

**ANDOVER CITY COUNCIL
Tuesday, June 10, 2008
Minutes**

The Andover City Council met for a regular meeting on Tuesday, June 10, 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, Deputy City Clerk Susan Renner, City Attorney Norman Manley, Fire Chief Jim Shaver, Police Chief Mike Keller, and City Clerk/Administrator Jeff Bridges. Council Member Dreiling was absent.

The Invocation was given by Dorethea Horn of the Grant Chapel A.M.E. Church.

Invocation

The Pledge of Allegiance was led by Mayor Lawrence.

Pledge of Allegiance

Mayor Lawrence opened the floor to public comment.

Public Forum

Gary Albin, 246 S Lakeside Drive, representing Green Valley 5 & 6 Addition Home Owners Association was seeking approval to block a portion of Fairway Circle on Saturday, June 14, from 3:30 p.m. to 8:30 p.m. They are planning a block party for approximately 40-50 families in that area.

A motion was made by Council Member Jessen, seconded by Council Member Reams, to approve the closing of Fairway Circle as requested. Motion carried 5/0.

Cox Communications presented Mayor Lawrence with a \$45,000 Technology Grant to help equip City Hall with a video system to continue and enhance the distribution of the City Council and other community meetings on local cable channel 7. The grant also provides the Andover Public Library with complementary internet service and City Hall with complementary video service.

Cox Communications
Technology Grant

A motion was made by Council Member Nelson, seconded by Council Member Reams, to accept the agenda as presented. Motion carried 5/0.

Agenda

A motion was made by Council Member Jessen, seconded by Council Member Hale, to accept the consent agenda as presented.

Consent Agenda

- A. Approval of Minutes: City Council Meeting May 29, 2008
- B. Receive & file Minutes: Site Plan Review April 1, 2008
Subdivision Committee April 8, 2008
Planning Commission April 15, 2008

- C. Receive & file reports:
 - i. Finance May 2008
 - ii. Fire May 2008

- D. Approval of appropriation ordinance B-10-08 in the amount of \$694,262.95

- E. Approval of an ordinance amending the Code of the City of Andover, Kansas, Chapter IV, Building and Construction, Article 5, to be known as the Property Maintenance Code of the City of Andover, Kansas, and repealing Ordinance 1396. Ordinance No. 1400 was assigned. Ordinance 1400
Property Maintenance
Code

- F. Approval of a fireworks sale tent at Daisy Lane & US 54 Highway, vacant lot east of Walnut Valley County Store for Wholesale Fireworks.

- G. Adopt a resolution setting the signatories for the City safety deposit boxes. Resolution No. 08-25 was assigned. Resolution 08-25
Safe Deposit Boxes

- H. Adopt a resolution designating signatories for the City bank accounts. Resolution No. 08-24 was assigned. Resolution 08-24
Bank Accounts

- I. Approval of Change Order # One - Marketplace Commercial Addition +\$44,612.50 - additional dirt work. (Generally located at the south east corner of Kellogg & Highway 54.)

- J. Approval of Change Order # Three - Marketplace Commercial School Addition + \$3,670.00 paving and incidental drainage project to add valley gutter at intersection of Yorktown and YMCA Drive. (Generally located ½ mile east of Andover Road on the south side of US Highway 54)

- K. Approval of Change Order # Three - Storm Water Drainage Improvements to the Cornerstone Commercial School Addition - change in contract time due to weather. (Generally located ½ mile north of 21st Street on the east side of 159th Street)

- L. Approval of a resolution amending Chapter 2-1.2, Salary Administration Plan of the Code of Municipal Policies of the City of Andover. Resolution No. 08-26 was assigned. Resolution 08-26
Policy 2-1.2

- M. Approval of a resolution amending Chapter 2-1.3, Position and Salary Classification Plan of the Code of Municipal Policies of the City of Andover. Resolution No. 08-27 was assigned. Resolution 08-27
Policy 2-1.3

- N. Approval of a resolution amending 2-1.4, Salary and Classification Schedule of the Code of Municipal Policies of the City of Andover. Resolution No. 08-28 was assigned. Resolution 08-28
Policy 2-1.4

O. Approval of non-elected personnel items.

Status change for Police Officer Lee Nygaard to Master Police Officer I with a pay increase from \$16.08 per hour to \$16.41 per hour effective June 16, 2008.

Status change for Officer/School Resource Officer Lance Parker to Master Police Officer I/School Resource Officer with a pay increase from \$16.52 per hour to \$16.85 per hour effective June 16, 2008.

Motion carried 5/0.

