

**ANDOVER CITY COUNCIL
Tuesday, August 11, 2009
Minutes**

The Andover City Council met for a regular meeting on Tuesday, August 11, 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, City Attorney Norman Manley, and City Engineer Mike Thompson.

The Pledge of Allegiance was led by Mayor Lawrence.

Pledge of Allegiance

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

Public Forum

Sasha Stiles presented the Council with a resolution and an ordinance to add to agenda item 10) Prairie Creek Addition, an update of agenda item 11) APAC change order, and asked to table agenda item 12) Rural Water District #5 service to 611 E 21st Street.

Agenda

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to accept the agenda with the changes requested by Ms. Stiles. Motion carried 6/0.

Council Member Nelson asked to have consent agenda item H) appointment of Brandon Wilson to the Site Plan Review Committee, moved to the regular agenda for introductions. The Council concurred.

Consent agenda

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to approve the consent agenda as amended.

- A. Approval of Minutes: City Council Workshop, July 27, 2009
 City Council Meeting, July 28, 2009
- B. Receive & file Minutes: Site Plan Review, June 2, 2009
- C. Receive & file reports:
 - i. Finance July 2009
 - ii. Fire July 2009
 - iii. Library May 2009
- D. Approval of appropriation ordinance B-15-09 in the amount of \$401,604.63
- E. Approval of payment to Andover Senior Center in the amount of \$3,000

- F. Approval of non-elected personnel changes:
 Juanita Botkin, new hire as part-time court clerk at an hourly rate of \$12.00 to be effective August 10, 2009.
 Longevity increases for the following employees:
 Kirk Crisp, Building Inspection, \$25.46 to \$26.10 per hour
 Daynna Dufriend, Building Inspection, \$13.56 to \$13.90 per hour
 Scott Peterson, Street Department, \$20.14 to \$20.54 per hour
 Rick Lanzrath, Stormwater, \$24.52 to \$25.13 per hour

- G. Acceptance of resignation of Stephanie Melsheimer from the Site Plan Review Committee

- H. *Accept appointment of Brandon Wilson to the Site Plan Review Committee*
(moved to regular agenda)

- I. Approve renewal of the Kansas Department of Wildlife & Parks Community Fisheries Assistance Program contract for five (5) years from the January 2010 renewal date.

Motion carried 6/0.

Council Member Nelson stated Brandon Wilson was present at the meeting and asked him to step forward and tell everyone a little about himself.

Site Plan Review Committee appointment

Brandon Wilson, 620 Woodstone, introduced himself as a resident of Andover for the past two years. He owns ICON Construction and his background includes engineering, construction management, and architectural design. Mr. Wilson added he also brings experience from committee involvement when he resided in Kechi.

A motion was made by Council Member Nelson, seconded by Council Member Reams, to approve the Mayors appointment of Brandon Wilson to the Site Plan Review Committee to fill the term of Stephanie Melseimer which expires in 2010. Motion carried 6/0.

Council Member Nelson congratulated Mr. Wilson on the appointment and thanked him for taking part in the community.

Mayor Lawrence opened the public hearing for the proposed 2010 Budget.

2010 Budget hearing

No one spoke.

Mayor Lawrence closed the public hearing.

Mayor Lawrence ask the Council if they had any questions or concerns regarding the budget presented for approval.

The Council concurred that staff had worked hard to hold the budget to no mil levy increase.

Mayor Lawrence stated policies were established a long time ago that brought the city to this point, in good condition considering the economy. Mayor Lawrence added the city has grown and we expect valuations to go up but not like increases we have seen in recent years.

A motion was made by Council Member Hale, seconded by Council Member Nelson, to adopt the 2010 Budget as presented. Motion carried 6/0.

Sasha Stiles presented a revised Developers Agreement and Water Distribution Petition for the Prairie Creek Addition. Ms. Stiles stated the revisions update costs as the original documents were prepared close to three (3) years prior. Ms. Stiles added the developer has also provided a revised letter of credit to cover the expenses.

Prairie Creek Addition
Petition and
Developers Agreement

A motion was made by Council Member Nelson, seconded by Council Member Reams, to accept the agreement and petition for the Prairie Creek Addition as presented. Motion carried 6/0.

Mayor Lawrence presented a resolution amending Resolution No. 07-28 of the City of Andover, Kansas. (Prairie Creek Addition improvements)

Resolution 09-16
Prairie Creek Addition

Ms. Stiles explained this resolution states the city received a revised petition on August 7, 2009 for the Prairie Creek Addition Water Improvements and determined the revised petition to be sufficient.

A motion was made by Council Member Nelson, seconded by Council Member Reams, to approve the resolution as presented. Motion carried 6/0. Resolution number 09-16 was assigned.

