

**ANDOVER CITY COUNCIL
Tuesday, April 14, 2009
Minutes**

The Andover City Council met for a regular meeting on Tuesday, April 14, 2009 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, Assistant City Administrator Shane Coelho, Director of Public Works and Community Development Les Mangus, Administrative Services Director Donna Davis, Fire Chief Jim Shaver, Police Chief Mike Keller, City Clerk Susan Renner, City Financial Advisor Jeff Bridges, and City Engineer Mike Thompson. Also in attendance were 911 Communications Director Bill Duggan and Administrative Secretary’s Dayna DuFriend and Kandace Hunt.

The Pledge of Allegiance was led by Mayor Lawrence.

Pledge of Allegiance

Mayor Lawrence opened the floor to public comment.

Public Forum

Denise Kelly, 714 W 3rd, Greater Andover Days Chair, gave an update of events for the 2009 festival which will be a one day event this year on Saturday, October 3rd. She will bring more details to the council as the committee confirms them.

Council Member Nelson inquired why the change in number of days. Ms. Kelly explained the volunteer base would not support a three day event.

Ms. Kelly requested permission to close Central Park to vehicle traffic on Saturday, October 3rd for the event and permission to pursue the sponsorship of a beer garden.

A motion was made by Council Member Hale, seconded by Council Member Jessen, to close Central Park and plan for a beer garden on October 3, 2009.

Council Member Reams inquired if the carnival is up on Thursday and Friday, how will it effect the parking at Central Park and the library. Police Chief Keller stated the park will not be closed on Thursday and Friday so people will be able to park inside the park.

Motion carried 6/0.

Mayor Lawrence presented a proclamation proclaiming May Day, May, 1st, 2009, to be “Keep Kids Alive Drive 25 Day”.

Proclamation
“Keep Kids Alive Drive
25 Day”, May 1, 2009

**PROCLAMATION
OF THE
CITY OF ANDOVER
STATE OF KANSAS**

A PROCLAMATION PROCLAIMING MAY DAY, MAY 1, 2009 AS “KEEP KIDS ALIVE DRIVE 25 DAY® IN ANDOVER, KANSAS

WHEREAS, KEEP KIDS ALIVE DRIVE 25® is a 501c3 non-profit organization which for the past ten years has worked with police departments, public works departments, schools, businesses and concerned citizens in communities across the country to decrease speeding in residential neighborhoods; and

WHEREAS, their mission is to educate people on the serious consequences of driving above the posted residential speed (typically 25mph or less), and encourage and remind everyone to drive at or below the legal limit; and

WHEREAS, KEEP KIDS ALIVE DRIVE 25® heightens public awareness and reminds motorists not to speed, largely through neighborhood networking and the use of temporary year signs posted by residents in their yards; and

WHEREAS, KEEP KIDS ALIVE DRIVE 25® is encouraging communities to increase their efforts to inform the public about the speeding problem and the significant danger to children as spring and summer approaches; and

WHEREAS, the organization is asking Andover to join communities across the country in a significant national public awareness campaign kicking off on May Day, May 1, 2009; and

WHEREAS, they will assist our community in this effort by making available educational literature, press releases, print and radio ads, flyers, and concepts for hosting special events in neighborhoods, schools and businesses, etc.; and

WHEREAS, the goal of this awareness campaign is to save the lives of children and all pedestrians and cyclists in our community;

NOW, THEREFORE, I, Mayor of the City of Andover, do hereby proclaim May 1, 2009 as KEEP KIDS ALIVE DRIVE 25® DAY in Andover, Kansas

Signed this 28th day of April, 2009, in the City of Andover, State of Kansas, in the witness thereof the seal of the City of Andover in the witness thereof the seal and signatures of the city are affixed.

(seal)

/s/ Ben Lawrence
Mayor

Attest:

/s/ Susan C Renner
City Clerk

Sasha Stiles requested an addition to the agenda; a contract with Gossen Livingston for the new city hall. Mayor Lawrence stated the Council would need to convene an Andover Public Building Commission meeting for review of the contract.

Agenda

Council Member Hale requested item I) Andover Historical Society request for funds, be moved to the regular agenda for discussion.