Sasha Stiles presented an ordinance authorizing the construction of certain street improvements in the City of Andover, Kansas, as heretofore determined advisable and authorized to be made by Resolution No. 08-19 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. (Mike, May & Main Streets)

Ordinance 1398
Mike, May & Main Street

Ms. Stiles stated the City had not received any protests since published in the May 9th Andover Journal Advocate. The City will pay approximately \$520,000 and each property owner approximately \$8,900.

Council Member Jessen asked when the project would start. It was explained that once the ordinance passes, Poe and Associates would begin the design.

A motion was made by Council Member Nelson, seconded by Council Member Reams to approve the ordinance as presented. Motion carried 5/0. Ordinance No. 1398 was assigned.

Sasha Stiles presented a resolution setting the date, time and place for a public hearing on the advisability of constructing certain street improvements benefiting property owners on Lee Street (from Joye Street to the end of the existing pavement); and directing publication of a notice of said public hearing. The property owners will receive proper notification of the hearing which would be held at the July 8 City Council meeting.

Resolution 08-22
Public Hearing Set for
Lee Street Improvements

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to adopt the resolution. Motion carried 5/0. Resolution No. 08-22 was assigned.

Mayor Lawrence presented documents related to Crescent Lakes 5th Addition for approval; a) revised paving petition and b) a resolution amending Resolution No. 08-07 of the City of Andover, Kansas. (water, sewer, paving and storm water drainage).

Crescent Lakes 5th
Revised Paving Petition
Resolution 08-23
Ordinance 1399
Water, Sewer, Paving and
Storm Water Drainage

A motion was made by Council Member Jessen, seconded by Council Member Hale, to accept the paving petition and adopt the resolution. Motion carried 5/0. Resolution No. 08-23 was assigned.

Mayor Lawrence presented an ordinance amending Ordinance No. 1373 of the City of Andover, Kansas. (Crescent Lakes 5th Addition water, sewer, paving and storm water drainage).

A motion was made by Council Member Jessen, seconded by Council Member Hale, to approve the ordinance. Motion carried 5/0. Ordinance No. 1399 was assigned.

Mayor Lawrence presented a revised Developers Agreement and a contract with APAC for the construction improvements for Crescent Lakes 5th Addition.

Crescent Lakes 5th
Revised Developers
Agreement
APAC Contract for
Improvements

A motion was made by Council Member Jessen, seconded by Council Member Hale, to accept the Developers Agreement and the contract with APAC. Motion carried 5/0.

Jeff Bridges stated the City has been approached by ATT-Singular to add equipment to the cell tower at Central Park for an additional \$300 lease fee per month. The contract has been reviewed and approved by Norman Manley, City Attorney.

Lease with ATT-Singular
for Cell Tower at Central
Park

A motion was made by Council Member Nelson, seconded by Council Member Reams, to approve the contract. Motion carried 5/0.

Les Mangus explained that Kansas statutes which govern planning practices for cities require that a comprehensive plan be reviewed and updated where necessary by the Planning Commission annually to remain effective. Given the persistent growth in Andover, this annual review is very important to provide up to date information for making planning decisions, and to provide accurate information for potential buyers and developers in the Planning area. Listed below are the items the Planning Commission requests the Council to recognize and accept the update.

Comprehensive Plan
Review

Chapter 1 - COMPREHENSIVE PLAN AND REGIONAL INFLUENCE

Chapter 1 provides information on the basis and methods for planning, which have seen no real changes since the last Comprehensive Plan was adopted in June of 2004.

Chapter 2 - HISTORY OF ANDOVER

Chapter 2 provides information on the history of the Planning Area, which has seen little change since the last Comprehensive Plan was adopted in June of 2004.

Chapter 3 - GOALS FOR PLANNING

Chapter 3 establishes several goals to be realized through planning. Many of the goals are on-going efforts, which are never fully realized, but more on-going.

Others are one-time or phased activities, to be completed during the term of the plan.

Chapter 4 - ECONOMY

Changes in the economy come very slowly, and data is generally most available from the US Census on a 10 year cycle. Escalating fuel costs and changes in banking practices have had a negative effect on the US economy, particularly in housing construction. Despite the downturn in real estate values in major growth areas, Verus rated the Wichita area as the best place in the United States to invest in real estate.

Chapter 5 - POPULATION

Changes in population are most easily and accurately tracked by the US Census on a 10 year cycle. The State of Kansas releases population estimates annually in July for the prior year. The July 2006 of 9546 slightly exceeds the population projection included in the Comprehensive Plan, and when coupled with new residential permit activity for 2006-07 would indicate a slightly higher rate of growth than projected. Staff estimates the July 2007 population to be in excess of 10,000.

