

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

The Andover City Council met for a regular meeting on Tuesday, November 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: City Administrator Sasha Stiles, Fire Chief Jim Shaver, Police Chief Mike Keller, Deputy City Clerk Susan Renner, City Financial Advisor Jeff Bridges, City Attorney Norman Manley, and City Engineer Mike Thompson.

The Invocation was given by Pastor Leon Hiebert of the Andover Assembly of God Church.

The Pledge of Allegiance was led by Mayor Lawrence.

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

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

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

- A. Approval of Minutes: City Council Meeting, November 11, 2008
- B. Approval of appropriation ordinance B-21-08 in the amount of \$1,246,158.81
- C. Cereal Malt Beverage License Renewal
  - 1. Kwik Shop  
114 West Highway 54  
Shirley Pannell, Manager
  - 2. Presto #16  
2035 N Andover Road  
Alysa Kuether, Manager
  - 3. Presto #22  
105 W Central  
Alysa Kuether, Manager
  - 4. Buildwell, LLC - Valero #4150  
513 S Andover Road  
Manoj Patel, Manager

- 5. Pizza Hut of SE KS (currently has liquor license they are letting expire 2/12/09)  
307 N Andover Road  
Tammy Welch, Manager

D. Approval of the Andover Public Library lease

E. Approval of a Utility Easement in the Cornerstone 3<sup>rd</sup> Addition

- F. Accept dedications of Right of Ways on Andover Road  
849 S Andover Road  
701 S Andover Road  
1043 S Andover Road  
941 S Andover Road  
649 S Andover Road  
1125 S Andover Road  
717 S Andover Road

Motion carried 6/0.

Jeff Bridges, DeWaay Financial, City Financial Advisor, presented the Council bid tabulations from the Bond sale. Mr. Bridges stated there were four bidders with the lowest bid from UMB Bank of Kansas City Missouri at 4.8437%.

A motion was made by Council Member Nelson, seconded by Council Member Hale, to accept UMB Bank of Kansas City Missouri as the purchaser of the bonds. Motion carried 6/0.

Jeff Bridges, DeWaay Financial, City Financial Advisor, presented an ordinance of the City of Andover, Kansas, authorizing the issuance of the City's General Obligation Bonds, Series B, 2008, in the aggregate principal amount of \$2,020,000, 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; authorizing certain other documents and actions; and making certain covenants with respect thereto.

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, to approve the ordinance as presented, with City Attorney Manley's approval, and to authorize the issuance of the bonds. Motion carried 6/0. Ordinance number 1422 was assigned.

Jeff Bridges, DeWaay Financial, City Financial Advisor, presented a resolution prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Bonds, Series B, 2008, in the total aggregate principal amount of \$2,020,000, of the City of Andover, Kansas, previously authorized by Ordinance No. 1422 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.

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, to approve the resolution as presented and hold publication until City Attorney Manley has reviewed and approved. Motion carried 6/0. Resolution number 08-43 was assigned.

Council Member Dreiling stated he was abstaining from agenda item 11. Farm at Cedar Park 3<sup>rd</sup> Addition water and sanitary sewer plans and item 12. Farm at Cedar Park 4<sup>th</sup> Addition Engineering Services contract with Baughman Company due to what could be perceived as a conflict of interest.

Sasha Stiles presented the Farm at Cedar Park 3<sup>rd</sup> Addition water and sanitary sewer plans from Baughman Company. Ms. Stiles added City Engineer Mike Thompson has read and approved the plans and the dollar amounts were within the petitioned amount.

A motion was made by Council Member Hale, seconded by Council Member Reams, to accept the plans and authorize the taking bids on December 9, 2008, at Andover City Hall at 11:00 a.m. Motion carried 5/0/1. Council member Dreiling abstained.

Sasha Stiles presented the Farm at Cedar Park 4<sup>th</sup> Addition Engineering Services Contract with Baughman Company. Ms. Stiles added the contract has been reviewed and approved by City Attorney Manley.

