

**ANDOVER CITY COUNCIL
Tuesday, December 29, 2009
Minutes**

The Andover City Council met for a regular meeting on Tuesday, December 29, 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, Attorney Norman Manley, and City Engineer Mike Thompson.

The Invocation was given by Pastor Tom Howland of the Hope Community Church.

Invocation

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 a correction to regular agenda item 13) Executive Session for non-elected personnel and additional information for regular agenda item 14) Executive Session for contract negotiations.

Agenda

A motion was made by Council Member Geisler, seconded by Council Member Hale, to accept the agenda with changes as presented. Motion carried 6/0.

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

Consent Agenda

- A. Approval of Minutes: City Council Meeting, December 8, 2009
- B. Approval of appropriation ordinance B-24-09 in the amount of \$726,810.10
- C. Approval of request for audit services for year ending December 31, 2009, with George, Bowerman & Noel, P.A. of Wichita, in the amount of \$11,405 plus out-of pocket expenses.
- D. Approval of 2010 Cereal Malt Beverage licenses
 - Timbuktu, 1251 N Andover Road
 - Golden Garden Restaurant, 544 N Andover Road
 - Cedar Pines Golf Course, 1208 W Highway 54
 - Walgreens, 440 N Andover Road

- E. Approval of supplemental agreement with Poe and Associates for Andover Marketplace Commercial 2nd Addition (+\$2,800) for increased scope of the project incurred by additional grading, revised traffic control and storm sewer modifications.
- F. Approval of a request for private fireworks display on December 31, 2009, by Kenneth Wellner at 736 Ruth.
- G. Approval of non-elected personnel items
 Master Police Officer I Mickey Farris to Master Patrol Officer II, with a pay increase from \$18.69 per hour to \$19.02 per hour, effective January 11, 2010.
- H. Approval of IT Department (correction from Police Department) request to purchase two laptop computers from Dell Computers at a cost of \$2,499.10. The computers will go to the office of the Finance Director and Director of Administrative Services.

Motion carried 6/0.

Mayor Lawrence presented a resolution declaring the entire boundary of the City of Andover, Kansas. Mayor Lawrence explained this is a requirement in any year that the City has changed the boundaries through annexation or exclusion of property.

Resolution 09-22
City Boundary

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to approve the resolution. Motion carried 6/0. Resolution number 09-22 was assigned.

Sasha Stiles presented an invoice from the Regional Economic Area Partnership (REAP) for 2010 in the amount of \$5,639.00. Mrs. Stiles explained being involved with this organization is a valuable connection to the City of Wichita and their water department.

REAP membership
invoice

A motion was made by Council Member Nelson, seconded by Council Member Hale, to approve the payment of the invoice for REAP Membership Assessment in the amount of \$1,639.00 and \$4,000.00 for the Water Resources Committee Assessment. Motion carried 6/0.

Sasha Stiles presented information regarding the codification of the Code of the City of Andover and stated it had not been codified since 1978. Mrs. Stiles explained the codification process cross references our own city ordinances as well as state legislation.

Code of the City of
Andover codification
services

Mrs. Stiles stated staff had received two bids for the codification process, League of Kansas Municipalities, Topeka, and Citycode Financial, Wichita. Mrs. Stiles added Citycode Financial offers an Always Up-To-Date option which will keep the code book current on the internet and adds an annual review for legislative

changes. Mrs. Stiles stated after review of cost and services staff recommends Citycode Financial.

City Counsel Manley stated he concurs with the staffs recommendation and added the service is not only to make sure the city’s ordinances are up to date and cross referenced but Citycode Financial will scrutinize the legislative changes so the code remains consistent.

A motion was made by Council Member Geisler, seconded by Council Member Reams, to approve and authorize the Mayor to sign the contract with Citycode Financial of Wichita in the amount of \$4,750 for codification and \$1,500 annually for the Always Up-To-Date option. Motion carried 6/0.

Sasha Stiles presented a request to purchase project tracking software for public and private projects within the City, allowing one place to pull together, contracts, petitions, pricing, etc. for each project. Mrs. Stiles stated staff has looked at several programs and would ask the Council’s approval to purchase a project tracking software to be determined by staff in an amount not to exceed \$6,000.

Project Management Scheduling software

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to approve project tracking software purchase as determined by staff in an amount not to exceed \$6,000. Motion carried 6/0.

Sasha Stiles presented a proposal from Terracon Consultants Inc. of Wichita for exploratory drilling and geotechnical engineering services for the proposed pavement expansion of 21st Street between 159th and Andover Road. Mrs. Stiles stated field check plans have been submitted for the project and the engineers need to know what they will be building on.

Terracon Proposal for 21st Street project

Les Mangus stated there was a good possibility this project could be 100% paid for by the American Recovery and Reinvestment Act, if, we can have the project ready to go within 60-90 days of the release of any federal funds.

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to accept the proposal from Terracon Consultants for the 21st Street project in an amount not exceed \$4,100. Motion carried 6/0.

A motion was made by Council Member Geisler, seconded by Council Member Jessen, at 7:26 p.m. to recess the City Council meeting to convene the Andover Public Building Commission meeting. Motion carried 6/0.

