

**ANDOVER CITY COUNCIL**  
**Tuesday, May 12, 2009, 2009**  
**Minutes**

The Andover City Council met for a regular meeting on Tuesday, May 12, 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, Julie Reams, J.R. Jessen, Clark Nelson, Sheri Geisler and Dave Tingley. 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, and City Financial Advisor Jeff Bridges.

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

The Pledge of Allegiance was led by Mayor Lawrence and Eagle Scout Ryan Parsons. Pledge of Allegiance

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

Dusty Davis, EMC Insurance Company, presented the city with the dividend check for 2008 from the Insurance Center Inc. in the amount of \$11,882.79. This dividend check is based on loss control measures, resources, etc. EMC Insurance presentation

Sasha Stiles presented signage information for agenda item 10, Old Town Farmers Market Agreement. Mrs. Stiles requested the addition of an item to consent agenda item F, nonelected personnel, and the revision of the previously presented information for consent agenda item F, nonelected personnel. Agenda

A motion was made by Council Member Reams, seconded by Council Member Geisler, to approve the agenda as modified. Motion carried 6/0.

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to approve the consent agenda as modified. Motion carried 6/0. Consent Agenda

- A. Approval of Minutes: City Council Workshop, April 27, 2009  
City Council Meeting, April 28, 2009
- B. Receive & file Minutes: Site Plan Review, March 3, 2009  
Subdivision, March 10, 2009  
Planning Commission, March 17, 2009
- C. Receive & file reports:
  - i. Finance April 2009
  - ii. Fire April 2009
  - iii. Library March 2009

D. Approval of appropriation ordinance B-09-09 in the amount of \$644,563.58

E. Approval of annual Mayoral appointments

<b>APPOINTED OFFICIALS</b>	
Julie Spyres	City Treasurer
Norman Manley	City Attorney
Gene White	Municipal Court Judge
Cami Baker	Prosecuting Attorney
Michael Keller	Chief of Police
Susan Renner	City Clerk
Mike Thompson	City Engineer
<b>OTHER CITY OFFICIALS</b>	
Gary George	City Accountant
J.T. Klaus	Bond Attorney
Jeff Bridges	Financial Advisor
Bickley Foster	Planning Advisor
<b>COUNCIL LIAISON POSITIONS</b>	
Shane Coelho	Chamber of Commerce
Mayor Lawrence	Convention & Tourism Bureau
Shane Coelho	Convention & Tourism Bureau
Sheri Geisler	Fire
J.R. Jessen	Golf Course Committee
Julie Reams	Library
Julie Reams	National League of Cities
Sheri Geisler	Parks
Dave Tingley	Planning Commission
Caroline Hale	Police
Shane Coelho	PAI
Dan Beck	PAI - Planning Commission Rep
Julie Reams	Regional Economic Area Partnership (REAP)
Les Mangus	REAP - Water Resource Committee
C.R. Nelson	Site Plan Review Committee

Caroline Hale	Streets
J.R. Jessen	USD 385
Dave Tingley	Wastewater
C.R. Nelson	WAMPO
Julie Reams	YMCA
Chief Keller	YMCA
<b>OTHER COMMITTEE APPOINTMENTS</b>	
<b>Planning Commission-3 year terms</b>	
Quentin Coon	Quentin Coon
Janice Cox	Janice Cox
Ken Boone	Ken Boone
<b>Local Grant Applications</b>	
C.R. Nelson	Clark Nelson
Caroline Hale	Caroline Hale
<b>Site Plan Review-3 year terms</b>	
Fred Deppner	Fred Deppner
Dennis Bush	Dennis Bush

- F. Approval of nonelected personnel status changes for:  
 Sergeant Daimon Cundiff longevity pay increase from \$21.64 per hour to \$22.18 per hour effective February 9, 2009.  
 Police Communications Officer Travis Hooper position change to Master Communications Officer effective May 18, 2009.

Motion carried 6/0.

Ryan Parsons, Eagle Scout, requested approval to move forward with the Andover Founders and Leaders monument at Central Park. The monument location has been changed and approved by Jim Sims, Chief Building and Grounds Keeper. The original location was at the library. Mr. Parsons added that there are no financial consideration for the Council, he is raising funds and receiving donations from local businesses.

Parsons Eagle Scout Project

A motion was made by Council Member Hale, seconded by Council Member Reams, to approve the new location of the monument and allow Mr. Parsons to move forward with the project. Motion carried 6/0.

Sasha Stiles presented the Council the agreement with the Wichita Farmers Market Association for the use of Central Park for the Farmers Market this summer and the signage to be placed at the corner of Andover Road and Central Avenue.

Wichita Farmers Market Agreement

Pat Randleas, 1211 W 35<sup>th</sup> Street North, Wichita, stated the sign is made of ½” corrugated plastic and will be anchored by three (3) posts.

Council Member Hale inquired if this had been approved by Site Plan Review Committee.

Council Member Nelson stated the Site Plan Review is going through an update and would ask to defer to the judgment of Les Mangus, Zoning Administrator.

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to approve the agreement for use of Central Park for the market and the signage to be placed at Andover Road and Central Avenue.

Council Member Tingley inquired if the sign would be sitting on the ground as he would have concern regarding the mowing. Mr. Mangus stated the sign would not be on the ground.

Motion carried 6/0.

Sasha Stiles presented an agreement between the City of Andover and the Kansas Department of Transportation to allow our police and fire departments to operate their communications equipment on the State of Kansas’ 800 MHz digital P25 radio communication system. She added the agreement had been reviewed and approved by the Police and Fire departments as well as Norman Manley, City Attorney.

