

**ANDOVER CITY COUNCIL
Tuesday, January 26, 2010
Minutes**

The Andover City Council met for a regular meeting on Tuesday, January 26, 2010 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, Communications/IT Director Bill Duggan, City Attorney Norman Manley, and City Engineer Jim Ubert.

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

Invocation

The Pledge of Allegiance was led by Mayor Lawrence.

Pledge of Allegiance

Mayor Lawrence opened the floor to public comment.

Public Forum

Chris Steward, 253 S Lakeside Dr, stated her disappointment in the failing of the trash and recycling ordinance presented at the January 12, 2010 meeting. The proposal provided a significant cost savings for all Andover residents and included single stream curbside recycling. She thanked the Council for bringing attention to the fact Andover residents are being overcharged. She believes any company that has lowered their rates through this process will raise them again in the near future. The day after the last meeting she emailed the Council Members who voted no asking how this vote would help the citizens of Andover, and received immediate responses from Council Member Tingley and Mayor Lawrence. She had a particular interest in Council Members Nelson and Jessen because they were supportive of the proposal at the November 23rd, 2009, City Council Workshop and would like to know when and why they changed their vote. Ms. Steward thanked the City staff for their hard work in putting this proposal together.

Council Member Jessen stated he had changed his vote due to comments made by Council Member Nelson that evening. He felt he had not looked at it from the citizens side, recycling is good, and hopes we put the issue out for a public vote this summer and the citizen's vote for a city wide program.

Council Member Nelson stated he was placed on the Solid Waste & Recycling Committee because of his skepticism of the concept but was determined that if a proposal was approved it would be the best the City could offer. He believes it is a private citizen matter and is comfortable with his decision.

Susan Bradley, Chairman for the Andover Sharing & Caring Program, gave a brief report on the activity of the 2009 program. During the holiday season 86 households were served healthy and nutritious food and age appropriate gifts for their families, this was up from 65 families in 2008. Ms. Bradley explained how the families are nominated and screened. She thanked everyone for their contributions, involvement and support of the program.

Reverend Leon Hiebert added that although the need increased, so had the generosity.

Dwight Wallace, 648 Glendevon Place, stated his disappointment in the decision made by the Council concerning the trash and recycling. He would like to have seen one set of trucks on one day in his neighborhood. Mr. Wallace added it would be recommended to his Homeowners Association.

The public forum was closed.

Mayor Lawrence requested an executive session for the discussion of non-elected personnel be added to the agenda.

Agenda

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to accept the agenda with the addition of the executive session. Motion carried 6/0.

Council Member Nelson inquired about consent agenda item H) appointment of Jamie Mermis to the Convention and Visitors Bureau Committee.

Consent agenda

Council Member Reams stated Carol Wohlford had resigned and Ms. Mermis would fill her vacancy and that the term expires in 2013. Ms. Mermis is the Associate Executive Director for the Andover YMCA and the committee felt she would be a good fit.

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to approve the consent agenda as presented. Motion carried 5/0/1. Council Member Tingley abstained; he was not present at the employee appreciation banquet.

- A. Approval of Minutes: City Council Meeting, January 9, 2010
(appreciation banquet)
City Council Meeting, January 12, 2010
- B. Receive & file Minutes: Library Board, November 18, 2009
- C. Receive & file reports:
 - i. Finance December 2009
- D. Approval of appropriation ordinances B-26-09 in the amount of \$136,652.30 and B-01-10 in the amount of \$11,050.12.

- E. Approval of a utility easement in the Marketplace Commercial 2nd Addition.
- F. Approval of a request for a private class ‘c’ fireworks display on January 30, 2010, at approximately 9:30 p.m. for approximately five minutes at the north east corner of 159th and US Hwy 54.
- G. Approval of a purchase of a server and software for an upgrade to the SQL Database and police application server from Global Software, Oklahoma City, in the amount of \$2,100.
- H. Approval of the Mayor’s appointment of Jamie Mermis, Associate Executive Director of the Andover YMCA to the Convention and Visitors Bureau to fill the position vacated by Carol Wohlford with the term expiring in 2013.
- I. Approval of a supplemental agreement with Poe & Associates for Crescent Lakes 5th Addition paving and storm sewer improvements in the amount of \$15,382.

Motion carried 6/0.

Donna Davis presented the city employee health insurance renewal information for 2010 from Preferred Plus of Kansas. It reflects a 9.7% increase and is within the City’s budget.

Employee health insurance

A motion was made by Council Member Geisler, seconded by Council Member Hale, to approve the recommendation from staff to renew with PPK. Motion carried 6/0.

Donna Davis presented the city employee dental insurance renewal information for 2010 from Blue Cross Blue Shield of Kansas. It reflects an approximate 10% increase, depending on the plan and is within the City’s budget.

Employee dental insurance

A motion was made by Council Member Geisler, seconded by Council Member Hale, to approve the recommendation from staff to renew with Blue Cross Blue Shield of Kansas. Motion carried 6/0.

