

**ANDOVER CITY COUNCIL
Tuesday, December 9, 2008, 2008
Minutes**

The Andover City Council met for a regular meeting on Tuesday, December 9, 2008 at 909 N. Andover Road in the Andover Civic Center. Council President Clark Nelson called the meeting to order at 7:00 p.m. City Council Members present were Caroline Hale, Kevin Dreiling, Julie Reams, and Carol Roberts. Others in attendance were: City Administrator Sasha Stiles, Director of Public Works and Community Development Les Mangus, Administrative Services Director Donna Davis, Fire Chief Jim Shaver, Police Chief Mike Keller, Deputy City Clerk Susan Renner, City Attorney Norman Manley, and City Engineer Mike Thompson. Council Member Jessen was absent.

The Invocation was given by Reverend Leon Heibert of the Assembly of God Church.

Invocation

The Pledge of Allegiance was led by Council President Nelson.

Pledge of Allegiance

Council President Nelson opened the floor to public comment.

Public Forum

Bill January, 1515 Phyllis Lane, stated his concerns with the discontinuance of the tree branch drop off at the City’s waste water plant. Mr. January provided ideas to keep it open; limit number of hours and days per week; check identification and residency; post bigger signs; have volunteers to man the location. Mr. January stated if the location is not open that branches will be dumped in road ways and ditches.

Council President Nelson asked to have the issue addressed by Council at the January 26, 2009 Workshop meeting. Council President Nelson requested anyone interested in the subject to attend the meeting.

Sasha Stiles requested an executive session to discuss non-elect personnel be added to the regular agenda and that there had been a change in the purchase amount on consent agenda item J. approve Wastewater TV Van Operating System and there was new information on the bench.

Agenda

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

A motion was made by Council Member Dreiling, seconded by Council Member Reams, to approve the consent agenda as modified.

Consent Agenda

A. Approval of Minutes: City Council Workshop, November 24, 2008
City Council Meeting, November 25, 2008

B. Receive & file Minutes: Site Plan Review, October 7, 2008
Subdivision, no meeting in October

Planning Commission, October 21, 2008
Library, September 10, 2008

- C. Receive & file reports:
 - i. Finance November 2008
 - ii. Fire November 2008
 - iii. Library September 2008

- D. Approval of appropriation ordinance B-22-08 in the amount of \$496,866.51

- E. Approve Cereal Malt Beverage License Renewals
 - 1. **Presto Convenience #35**
514 S Andover Road
Alysa Kuether, Manager/Agent
 - 2. **Milaan, LLC DBA Timbuktu Bar and Grill**
1251 N Andover Road
Larry Sell, Manager/Agent
 - 3. **Golden Garden Restaurant, Inc.**
544 N Andover Road
Vanna Lee, Manager/Agent

- F. Approve 13th Street Sports Park fence improvements in the amount of \$8,6660. Ark Fence Company of Wichita will do the backstop fencing on all four diamonds.

- G. Approve IT network monitoring service proposal with OneSource Technology, Derby, thru January 31, 2010, in the amount of \$3,750.

- H. Approve authorization to issue requests for bids for Salt Storage Dome electrical and lighting work

- I. Approve authorization to issue requests for bids for Salt Brine Building

- J. Approve Wastewater TV Van Operating System purchase from CUES of Orlando, Florida, in the amount of \$29,200.00. (this was increased from \$29,000.)

- K. Approve a class 'c' fireworks display on December 31, 2008, 11:45 p.m. to 12:15 a.m. for Kenneth Wellner, at 736 S Ruth.

- L. Approve request for Andover Boy Scout Troop 584 Campout at Central Park on Friday, December 12, 2008.

Motion carried 5/0.

Mike Thompson, Poe & Associates, City Engineer, presented the paving plans for the Marketplace Commercial 2nd Addition and stated they have been reviewed by staff and they recommend approval and the authorization to take bids on December 30, 11:00 a.m. at Andover City Hall, 909 N Andover Road.

Marketplace Commercial 2nd Addition - paving plans

A motion was made by Council Member Hale, seconded by Council Member Dreiling, to approve the plans and authorize the taking of bids. Motion carried 5/0.

Mike Thompson, Poe & Associates, City Engineer, presented the engineering agreement with Poe and Associates for contract administration and inspection for Marketplace Commercial 2nd Addition.

