

**ANDOVER CITY COUNCIL
Tuesday, February 24, 2009
Minutes**

The Andover City Council met for a regular meeting on Tuesday, February 24, 2009 at 909 N. Andover Road in the Andover Civic Center. Council President Nelson called the meeting to order at 7:00 p.m. City Council Members present were Caroline Hale, Kevin Dreiling, Julie Reams, J.R. Jessen, and Carol Roberts. Others in attendance were: City Administrator Sasha Stiles, Assistant City Administrator Shane Coelho, Administrative Services Director Donna Davis, Fire Chief Jim Shaver, Police Chief Mike Keller, City Clerk Susan Renner, City Financial Advisor Jeff Bridges, City Attorney Norman Manley, and City Engineer Mike Thompson. Mayor Ben Lawrence was absent.

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

The Pledge of Allegiance was led by Alex Durano, 651 N Parallel Drive, Eagle Scout Unit 533. Pledge of Allegiance

Council President Clark opened the floor to public comment. Public Forum

Alex Durano, 651 N Parallel Drive, Eagle Scout Unit 533, presented his request for approval of the 3rd and final renovation of an Eagle Scout project at the Horse Creek Cabin located in Andover Central Park. When completed the cabin will be fully functional. He would like to begin the work over spring break, March, with completion by the end of July. He will be soliciting donations to cover the cost of the renovation.

A motion was made by Council Member Hale, seconded by Council Member Reams, to approve the project and to return to Council if funds are needed. Motion carried 6/0.

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

A motion was made by Council Member Reams, seconded by Council Member Hale, to approve the consent agenda as presented. Consent Agenda

- A. Approval of Minutes: City Council Meeting, February 10, 2009
- B. Receive & File reports Financials - January 2009
- C. Approval of appropriation ordinance B-04-09 in the amount of \$342,257.50
- D. Approve transfer of Cereal Malt Beverage license from the current location at 426 N Andover Road to the Dillon's' Marketplace at 225

Cloud Avenue.

- E. Approve Police Department purchase of ten (10) Taser X-26 with duty holsters, two (2) Taser Cams, a four (4) year extended warranty and cost of freight for a total cost of \$14,103.50 from Ed Roehr Safety Products Co., St. Louis, Missouri.
- F. Approve The River Addition drainage easement
- G. Approve 13th Street Park purchase of four (4); five (5) row by 15' non-elevated aluminum bleachers from Heartland Seating Inc., Shawnee, Kansas, at a total cost of \$11,652.00.
- H. Approve Fire Department purchase of a complete set of hydraulic rescue tools, associated equipment and cribbing, from Air & Fire Systems, Salina, Kansas, at a total cost of \$33,995.40.
- I. Approve Dondlinger & Sons Construction change order three for Marketplace Commercial 2nd Addition (45 calendar days to substantial completion)

Motion carried 6/0.

Shane Coelho presented an ordinance authorizing the City of Andover, Kansas to fund certain approved benefits for the employees of the City of Andover, Kansas and modifying section 1-802 of the Code of the City of Andover, Kansas.

Ordinance 1428
YMCA Corporate
Membership benefits with
the YMCA

Mr. Coelho explained if approved this would allow city employees corporate membership rates with the YMCA as an employee benefit. Mr. Coelho introduced Adam Kahrl, Andover YMCA Executive Director, who explained some of the added benefits of corporate membership.

A motion was made by Council Member Reams, seconded by Council Member Jessen, to approve the ordinance and authorize the Mayor to sign the agreement with the YMCA. Motion carried 6/0. Ordinance number 1428 was assigned.

Shane Coelho presented an Identity Theft Prevention Policy, mandated by the Federal Trade Commission, requiring banks and other “creditors” to implement policies and procedures to protect personal information about their customers. The FTC has deemed cities that provide utilities to be creditors. Mr. Coelho stated Julie Spyles, City Treasurer, will be the policy administrator.

Identity Theft Prevention
Policy a.k.a. the Red Flag
Policy

A motion was made by Council Member Dreiling, seconded by Council Member Hale, to approve the policy adding 2 - 8 to the City of Andover Code of Municipal Policies. Motion carried 6/0.

Sasha Stiles presented a Notice to Proceed with Parsons Brinckerhoff for the aerial photogrammetry for the US 54/400 Improvements from 159th to ½ mile east of Prairie Creek Road. Ms. Stiles explained due to the timing of the contract

Notice to Proceed
Parsons Brinckerhoff
Aerial photogrammetry
US 54/400 Improvements

negotiations the aerial survey needs to be performed before the leaves come on the trees. Staff is recommending the Council to authorize the Mayor to sign the agreement.