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to approve the contract with Baughman. Motion carried 5/0/1. Council Member Dreiling abstained.

Sasha Stiles presented a proposal from Rice Foster Associates for landscape architecture services and site plan and construction administration for the playground at Central Park.

Mayor Lawrence stated the public has not been happy with the lack of playground equipment at Central Park. If approved Mayor Lawrence would like the plans shared with the Site Plan Review Committee.

A motion was made by Council Member Hale, seconded by Council Member Reams, to accept the proposal from Rice Foster and to approve the project not to exceed the budgeted amount of \$139,000. Motion carried 5/0/1. Council Member Dreiling abstained.

The Mayor presented Vacation Case VA-2008-03 for 601 Crescent Lakes Drive.

The Mayor asked the Council if anyone intended to disqualify themselves from discussing or voting on this case because they have conflicts of interest or particular bias. No one did.

The Mayor asked Susan Renner, Deputy City Clerk, if the City had received any protest petitions. She responded she had not.

The Mayor confirmed with the Council that they had received the November 18, 2008, Planning Commission meeting minutes.

The Mayor asked if the applicant was present. He was not.

The Mayor asked City Administrator Sasha Stiles to give a brief report regarding the case. Mr. Mangus explained this case is the result of the owner's desire to place a private water well in the front of the house. The property is some what of a corner lot on an eyebrow cul-de-sac. A survey was prepared and provided to the utility providers. There are no conflicts with the requested vacation and Staff recommends approval of the vacation as requested.

The Mayor opened the public hearing. No one spoke. The public hearing was closed.

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to approve vacation case VA-2008-03. Motion carried 6/0.

A motion was made by Council Member Jessen, seconded by Council Member Dreiling, at 7:35 p.m. to go in to executive session for approximately ten (10) minutes to discuss contract negotiations and to include the Mayor, Council, City Administrator Stiles, City Attorney Manley, and City Engineer Thompson. Motion carried 6/0.

A motion was made by Council Member Jessen, seconded by Council Member Dreiling, at 8:02 p.m. to come out of executive session. Motion carried 6/0.

#### Member Items

Council Member Jessen congratulated Butler Community College on the opening of their new student union in Andover.

Council Member Jessen wished everyone a happy Thanksgiving holiday.

Council Member Dreiling wished everyone a happy Thanksgiving holiday.

Council Member Dreiling congratulated the Butler Community College football team for their success this year.

Council Member Dreiling stated Go Shockers...Beat Georgetown!

Council Member Hale said hello to her grandchildren Maggie and Gracie who are visiting for the holiday.

Council Member Hale recognized Karen Tones, Andover Public Library, and thanked her for attending. The library will be sending a representative to the Council meetings.

Council Member Nelson stated he would like to have the Council discuss the intersection of 159<sup>th</sup> and US Highway 54 at a workshop meeting. He and other Council members have received citizen complaints regarding safety concerns.

Council Member Reams reported on her recent trip to Orlando for the National League of Cities convention. Council Member Reams completed the first level of the Learning Training Institute and was asked to serve on the advisory board for small cities. Serving on the advisory board will require attendance at two meetings in Washington D.C. next year and she would like the Council's blessing before she accepts. The Council agreed with the appointment.

Council Member Reams invited everyone to check out a webinar offered by towncast.com.

Council Member Roberts thanked Council Member Hale for all of her work with the parks committee.

Sasha Stiles asked the Mayor to appoint two council members to serve with him on the salary review committee. Mayor Lawrence appointed Council members Nelson and Jessen. Ms. Stiles will make meeting arrangements.

A motion was made by Council Member Dreiling, seconded by Council Member Jessen, at 8:20 p.m. to adjourn. Motion carried 6/0.

Respectfully Submitted by

Susan Renner  
Deputy City Clerk

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