A motion was made by Council Member Nelson, seconded by Council Member Reams, to approve the agenda with the addition of an Andover Public Building Commission meeting to the regular agenda and the moving of item I) from the consent to the regular agenda. Motion carried 6/0.

A motion was made by Council Member Nelson, seconded by Council Member Dreiling to approve the consent agenda items A thru M with the exception of item I.

Consent Agenda

A. Approval of Minutes: City Council Workshop, March 30, 2009
City Council Meeting, March 31, 2009

B. Receive & file Minutes:
Site Plan Review, February 3, 2009
Subdivision, February 10, 2009
Planning Commission, February 17, 2009

C. Receive & file reports:
i. Finance March 2009
ii. Police February 2009 & March 2009

D. Approval of appropriation ordinance B-07-09 in the amount of \$374,106.90

E. Approval of non-elected personnel for Police Department Communications Supervisor Kelli Galloway for a longevity increase from \$16.94 per hour to \$17.36 per hour effective April 13, 2009.

F. Approval of change order one from McCullough Excavation for Reflection Lake at Cloud City Phase 3 (\$8,550 for cutting in 2 fire

hydrants)

- G. Approval of Regional Economic Area Partnership (REAP) membership assessment of \$5,639 for the 2009 Work Plan. \$1,639 for membership and \$4,000 for the Water Resources Committee Assessment.
- H. Approval of Information Technology 2009 capital improvements for network infrastructure upgrades as follows:
1. replace the city's main file/print server and exchange server into a single server at a cost of \$15,421.00 from OneSource Technology, Derby, Kansas.
 2. add additional hard drive storage at a cost of \$600.00 from OneSource Technology, Derby, Kansas.
 3. a firewall protecting the city's network at an initial cost of \$1,195.00 and \$299.00 annually from OneSource Technology, Derby, Kansas.
 4. continuous data protection at an initial cost of \$8,394.00 and \$175.00 monthly from OneSource Technology, Derby, Kansas.
 5. a notebook computer for the communications supervisors workstation at a cost of \$2,168.25 from Dell Corporation, Round Rock, Texas.
- I. *Approval of the Andover Historical Society request for funds (moved to regular agenda for discussion)*
- J. Approval of a supplemental agreement with Poe and Associates in the amount of \$5,300.00 to add construction staking to the contract to reconstruct 159th Street south of the Kansas Turnpike Bridge.
- K. Approval of change order one for APAC for Marketplace Commercial 2nd accel/decel lane on US 54 for the extension and replacement of a broken end section along the decel lane in the amount of \$997.50.
- L. Approval of a private fireworks display date to be determined.
- M. Approval of a Lease Agreement for the Andover Fire Department Sub-Station with Andy Saville for a term of five (5) years to store a fire truck and equipment.

Motion carried 6/0.

Andover Historical Society request for funds (moved from the consent agenda for discussion).

Andover Historical Society

Council Member Hale stated she was not against granting the funds but would like more information regarding the display of the some of the society's items in the public library.

Carolyn Kaplan, 1531 Windham Circle, Wichita, Andover Public Library Chair, explained there was interest in doing something but at this time there is no space in the library.

A motion was made by Council Member Hale, seconded by Council Member Jessen, to assist the Andover Historical Society with the cost of climate controlled storage.

Council Member Reams inquired about the society using the old library building, 927 N Andover Road.

Sasha Stiles stated city staff had been discussing some alternative ideas for storage for the Historical Society and will bring their ideas when more defined.

Motion carried 6/0.

Mayor Lawrence presented a resolution amending Resolution No. 08-20 of the City of Andover, Kansas. (Reflection Lake 3rd Addition water improvements, sewer improvements, and paving improvements)

Resoluion 09-10
Relfection Lake 3rd
Addition improvements

Jeff Bridges, DeWaay Financial, City Financial Advisor, explained the Council had adopted the revised petitions at the March 31, 2009 meeting. He added the change was to take only one lot out of the benefit district.

A motion was made by Council Member Hale, seconded by Council Member Reams, to adopt the resolution at presented. Motion carried 6/0. Resolution number 09-10 was assigned.