Mayor Lawrence presented an ordinance amending Ordinance No. 1365 of the City of Andover, Kansas. (Prairie Creek Addition improvements)

Ordinance 1441
Prairie Creek Addition

Ms. Stiles explained the ordinance presented amends the dollar amounts of the cost of the improvements for water, sewer, and paving at a total estimated cost of \$1,566,000, a portion of which costs will be levied and assessed against properties benefiting from the improvements.

A motion was made by Council Member Nelson, seconded by Council Member Reams, to approve the ordinance as presented. Motion carried 6/0. Ordinance number 1441 was assigned.

Mike Thompson, POE & Associates, City Engineer, presented a change order request from APAC-Kansas for work on 159th Street. Mr. Thompson explained the portion of the road now has curb and gutter but there are no drains so concrete flumes were installed. Mr. Thompson added the concern was with erosion and

APAC change order six
159th Street

felt it necessary to add grass matting and the matting was more expensive than anticipated.

A motion was made by Council Member Geisler, seconded by Council Member Jessen, motion carried 6/0.

Item 12 - Rural Water District #5 service to 611 E 21st Street was tabled until further information could be provided by the requestor.

Rural Water District #5
item was tabled

A motion was made by Council Member Jessen, seconded by Council Member Reams, at 7:22 p.m. to go in to executive session to include the governing body, city attorney, and city administrator for approximately fifteen (15) minutes to discuss non elected personnel. Motion carried 6/0.

Executive Session

A motion was made by Council Member Geisler, seconded by Council Member Reams, at 7:45 p.m. to come out of executive session. Motion carried 6/0.

Member Items

Member Items

Council Member Reams stated she had received complaints regarding the condition of Cedar Pines Golf Course. Council Member Jessen, Golf Committee Liaison, noted that this is a public course at a cost of \$8 for 9 holes. Council Member Jessen asked Council Member Reams to forward the concerns to him and he will call a Golf Course Committee meeting.

Council Member Geisler inquired if there were still issues with the stop light at YMCA Drive and Kellogg. Les Mangus stated that light operates with camera detections and there are several reasons at times for the light not to work properly, i.e. a car pulled up to close, or not close enough, the light changing at the same time the car pulls up, or even the light resetting itself.

Council Member Nelson stated he wanted the citizens of Andover to know he is listening to their comments regarding the franchising of trash service. Council Member Nelson added he is not in favor of franchising in the absence of hearing compelling information to change his mind, but is in favor of controlling the dumping of trash at the Butler County Landfill.

Council Member Hale stated with 4,500 residents and receiving 45-50 emails not in favor of trash franchising is only 1% of the households in Andover and it is those in favor we usually don't hear from. Council Member Hale added at this time she has not made up her mind on the issue.

Council Member Hale reminded everyone of the Senior Center Breakfast, Saturday, August 15th. Council Member Hale added she had seen the article in the Augusta Daily Gazette regarding the enforcement of the sign ordinance and she would like to address the issue of the signs used for advertisement of this breakfast at a later date with the Council.

Mayor Lawrence stated he pressed the Police Department to enforce the sign ordinance after seeing about 20 illegal signs at the intersection of Andover Road and Central Avenue. Mayor Lawrence added there could be a possible exception for the Senior Center being a charitable organization and the Council will need to take a look at that.

Council Member Hale stated she had received some calls regarding the city's channel 7 and that some of the pages did not display long enough to read all of the information. Donna Davis stated she would make some adjustments.

Council Member Jessen inquired as to the status of the orange cones place on Douglas to deter speeding and when they will be removed. Police Chief Keller stated the cones have actually caused a very slight increase in the speed.

Les Mangus asked the Council for leeway to work with the city engineers and police department to come up with some additional traffic calming options and reminded everyone that the cones were temporary, checking the concept efficiency prior to doing anything permanent.

Council Member Tingley inquired about the opening of the north entrance in to Marketplace. Les Mangus stated the sidewalks were being completed and the entrance should be finished and open any time.

Council Member Tingley inquired if the city does any type of mosquito control in ditches where water is standing for extended periods of time. Les Mangus stated the city does not, the maintenance of the ditches is the responsibility of the home owners.

Council Member Tingley inquired if the Daisy Lane issue had been handled. Mr. Mangus stated it had.

Mayor Lawrence stated Police Chief Keller and himself had attended the USD 385 School Board meeting and were not successful in obtaining the grant for the School Resource Officer.

Mayor Lawrence stated he would like to see the Council hold some type of town hall meetings to discuss not just the trash franchising issue but to get more interaction with the citizens.

Police Chief Keller announced the National Night Out event held August 4th at the 13th Street Sports Park was a huge success with 800-1,000 people in attendance.

A motion was made by Council Member Tingley, seconded by Council Member Hale, at 8:37 p.m. to adjourn. Motion carried 6/0.

Adjourn

Respectfully Submitted by

Susan Renner

City Clerk

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