Chapter 6 - HOUSING

Based on the 2000 US Census count of 2456 dwelling units and new residential building permits through December 2007, the dwelling unit estimate is 2650.

Chapter 7 - PHYSICAL DEVELOPMENT INFLUENCES

The expansion of the city to the east, north of US-54, into the Rural Water District #5 service territory has raised a lot of discussion over water service for new development. RWD 5 has recently taken the position that the district is ready to provide municipal type water service with fire protection to new development in the City of Andover encompassed by the RWD 5 service area.

Chapter 8 - LAND USE PLAN

Existing Land Use

The total land area of the City grew to 6209 acres as of January 1, 2008. Many existing residential and commercial developments are utilizing lands already annexed and planned in phases.

Future Land Use

The construction of the new Dillon's grocery store south of US-54 & east of Andover Rd. is expected to accelerate commercial development along the highway corridor.

Chapter 9 - TRANSPORTATION

Five-lane improvements to 21st Street from Andover Road to 159th St. have been added to the 2008 WAMPO Transportation Improvement Program for construction in 2010.

The Andover Rd. improvements from Cloud Ave. to Harry St. are scheduled for construction in 2009.

The City of Andover, Butler County, and the City of Rose Hill have commissioned a study of the Andover Rd. corridor from Harry St. to 170th St. in Rosehill to determine the improvements necessary for the growing traffic volume. This study yielded an estimate of \$67,000,000 to make improvements necessary to accommodate the full build out of the corridor area from Harry St. to Rose Hill city limits.

Chapter 10 - UTILITIES & STORMWATER SYSTEM

Sewer System

The Wastewater Utility now serves 4383 residential equivalencies. Average daily flow into the treatment facility has exceeded 960,000 gallons per day

Chapter 11 - COMMUNITY FACILITIES

Educational Facilities

The first of the three new elementary schools opened in the Fall of 2007. The other two are scheduled to open in the Fall of 2008. Improvements to the existing Cottonwood and Martin/Meadowlark Elementary School, and athletic facilities are also included in the building program.

Improvements to the Butler Community College campus on 13th St. continue. A new student union is under construction, and aesthetic improvements scheduled for 2008.

Parks and Recreation

The first 5-acre neighborhood park, recommended by the Park and Open Space Master Plan, in the Cornerstone 1st Addition has been purchased by the City. Plans for the development of the park are in process.

The YMCA branch near the third elementary school location south of US-54 and east of Andover Rd. is under construction. The Andover Parks & Recreation Department will be dividing some of the youth sports offerings with the YMCA.

Chapter 12 - Plan Implementation

The Plan Implementation section of the Comprehensive Plan needs only be updated as new regulations are adopted or as implementation plans and policies are changed.

Mayor Lawrence duly recognized the update and accepts it from the Planning Commission.

A motion was made by Council Member Nelson, seconded by Council Member Jessen, at 7:26 p.m. to go in to executive session for approximately ten (10) minutes to discuss legal matters, to include the Mayor, City Council, City Bond Counsel J.T. Klaus, City Attorney Norman Manley, Jeff Bridges and Sasha Stiles. Motion carried 5/0

Executive Session
Legal Matters

A motion was made by Council Member Reams, seconded by Council Member Jessen, at 7:55 p.m. to come out of executive session. Motion carried 5/0.

A motion was made by Council Member Nelson, seconded by Council Member Reams, at 7:56 p.m. to go in to executive session for approximately ten (10) minutes to discuss non-elected personnel matters. Motion carried 5/0.

Executive Session
Non-elected Personnel

Member Items:

Member Items

Council Member Jessen thanked his son Jonathan for attending the meeting with him.

Council Member Hale stated the Andover Library Hannah Montana event was great.

Council Member Nelson thanked Jeff Bridges for a job well done over the past eleven years. And thanked Sasha Stiles for her persistence with the Mike, Main, and May Streets project.

Council Member Reams stated after the Hannah Montana event the library had 750 children register for the summer program. She also enjoyed playing the part of Billy Ray Cyrus.

Council Member Reams added that Mr. Bridges will be missed.

Council Member Roberts had none.

Sasha Stiles stated the Austin Peters, recruiting company for City Administrator position, is planning on beginning interviews in August.

A motion was made by Council Member Hale, seconded by Council Member Jessen, to recess the meeting until Monday, June 16, Andover City Hall, for a budget meeting. Motion carried 5/0.

Recess until June 16, 2008
For Budget Meeting

Respectfully Submitted by

Susan Renner
Deputy City Clerk

Approved this 23rd day of June, 2008 by the City Council, City of Andover.

Modified and re-approved on July 8th, 2008 by the City Council, City of Andover