Mayor Lawrence presented an ordinance amending Ordinance No. 1384 of the City of Andover, Kansas. (Reflection Lake 3rd Addition water improvements, sewer improvements and paving improvements)

Ordinance 1435
Reflection Lake 3rd
Addition improvements

Jeff Bridges, DeWaay Financial, City Financial Advisor, stated the ordinance authorizes the improvements as found advisable in Resolution 09-10.

A motion was made by Council Member Reams, seconded by Council Member Nelson, to approve the ordinance as presented. Motion carried 6/0. Ordinance number 1435 was assigned.

Les Mangus presented a contract for service with Parson Brinkerhoff in connection with proposed improvements to US 54 for design planning to continue the corridor design from 159th Street to ½ mile east of Prairie Creek.

Parsons Brinkerhoff
contract

Mr. Mangus stated that over the past few months he has been working with KDOT and Parsons Brinckerhoff towards the initiation of the design of the US-54/400 corridor through Andover, which will be funded in the most part by a \$503,000 grant from the Kansas Department of Transportation Corridor Management Program. The city's share of the contract would be \$247,000.

Mayor Lawrence commended Mr. Mangus for great job! Mr. Mangus' efforts saved the city \$250,000.

A motion was made by Council Member Nelson, seconded by Council Member Dreiling, to approve and authorize the Mayor to sign the contract as presented. Motion carried 6/0.

Fire Chief Shaver presented the 2008 Annual Fire and Rescue Report. Chief Shaver shared some highlights of the year i.e. promotions, an \$85,000 grant, no one was hurt and no major losses.

2008 Annual Fire and Rescue Report

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

Council Member Hale asked the Fire and Police Chiefs what had happened the past week when the power lines were downed.

Fire Chief Shaver explained there had been a micro-burst and it pushed seven (7) power poles over. No one was hurt and Westar promptly made the repairs.

Council Member Hale also inquired about the call she had received from 911 that day with a warning. Fire Chief Shaver explained that was a canned message sent out to individuals in an effected area through reverse 911. Council Member Hale added she did not receive an all clear message.

Mayor Lawrence stated the proclamation accepted at the first of the meeting is part of a program Police Chief Keller and the Police Department would be initiating in an effort to reduce speeding in our neighborhoods. Chief Keller explained the details of the program and thanked Police Sergeant Brandon "Hoss" Stewart for his hard work putting this program together.

S.P.E.E.D. Program Police Department

A motion was made by Council Member Hale, seconded by Council Member Reams, to authorize the Police Department to move forward with the program. Motion carried 6/0.

Mike Thompson, POE & Associates, City Engineer, presented final plans for the Reflection Lakes 3rd Addition street and drainage improvements. Mr. Thompson added the developer would like to negotiate a contract with APAC.

Reflection Lake 3rd street and drainage improvements

Mayor Lawrence inquired why the developer wanted to negotiate the contract instead of bidding. Mr. Thompson responded he was not aware of the reason but that APAC was currently on-site working. Mayor Lawrence added that any future requests for negotiated contracts are to be accompanied by the reason for the request.

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to accept the plans as presented and to approve the request for negotiating a contract with APAC. Motion carried 6/0.

Mike Thompson added the negotiated contract would be presented to the Council at the April 28th meeting.

A motion was made by Council Member Reams, seconded by Council Member Jessen, at 8:02 p.m. to recess the City Council meeting to call to order the Public Building Commission Meeting. Motion carried 6/0.

Recess Council meeting

Building Commission President Nelson called the Andover Public Building Commission meeting to order.

Andover Public Building Commission meeting call to order

Roll call was taken and noted there was a quorum present.

Sasha Stiles presented the Public Building Commissioners with the AIA Standard Form of Agreement with Gossen Livingston to proceed with construction documents for the new city hall.

AIA Standard Form of Agreement wit Gossen Livingston Architects

Ms. Stiles stated there had been no protests received in reference to the bonds.

Les Mangus stated he had just received the contract and did not have time to review before the meeting. He added it is the American Institute of Architects standard agreement form.

Public Building Commissioner Jessen inquired about the fees for the furniture and fixtures. Mr. Mangus stated the numbers he was referring to are budgeting numbers and they would be included in the fees to the architects for their assistance in selecting the items.