A motion was made by Council Member Dreiling, seconded by Council Member Reams, to approve the Notice to Proceed for aerial photogrammetry with Parson Brinckerhoff, Wichita, in an amount not to exceed \$5,000.00 and to authorize the Mayor to sign the agreement. Motion carried 6/0.

Jeff Bridges, DeWaay Financial, City Financial Advisor, presented the Financial Advisory Agreement between the City and DeWaay Financial Network and explained this agreement replaces the agreement from 2001 that was technically with J.O. Davidson (now DeWaay). Mr. Bridges added the contract is the same with the exception of the Mayor's request of a transfer and to state who will be assigned to the City account.

Financial Advisory Agreement - DeWaay Financial Network

A motion was made by Council Member Reams, seconded by Council Member Hale, to accept the agreement and authorize the Mayor to sign. Motion carried 6/0.

Jeff Bridges, DeWaay Financial, City Financial Advisor, presented an Underwriter Agreement between the City and DeWaay Financial Network asking to terminate the Financial Advisory Agreement, just approved, in order for him to represent the City as the underwriter of the Bond refunding issue.

Underwriter Agreement - DeWaay Financial Network

A motion was made by Council Member Dreiling, seconded by Council Member Reams, to approve the agreement and authorize the Mayor to sign. Motion carried 6/0.

Jeff Bridges stated DeWaay Financial Network will step down on the Series A, 2009 bonds due to potential conflicts of interest in accordance with MSRB Rule G-23 and that the resignation as Financial Advisor is only for the Series A, 2009 Bonds.

Jeff Bridges, DeWaay Financial, City Financial Advisor, presented a resolution of the City of Andover, Kansas authorizing and providing for the underwriting and offering for sale of the City's General Obligation Refunding Bonds, Series A, 2009 in the approximate principal amount of \$6,253,000. (refinancing of bonds)

Resolution 09-03 General Obligation Refunding Bonds Series A, 2009

A motion was made by Council Member Dreiling, seconded by Council Member Reams, to authorize the underwriting as outlined. Motion carried 6/0. Resolution number 09-03 was assigned.

Rob Ramseyer, Ritchie and Associates, Owner/Developer of the Cornerstone Additions, asked the Council for consideration and approval to deed a small piece of land for an interior monument between the Whispering Pines and Copper Crest neighborhoods.

Quit Claim Deed Cornerstone 3rd Addition

Sasha Stiles stated that Mr. Ramseyer has been working with Community Development Director Les Mangus and City Attorney Norman Manley to identify the appropriate location. Staff is recommending approval.

A motion was made by Council Member Hale, seconded by Council Member Jessen, to approve the Quit Claim Deed. Motion carried 6/0.

Susan Renner presented the 2009 calendar City Council workshop and meetings dates for approval. Ms. Renner stated there is a conflict of Memorial Day and the May workshop date of May 25, 2009. After a brief discussion Council agreed to change the workshop date to May 27th.

2009 City Council meeting and workshop dates

A motion was made by Council Member Reams, seconded by Council Member Jessen, to approve the 2009 dates for Council meetings and workshops and moving the regular scheduled workshop date of Monday, May 25th to Wednesday, May 27th. Motion carried 6/0.

A motion was made by Council Member Reams, seconded by Council Member Jessen, at 7:37 p.m. to go in to executive session to discuss contract negotiations for five (5) minutes and to include the Governing Body, Sasha Stiles, Norman Manley, and Mary Laham with J.P. Weigand Realtors. Motion carried 6/0.

Executive Session
Contract negotiations

A motion was made by Council Member Dreiling, seconded by Council Member Reams, at 8:06 p.m. to come out of executive session. Motion carried 6/0.

A motion was made by Council Member Reams, seconded by Council Member Jessen, at 8:07 p.m. to go in to executive session to discuss legal matters for ten (10) minutes and to include the Governing Body, Sasha Stiles, Norman Manley, and Debbie Luper representing Ty Masterson. Motion carried 6/0.

Executive session
Legal matters

A motion was made by Council Member Dreiling, seconded by Council Member Jessen, at 8:17 p.m. to come out of executive session. Motion carried 6/0.

A motion was made by Council Member Reams, seconded by Council Member Hale, to extend the previously approved Letter of Intent for an additional 30 days. Motion carried 6/0.

Member Items

Member Items

Council Member Jessen had none.

Council Member Dreiling had none.

Council Member Hale invited everyone to come see the coffee shop now open at the Andover Public Library.

Council Member Reams stated the construction of the playground at Central Park is looking good and when complete will be a huge asset to the city.

Council Member Roberts had none.

Council Member Nelson had none.

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

Respectfully Submitted by

Susan Renner
City Clerk

Approved this 10th day of March, 2009 by the City Council, City of Andover.