2) Lee Nygaard, Police Officer, to receive a cost of living increase from \$15.72 per hour to \$16.08 per hour effective March 10, 2008.
- F. Approval of purchase of a new vehicle for the Building Inspector.

- G. Approval of Change Order # 2 for the Cornerstone School & Commercial Addition Storm Water Drain Improvements. (+ \$11,155.00 to cap the water and sewer line extensions in conflict with storm water ponds)
- H. Accept the plans for the Cornerstone III paving improvements and authorize the taking of bids on Tuesday, April 29 at 2008.
- I. Approval of contracts with Baughman Engineering for design of improvements for the Crescent Lakes 5th Addition.
- J. Approval of contracts with Baughman Engineering for construction staking in Crescent Lakes 5th Addition.

Recommended action: approve

Motion carried 5/0.

A motion was made by Council Member Jessen, seconded by Council Member Reams, to approve Resolution 08-13 a resolution indicating the intent of the governing body of the City of Andover, Kansas to issue certain taxable industrial revenue bonds in an aggregate principal amount of not to exceed six million dollars (\$6,000,000) for the purpose of purchasing, acquiring, constructing, furnishing and equipping an extended-care skilled nursing facility to be located in the City of Andover, Kansas. Motion carried 5/0.

Resolution 08-13
\$6,000,000 IRB –
Andover Senior Care

J.T. Klaus, Triplett, Woolf and Garretson, City Bond Council, presented Resolution 08-12 - a resolution setting the date, time, and place for a public hearing on the advisability of constructing certain street improvements benefiting property owners on Main Street (South of 13th Street in its entirety), all of May Street and all of Mike Street: and directing publications of a notice of said public hearing.

Resolution 08-12
Set Date Public Hearing
for Main, May, and Mike
Streets Rehabilitation

Mr. Klaus explained the public hearing is to discuss the improvements and assessments for the cost of the construction. The hearing would be set for the next City Council meeting on April 29th, 7:00 p.m. Andover City Hall.

A motion was made by Council Member Nelson, seconded by Council Member Reams, to adopt Resolution 08-12 and set the hearing date for April 29. Motion carried 5/0.

The Council discussed the discharge and sale of fireworks for July 2008. With July 4th falling on a Friday the Council asked staff to draft a resolution to allow the following days and times for the sale of fireworks: June 27th through July 5th from 8:00 a.m. until 10:00 p.m. and the discharge of fireworks: July 2nd and 3rd from 10:00 a.m. until 10:00 p.m., on July 4th from 8:00 a.m. until midnight, and July 5th from 10:00 a.m. until 10:00 p.m.

Resolution 08-15
Fireworks Sales and
Discharge

A motion was made by Council Member Hale, seconded by Council Member Reams, to approve Resolution 08-15 - a resolution establishing the times and dates for permitted sales and for the permitted discharge of fireworks on the dates and times stated herein within the City of Andover, Kansas. Motion carried 5/0.

Jeff Bridges presented Ordinance 1379- an ordinance relating to the cutting of weeds and grass, vegetation, trees, growth and undergrowth, providing for notice and providing for cutting by the City of Andover and providing for charges therefore; repealing and replacing Article 2 of Chapter VIII of the Code of the City of Andover, Health Nuisances.

Ordinance 1379
Cutting of Weeds, Grass,
Vegetation, Trees, Growth
and Undergrowth

Mr. Bridges explained this is an update of the Code due to changes made in the state statutes.

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to approve Ordinance 1379. Motion carried 4/1, Council Member Roberts voted against.

After a discussion by the Council it was determined that Ordinance 1380- an ordinance of the City of Andover repealing and replacing Article 5 of Chapter XVIII of the code of the City of Andover relating to abandoned vehicles on public property and Ordinance 1381- an ordinance of the City of Andover to add Article 9 to Chapter XVIII of the Code of the City of Andover relating to abandoned vehicles on private property, would be tabled until City Attorney Norman Manley could review them in more detail

Ordinance 1380-tabled
Ordinance 1381-tabled

Mayor Lawrence presented Resolution 08-14 - a resolution adjusting the Sewer Connection Surcharge and the Sewer Service Charge for the Andover Wastewater Utility.

Resolution 08-14
Sewer Connection
Surcharge and Service
Charge

Jeff Bridges explained the increase in the connection surcharge and the sewer service charge only covers the increase in operating costs. The increase will be effective July 1, 2008 and will be reflected on the September 2008 billing.

A motion was made by Council Member Nelson, seconded by Council Member Hale, to approve Resolution 08-14. Motion carried 5/0.

Mike Thompson, POE & Associates, presented information regarding the Yorktown intersection. This intersection is half way between Prairie Creek Road and Andover Road on US Highway 54. It is the main entrance to the YMCA and Prairie Creek Elementary School. The project will add turn lanes, signage and signals. Estimated cost of construction is \$868,000 and KDOT will pay two-thirds of the final cost. Mr. Thompson is requesting the council approve the plans for the project and authorize the taking of bids on April 29, 2008.

Yorktown Intersection
Projects

Mayor Lawrence is concerned there is not enough turn lanes for the intersection. Mike Thompson, will obtain further information on the amount of traffic projected.

Mr. Thompson explained there is an issue with the delivery of traffic signal poles and would ask the Council to approve the purchase of the poles at this time, approve the plans and authorize taking of bids on April 29, 2008.

A motion was made by Council Member Hale, seconded by Council Member Reams, to authorize the ordering of the signal poles, accept the plans, and authorize taking of bids to be opened on April 29, 2008 at 11:00 a.m. at Andover City Hall. Motion carried 5/0.

A motion was made by Council Member Nelson, seconded by Council Member Jessen, at 8:05 p.m. to go into executive session for approximately five minutes to discuss non-elected personnel, to include, the Mayor, City Council, Sasha Stiles, and Norman Manley. Motion carried 5/0.

Executive Session

A motion was made by Council Member Reams, seconded by Council Member Jessen, at 8:27 p.m. to come out of executive session. Motion carried 5/0.

Member Items:

Member Items

Council Member Jessen had none.

Council Member Hale had none.

Council Member Nelson stated he had spent most of the day in the Wichita Area Metropolitan Planning Organization (WAMPO) meeting. State and Federal funding is drying up rapidly and the organization wants to develop regional priorities beyond the 2007-2011 plan.

Council Member Reams stated there is a stop sign missing on the west side of the Dillons parking lot just north and east of Applebees. Jeff Bridges stated this is on private property and not the City's responsibility but he would contact the property owner regarding the sign.

Council Member Roberts asked if others were seeing trucks parking in the Industrial Park and if this was still allowed. Jeff Bridges stated that Council Member Dreiling, the Andover Chamber of Commerce and Promote Andover Inc. were still looking into alternatives for this issue.

Jeff Bridges asked the Council to return the University of Kansas survey to him at the next council meeting.

Jeff Bridges stated the budget priorities meeting will be next week sometime.

A motion was made by Council Member Reams, seconded by Council Member Hale, at 8:31 p.m. to adjourn the meeting. Motion carried 5/0. Adjourn

Respectfully Submitted by

Susan Renner

Administrative Secretary

Approved this 29th day of April 2008 by the City Council, City of Andover.

Jeffrey K. Bridges

City Clerk