Marketplace Commercial 2nd Addition Engineering agreement

A motion was made by Council Member Reams, seconded by Council Member Dreiling, to approve the agreement contingent upon approval of City Attorney, Norman Manley. Motion carried 5/0. Norman Manley stated he has reviewed and approved the agreement

Mike Thompson, Poe & Associates, City Engineer, presented the supplemental agreement with Poe & Associates for the extension of sanitary sewer lines on Main, Mike, and May Streets. Norman Manley stated he has reviewed and approved the agreement.

Main Street sewer supplemental agreement

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

Mike Thompson, Poe & Associates, City Engineer, requested postponement of bid openings for water and sewer improvements for the Farm at Cedar Park 3rd Addition to December 16 and Council review at the December 30th meeting.

Andover Farm at Cedar Park 3rd Addition water & sewer bids

Council President Nelson accepted the postponement.

Mike Thompson, Poe & Associates, City Engineer, presented the engineering agreement with Poe and Associates for contract administration and inspection for the Farm at Cedar Park 3rd Addition. Norman Manley stated he has reviewed and approved the agreement.

Andover Farm at Cedar Park 3rd Addition Engineering Agreement

A motion was made by Council Member Hale, seconded by Council Member Reams, to approve the agreement. Motion carried 4/0/1. Council Member Dreiling abstained due to what could be perceived as a conflict of interest.

Mike Thompson, Poe & Associates, City Engineer, presented the engineering agreement with Poe and Associates for contract administration and inspection for the Farm at Cedar Park 4th Addition. Norman Manley stated he has reviewed and approved the agreement.

Andover Farm at Cedar Park 4th Addition Engineering agreement

A motion was made by Council Member Reams, seconded by Council Member Hale, to approve the agreement. Motion carried 4/0/1. Council Member Dreiling abstained due to what could be perceived as a conflict of interest.

Norman Manley, at the request of City of Andover Judge White, presented an Alcohol Drug Safety Action Program. Mr. Manley stated this program would be for second offense DUI offenders with the cost being paid by the offender.

Alcohol Drug Safety
Action Program

A motion was made by Council Member Reams, seconded by Council Member Hale, to approve the program under Judge White’s direction. Motion carried 5/0.

Mike Thompson, POE & Associates, City Engineer, presented the proposal from APAC for limited reconstruction of pavement and concrete on 159th Street south from the KTA bridge almost to the Terradyne tunnel. The \$210,870 is within the budget for the project. Staff recommends the acceptance of the proposal and authorized the signing once reviewed by City Attorney Norman Manley.

APAC Proposal for 159th
Street re-construction

A motion was made by Council Member Dreiling, seconded by Council Member Reams, to accept the proposal from APAC. Motion carried 5/0.

Sasha Stiles presented technical revisions for Resolution 08-43 - 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.

Resolution 08-43 technical
revisions

Council President Clark stated he reviewed the changes and concurred.

A motion was made by Council Member Dreiling, seconded by Council Member Reams, to accept the changes. Motion carried 5/0.

A motion was made by Council Member Dreiling, seconded by Council Member Reams, at 7:31 p.m. to go in to executive session for ten (10) minutes to discuss contract negotiations and to include the Council, Sasha Stiles, Norman Manley, Les Mangus, and Mike Thompson.

Executive Session
Contract negotiations with
Rural Water District 5

A motion was made by Council Member Reams, seconded by Council Member Dreiling, at 7:48 p.m. to come out of executive session. Motion carried 5/0.

A motion was made by Council Member Dreiling, seconded by Council Member Reams, to approve the formal agreement between Rural Water District 5 and City of Andover, contingent upon the approval of City Attorney Norman Manley. Motion carried 5/0.

A motion was made by Council Member Hale, seconded by Council Member Reams, at 7:49 p.m. to go in to executive session for ten (10) minutes to discuss non-elect personnel and to include the Council and Sasha Stiles. Motion carried 5/0.

Executive Session
Non-elect personnel

A motion was made by Council Member Reams, seconded by Council Member Dreiling, at 8:07 p.m. to come out of executive session. Motion carried 5/0.

Member Items

Member Items

Council Member Roberts had none.

Council Member Reams wished everyone a Merry Christmas and reminded us that Santa is watching. She added to shop Andover!

Council Member Hale wished everyone Happy Holidays. She reminded everyone of Hometown Christmas at Central Park Thursday at 6:30 p.m.

Council Member Dreiling had none.

Council Member Jessen congratulated Butler County College on their second national champion football team.

A motion was made by Council Member Reams, seconded by Council Member Hale, at 8:09 p.m. to adjourn. Motion carried 5/0.

Adjoun

Respectfully Submitted by

Susan Renner
Deputy City Clerk

Approved this 30th day of December, 2008 by the City Council, City of Andover.