Council Member Julie Reams presented the Convention and Visitors Bureau 2010 budget and explained some of the programs they are considering. Plans are to continue the program with the Holiday Inn Express, Andover Express Inn, and the Kansas Medical Center whereby patients with out of town family members in need can receive a lower rate and the CVB shares the cost with the hotel. They are looking into two billboards, are active in the 2010 Home Show and in 2011 as well, and working on a program to offer grant monies to entities that would bring their special event to our town.

Convention and Visitors Bureau 2010 Budget

A motion was made by Council Member Tingley, seconded by Council Member Geisler, to approve the budget as presented. Motion carried 5/1. Council Member Nelson opposed.

Sasha Stiles presented materials related to the current solid waste services for city facilities and the possibility of changing to Stutzman’s Refuse of Hutchinson. The proposals reflect an approximate annual savings of \$9,700 for the same services we are currently receiving. The most recent bills from Waste Connections include a price increase of 12% and although we would have to buy out the contract with them we would still have a \$3,700 savings for 2010.

Solid waste services

Mrs. Stiles stated Stutzman’s uses the Butler County Landfill, has no fuel surcharges and there is no contract.

A motion was made by Council Member Hale, seconded by Council Member Geisler, to approve the buy out of the contract with Waste Connections and use Stutzman’s service for all city facilities. Motion carried 6/0.

Prairie Creek Addition

Sasha Stiles presented the supplemental agreement for professional services with Baughman Company and the final water plans for the Prairie Creek Addition. There were changes made to the interior design to meet the requirements of the Rural Water District #5 and she confirmed the cost was covered in the petitions on file.

A motion was made by Council Member Geisler, seconded by Council Member Reams, to approve the supplemental agreement with Baughman Company as presented. Motion carried 6/0.

Jim Ubert, Poe & Associates, City Engineer, presented the final water plans for the Prairie Creek Addition and explained Rural Water District #5 will service the addition and requires pipe casing under the roads and the installation of fire hydrants instead of blow-off valves in cul-de-sacs.

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

A motion was made by Council Member Geisler, seconded by Council Member Reams, to authorize the taking of bids for the internal water improvements in the Prairie Creek Addition, on February 9, 2010, 10:00 a.m. at Andover City Hall. Motion carried 6/0.

Donna Davis presented bank service bids from Equity Bank and Intrust Bank and explained every three years bid requests are accepted for bank services and this year only two of five banks responded; one charged fees and one did not. Staff recommends remaining with Equity Bank.

Bank services proposal

A motion was made by Council Member Geisler, seconded by Council Member Hale, to approve the proposal from Equity Bank for banking services thru February, 2013. Motion carried 6/0.

Sasha Stiles presented Public Funds Grant requests from the Sunlight Children’s Advocacy & Rights Foundation in the amount of \$1,500 and the Community Foundation of Greater Butler County in the amount of \$5,000 each year for five years. Mrs. Stiles stated the review committee for these grants recommended approval of the Sunlight Children’s Advocacy request but not the Community Foundation’s.

Public Funds Grant requests

Council Member Geisler requested to be appointed to this committee and Mayor Lawrence stated appointments will take place in May.

A motion was made by Council Member Hale, seconded by Council Member Geisler, to approve the Sunlight Children’s Advocacy & Rights Foundation request for \$1,500. Motion carried 6/0.

A motion was made by Council Member Geisler, seconded by Council Member Jessen, at 8:14 p.m. to go in to executive session for approximately five minutes to discuss non-elected personnel and include the governing body and city counsel. Motion carried 6/0.

Executive session

A motion was made by Council Member Jessen, seconded by Council Member Geisler, at 8:31 p.m. to come out of executive session.

Member Items

Member items

Council Member Reams thanked Poe & Associates for the hockey tickets provided to staff.

Council Member Geisler stated her disappointment in the Council’s action at the last meeting regarding the trash and recycling issue. She believes this was a great loss and could have saved the tax payer money.

Council Member Hale thanked the Mayor for the wonderful employee and committee appreciation banquet, January 9, 2010, a job well done with everyone having a good time.

Council Member Hale added that after much discussion of the trash and recycling issue by the Council, and a consensus at the workshop, no one could be more shocked than herself that this ordinance did not pass.

Council Member Nelson stated he was comfortable with his vote regarding the trash issues.

Council Member Hale asked how the trash issue could get on the ballot for the public to vote, she believes with the council divided it is the only fair way to decide.

Council Member Nelson had no objection having the public vote and added that there is a possibility of a potential sales tax that would be on the ballot as well.

Sasha Stiles stated she has checked with the Butler County Clerk and the Council will need to make a decision by the 3rd or 4th week of February as to what kind vote if any.

Council Member Jessen stated the 5th green at Cedar Pines Golf Course is being installed, slow but sure.

Council Member Tingley asked for clarification of the voting options and suggested a public vote.

Mayor Lawrence stated the cost is \$7-\$8,000 for a mail in ballot or wait until August and put on the primary ballot at no cost. It is good for the Council to agree to disagree but they should stand together for what is best for the community.

A motion was made by Council Member Geisler, seconded by Council Member Geisler, at 8:50 p.m. to adjourn. Motion carried 6/0. Adjourn

Respectfully Submitted by

Susan Renner
City Clerk

Approved this 9th day of February, 2010 by the City Council, City of Andover.