Public Building Commissioner Lawrence stated he wanted to allow the existing Public Building Commission, that has been a part of this new city hall process for the past years, to take the action on this particular event. A motion to approve would basically allow the architects to prepare documents to go out for bid to obtain actual costs to build. At that time the Public Building Commission can determine whether to move forward with the project or not.

A motion was made by Public Building Commissioner Hale, seconded by Public Building Commissioner Lawrence, to approve the contract between the Andover Public Building Commission and Gossen Livingston Associates after approval by city staff and legal council and approved by the future Public Building Commission President. Motion carried 6/0.

A motion was made by Public Building Commissioner Dreiling, seconded by Public Building Commissioner Reams, at 8:13 p.m. to adjourn the Public Building Commission meeting. Motion carried 6/0.

Adjourn

A motion was made by Council Member Hale, seconded by Council Member Reams, at 8:13 p.m. to reconvene the City Council meeting. Motion carried 6/0.

Reconvene Council meeting

Mayor Lawrence presented keepsakes to outgoing City Council Members Kevin Dreiling and Carol Roberts.

Recognition of outgoing Council Members

Mayor Lawrence thanked Kevin Dreiling for his work on the Site Plan Review Committee and the City Council since 2002.

Kevin Dreiling stated he has enjoyed the personal and professional relationships he has developed. He feels he was his own guy and fulfilled his obligations. He added Dave Tingley and Sheri Geisler should be sincere, be brief, and be seated.

Mayor Lawrence thanked Carol Roberts for her work on the City Council since 2005.

Carol Roberts stated she has enjoyed working with everyone and that she has learned a lot.

A motion was made by Council Member Roberts, seconded by Council Member Dreiling, at 8:16 p.m. to adjourn. Motion carried 6/0.

Adjourn

Mayor Lawrence called the meeting to order for new business at 8:16 p.m.

Call to order

City Clerk Susan Renner swore in new Council Members Dave Tingley, Sheri Geisler, and returning Council Member Clark Nelson.

Swearing in of new Council Members

Sasha Stiles presented the 2010 budget timeline and priority lists for Council Members to fill out and return by May 18th.

2010 Budget Timeline

Mayor Lawrence asked the Council for nominations for City Council President.

Elect Council President

A motion was made by Council Member Nelson, seconded by Council Member Jessen, for Council Member Hale to serve as Council President. Motion carried 6/0.

Member Items

Member Items

Council Member Jessen congratulated the new members of the Council and stated he was looking forward to working with them.

Council Member Geisler thanked the voters and those who allowed her signs on their property. She is looking forward to the next four years.

Council Member Hale congratulated the new members and thanked the outgoing members of the Council.

Council Member Nelson thanked Jeff Masterson for attending the Council meetings.

Council Member Nelson stated he appreciated knowing and working with Carol Roberts, although quite and calming, she had a voice.

Council Member Nelson thanked Sheri and Dave and stated he hopes they have fun along the way with a lot of serious decisions to be made.

Council Member Nelson thanked all of the people who were there during this last hospital stay, especially Fire Chief Shaver and his wife Sam. Sam makes the best cinnamon rolls in the world!

Council Member Nelson added he could not say enough about Les Mangus and his efforts at the Wichita Area Metropolitan Planning Organization. Mr. Mangus asked for and received a 90% share of the cost of the Andover Road widening project south of US 54 saving the city a tremendous amount of money.

Council Member Nelson thanked those that voted for him. He added there were a few common issues brought to his attention, one being the taxes being higher on the east side of 159th Street than on the west side. Sasha Stiles responded that staff would investigate and report to Council.

Council Member Reams welcomed Sheri Geisler, Dave Tingley and returning Council Member Clark Nelson and added that Kevin Dreiling and Carol Roberts would be missed.

Council Member Reams reminded everyone of the spring book sale at the library on Saturday, April 25th. This is a fund raiser for the summer reading program.

Council Member Tingley thanked the voters and his family for their support. He added he is willing to stand up for what is right even when it is not the most popular.

A motion was made by Council Member Jessen, seconded by Council Member Reams, at 8:41 p.m. to adjourn. Motion carried 6/0. Adjourn

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 28th day of April, 2009 by the City Council, City of Andover.