Public Building Commission meeting

Building Commission President Hale called the meeting to order at 7:27 p.m. Public Building Commissioners present were Dave Tingley, J.R. Jessen, Ben Lawrence, Clark Nelson, Julie Reams and Sheri Geisler. Also in attendance was Public Building Commission Secretary Susan Renner.

A motion was made by Public Building Commissioner Jessen, seconded by Public Building Commissioner Tingley, to approve the minutes from the November 11,

Minutes November 11, 2009

2009 Public Building Commission meeting. Motion carried 6/0/1 with Public Building Commissioner Reams abstaining, she was not present at that meeting.

Sasha Stiles stated bids for the proposed new city hall were opened by Gossen Livingston Architects on December 17, 2009, at city hall, and there were 9 bids received, National Builders, Inc., Martin K. Eby Construction, Inc., The Law Company, Inc., Key Construction, Inc., Construction Services Bryant, Inc., Dondlinger & Sons Construction Co., Inc., all of Wichita, Kansas, and Walz Harman Huffman Construction, Inc. of Kechi, Kansas, Crossland Construction Co., Inc. of Columbus, Kansas, and Straub Construction of Shawnee, Kansas, and all of the bids were outstanding.

Bid proposal for new city hall

Kirk Jurgensen, Gossen Livingston Architects, Wichita, stated Construction Services Bryant came in highest at \$4,092,690 and Key Construction of Wichita the lowest at \$3,615,000. Mr. Jurgensen added the plans had been posted in all plan rooms and to the general public, have been reviewed and asked for documents, and all have been submitted for review and finds no reason we should not accept the Key Construction bid at this time.

Public Building Commissioner Nelson stated there were a number of sub-contractors and did we know who they are and their work history. Mr. Jurgensen stated Gossen Livingston has worked with them all.

Public Building Commissioner Jessen inquired if the days difference, 273 to 430, in the number of days for completion raised any red flags. Mr. Jurgensen stated Key Construction he assured him of the 273 days, with the exception of rain days.

Public Building Commissioner Lawrence stated he was more than satisfied with the bids, since the project started out pushing \$6,000,000 and the bid comes in at \$3,700,000.

Public Building Commission President Hale stated the police department was built at approximately \$166 a square foot, the library at \$175 and this bid is just under \$137 a square foot. Public Building Commission President Hale added she realized this is a difficult time but we may never be able to get this kind of pricing again.

Public Building Commissioner Geisler asked what value engineering means.

Kirk Jurgensen explained value engineering is an effort to reduce costs through product type i.e. from granite to tile.

A motion was made by Public Building Commissioner Nelson, seconded by Public Building Commissioner Geisler, to accept the bid and authorize the Mayor to sign the contract with Key Construction, in the amount of \$3,615,000, including Alternate 1 concrete parking lot at an additional cost of \$36,000, contingent upon the review of all bonds and insurance by City Counsel Norman Manley and with the understanding value engineering will be looked at by staff as the project moves forward. Motion carried 7/0.

A motion was made by Public Building Commissioner Geisler, seconded by Public Building Commissioner Reams, at 7:42 p.m. to adjourn the Public Building Commission meeting. Motion carried 7/0.

APBC adjournment

Mayor Lawrence reconvened the City Council meeting at 7:42 p.m.

City Council reconvenes

A motion was made by Council Member Geisler, seconded by Council Member Reams, at 7:43 p.m. to go in to executive session to discuss non-elected personnel for approximately ten minutes and to include the Governing Body, City Counsel and City Administrator. Motion carried 6/0.

Executive Session
Non-elected personnel

A motion was made by Council Member Geisler, seconded by Council Member Reams, at 8:09 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, to accept the Salary Review Committee recommendation for the employee pay schedule for the 2010 budget. Motion carried 5/1. Council Member Nelson opposed.

2010 Pay Schedule

A motion was made by Council Member Geisler, seconded by Council Member Reams, at 8: 10 to go in to executive session to discuss contract negotiations for approximately ten minutes and to include the Governing Body, City Counsel, and City Administrator. Motion carried 6/0.

Executive Session
Contract negotiations

At 8:20 p.m. Library Director Carol Wohlford and Scooters Coffeehouse Owner Jason Maginnes were invited to join the executive session.

A motion was made by Council Member Reams, seconded by Council Member Geisler, at 8:37 p.m. to come out of executive session. Motion carried 6/0.

Member items

Member items

Council Member Reams wished everyone a safe and happy new year.

Council Member Geisler had none.

Council Member Nelson had none.

Council Member Hale had none.

Council Member Jessen wished everyone a safe and happy new year.

Council Member Tingley thanked the street department for their hard work over the holiday.

A motion was made by Council Member Reams, seconded by Council Member Geisler, at 8:43 p.m. to recess until January 9, 2010, at 6:00 p.m., for the Annual

Recess to January 9, 2010

Employee Appreciation Banquet to be held at the Central Park Lodge. Motion carried 6/0.

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 12th day of January, 2010, by the City Council, City of Andover.