Ordinance 1437  
SU-2009-03  
307 W Highway 54

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

Mayor Lawrence presented an ordinance approving a special use to allow sales and service of new and used lawn and garden equipment, and small agricultural and construction equipment in the B-5 Highway Business District on certain lands located in the City of Andover, Kansas, under the authority granted by the Zoning Regulations of the City as originally approved by Ordinance 1187. (generally located at 307 W Highway 54-special use case SU-2009-03-PrairieLand Partners).

The Mayor asked the City 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, 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 April 21, 2009, Planning Commission meeting minutes.

The Mayor asked if the applicant was present. They were not and the Mayor stated it will be assumed they had a fair and impartial hearing at the Planning Commission meeting.

The Mayor asked Zoning Administrator Les Mangus to give a brief report regarding the case. Mr. Mangus stated this request would allow the business to bring in a line of small tractors and construction equipment from their Suburban Equipment dealership.

Council Member Geisler stated she would like a condition added to require screening of any empty containers, buckets, storage, packing materials, etc. on the south side of the building facing the Holiday Inn Express.

Council Member Nelson stated the findings of the Planning Commission required all servicing of the equipment is to be in an enclosed building and asked Mr. Mangus if he felt the applicant would support this additional condition. Mr. Mangus stated he did not believe the applicant would have any issues with the condition.

A motion was made by Council Member Geisler, seconded by Council Member Reams, to override the Planning Commission recommendation, but to approve the request with the addition of the following condition; screening of all empty containers, buckets, storage, packing materials, etc. from view of the public. Motion carried 6/0. Ordinance number 1437 was assigned.

Jeff Bridges, DeWaay Financial, City Financial Advisor, presented information regarding the refunding and refinancing of the Series A, 2001, Series B, 2001 and Series A, 2002 General Obligation Bonds. This has a present benefit of 5.456% interest rate for a savings of \$250,362.51.

Bond refunding opportunity  
DeWaay Financial

Mr. Bridges stated if approved we would begin the process to prepare the redemption notices and in June offer the sale of bonds to lock in the interest rate. At the next Council meeting the redemption paperwork would be presented for approval.

Mayor Lawrence asked the Council if they would like Mr. Bridges to move forward with the paperwork for the redemption and they concurred.

A motion was made by Council Member Jessen, seconded by Council Member Reams, at 7:43 p.m. to recess the Council meeting and convene the Public Building Commission meeting. Motion carried 6/0.

City Council meeting recess

Public Building Commission President Hale called the meeting to order at 7:43 p.m. The Public Building Commissioners present were Dave Tingley, J.R. Jessen, Ben Lawrence, Clark Nelson, Sheri Geisler, and Julie Reams.

Public Building Commission call to order

Public Building Commission President Hale asked for a correction to the minutes of the February 10, 2009 meeting regarding the adjournment motion.

A motion was made by Public Building Commissioner Geisler, seconded by Public Building Commissioner Reams, to approve the minutes of the February 10, 2009 meeting with correction, and approve the minutes of the April 14, 2009 meeting as presented. Motion carried 7/0.

Sasha Stiles presented the contract agreement with Gossen Livingston Architects for the new city hall.

Norman Manley, City Attorney, stated after review of the contract his only concern was with the limitation of liability clause and his request to remove it completely. Mr. Manley added there is an errors and omission policy in the agreement that should satisfy the insurance needs for the City.

A motion was made by Public Building Commissioner Geisler, seconded by Public Building Commissioner Reams, to require the removal of the limitation of liability cause from the contract and to supply a certificate insurance.

Norman Manley stated the Commission needs to understand the architecture firm could walk away from the contract.

Motion carried 7/0.

A motion was made by Public Building Commissioner Tingley, seconded by Public Building Commissioner Geisler, at 8:03 p.m. to adjourn the Public Building Commission meeting and reconvene the City Council meeting. Motion carried 7/0.

Ordinance 1437  
SU-2009-03  
307 W Highway 54

Member Items

Member Items

Council Member Reams requested the Historical Society present the Council with a plan for the use of the old library facility and the future of the organization.

Council Member Reams congratulated all graduates and special congrats to her daughter who will be attending Andover Central High School this fall.

Council Member Reams commended the staff and volunteers for their action in controlling and moving the students when the storm broke out at the Prairie Creek Elementary field day that was held at the District Stadium.

Council Member Geisler inquired if we could look at creative ways to put collector streets on the back side of homes in an effort to slow down and control traffic.

Mayor Lawrence stated the engineers understand the concept but it not always possible.

Council Member Geisler thanked Mr. Bridges and Mrs. Stiles for their efforts in looking for way to save the city money.

Council Member Nelson had none.

Council Member Hale reminded everyone of this weekends “Bucks for Burger Ride” sponsored by Timbuktu for the Jessica Harris Scholarship fund.

Council Member Hale added this Saturday is breakfast at the Andover Senior Center, 7:00 a.m. to 10:00 a.m.

Council Member Jessen had none.

Council Member Tingley had none.

Sasha Stiles corrected information previously provided to the Council regarding the loss of the State liquor taxes which funds the parks department; the loss was actually the machine slider tax, which has little effect on the city.

A motion was made by Council Member Tingley, seconded by Council Member Reams, at 8:18 p.m. to adjourn. Motion carried 6/0. Adjourn

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 26<sup>th</sup> day of May, 2009 by the City Council, City of Andover.