

**ANDOVER CITY COUNCIL
Tuesday, February 9, 2010
Minutes**

The Andover City Council met for a regular meeting on Tuesday, February 9, 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 (arrived at 7:16 p.m.), Clark Nelson, Sheri Geisler (arrived at 7:05 p.m.) 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 requested the addition of an additional executive session to discuss non elected personnel and presented the bid tab for regular agenda item 10) Prairie Creek Addition water main bid.

Agenda

A motion was made by Council Member Nelson, seconded by Council Member Reams to accept the agenda with the addition of a second executive session and the bid tab for item 10. Motion carried 4/0.

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

Consent Agenda

- A. Approval of Minutes: City Council Workshop, January 25, 2010
City Council Meeting, January 26, 2010
- B. Receive & file Minutes: Site Plan Review. December 1, 2009
Planning Commission, December 15, 2009
- C. Receive & file reports:
 - i. Finance January 2010
 - ii. Police January 2010
 - iii. Fire January 2010
- D. Approval of appropriation ordinance B-02-10 in the amount of \$666,917.65
- E. Approval of an agreement with the Old Town Farmers Market for use of Central Park on Wednesday's from May to November of each year for the Andover Farmers Market

- F. Approval of management use of fire crackers on Cedar Pines Golf Course in an effort to keep away the Canada Geese that are destroying the greens.
- G. Approval of a right of way dedication for 13th & Prairie Creek Road.
- H. Approval of the AAA Commercial Janitorial renewal contract for 2010 for cleaning services for city hall and the police department in the amount of \$21,390.
- I. Approval of Nowak change order one for the Prairie Creek sanitary sewer improvements (\$650.00) to relocate sewer clean-out
- J. Approval of Good Conduct Award for Police Captain Justin Phillips
- K. Authorization for the Mayor to sign Roe Messner Bond settlement documents for Butler County District Court case 88 C 304 from January 4, 1990

Motion carried 5/0.

Mayor Lawrence presented a request from the First Evangelical Free Church, 1825 N Woodlawn, Wichita, to use Central Park for one week in June for a church sanctioned morning program for elementary age children.

First Evangelical Free Church request for use of Central Park

Judy Holander, 1239 N River Blvd, Wichita, provided the Council a fact sheet outlining the program. They asked for use of the two shelters, and use of the Conference Cabin and Central Park Lodge room 1 and kitchen, all at regular fees. Ms. Holander added participant pre-registration would be required and the church would provide the necessary staff.

Sasha Stiles stated this group is a not for profit, insurance requirements would be met by the church and they would need to coordinate with Police Chief Keller and Fire Chief Shaver.

A motion was made by Council Member Geisler, seconded by Council Member Hale, to approve the use of the Central Park facilities for the week of June 21 thru June 25, 2010, following all City guidelines and procedures. Motion carried 5/0. Council Member Jessen had not yet arrived.

Mayor Lawrence asked the Council to consider the acceptance of the Final Planned Unit Development for The Village at Flint Hills – Riverstone Reserve 1st Phase.

The Village at Flint Hills- Riverstone Reserve Phase 1 Final Plat

Sasha Stiles stated the Planning Commission has approved and recommended the acceptance of the 68 lot, gated community.

A motion was made by Council Member Nelson, seconded by Council Member Tingley, to accept the Final Plat as presented. Motion carried 6/0.

Sasha Stiles presented the Developers Agreement for The Village at Flint Hills – Riverstone Reserve Phase 1 and the petitions for the water distribution, storm water drain, water main, paving and sanitary sewer improvements and stated they had been reviewed and approved by City Counsel Norman Manley and their letters of credit cover the costs.

The Village at Flint Hills-
Riverstone Reserve
Developers Agreement
Petitions

Mrs. Stiles added both item B) Developers Agreement and item C) petitions could be accepted as one action.

A motion was made by Council Member Nelson, seconded by Council Member Reams, to accept the Developers Agreement and infrastructure petitions for The Village at Flint Hills – Riverstone Reserve Phase 1 as presented. Motion carried 6/0.

Mike Thompson, POE & Associates, City Engineer, presented the bid tab for the Prairie Creek Addition water distribution system. He stated four bids were received, McCullough Excavation, Mies Construction, Duling Construction Inc., and Nowak Construction Co. McCullough Excavation being the lowest bid at \$231,750 which exceeded the engineers estimated cost of \$226,015. Mr. Thompson asked the Council to accept the bid but not award the contract, we can hold up to 45 days, allowing the developer to arrange additional financing.

Prairie Creek Addition
Water distribution bids

Sasha Stiles stated the increase in the costs were due to requests from Rural Water District #5 for a higher quality materials.

A motion was made by Council Member Geisler, seconded by Council Member Reams, to accept and hold the bid from McCullough Excavation in the amount of \$231,750 but not award the contract. Motion carried 6/0.

A motion was made by Council Member Reams, seconded by Council Member Geisler, at 7:23 p.m. to recess the City Council meeting to convene the Andover Public Building Commission meeting.

Andover Public Building
Commission meeting

Public Building Commission President Hale called the Andover Public Building Commission meeting to order. Public Building Commissioners present were Julie Reams, Sheri Geisler, Clark C.R. Nelson, Ben Lawrence, J.R. Jessen, Dave Tingley, and Public Building Commission Secretary Susan Renner.

A motion was made by Public Building Commissioner Reams, seconded by Public Building Commissioner Geisler, to approve the minutes from October 13, 2009 and December 29, 2009, Public Building Commission minutes as presented. Motion carried 7/0.

Minutes
October 12, 2009
December 29, 2009

Sasha Stiles, City Administrator, presented a Builders Risk Policy for the city hall project and explained that according to the contract with Key Construction the city is required to have this policy. This additional insurance is for natural disasters, graffiti, fire, etc., events that are beyond the control of the contractor, and staff requested additional coverage for the transportation and on site storage

Builders Risk Policy

of large ticket items. Mrs. Stiles added Key Construction carries insurance for damage or negligence on their part.

A motion was made by Public Building Commissioner Reams, seconded by Public Building Commissioner Jessen, to approve the purchase of the Builders Risk Policy presented in the amount of \$5,477, effective January 15, 2010 through January 15, 2011, from the Insurance Center of El Dorado (the City's insurance company). Motion carried 7/0.

A motion was made by Public Building Commissioner Geisler, seconded by Public Building Commissioner Reams, at 7:30 p.m. to adjourn the Andover Public Building Commission meeting and reconvene the Andover City Council meeting. Motion carried 7/0.

Adjourn Public Building Commission meeting

Public Building Commission President Hale invited everyone to the ground breaking ceremony on Wednesday, February 10, at 3:00 p.m. at Central Park.

Mayor Lawrence reconvened the City Council meeting at 7:31 p.m.

Reconvene City Council meeting

A motion was made by Council Member Geisler, seconded by Council Member Reams, at 7:32 p.m. to go in to executive session for approximately ten minutes to discuss non elected personnel to include the Governing Body and City Counsel Norman Manley. Motion carried 6/0.

Executive Session

A motion was made by Council Member Reams, seconded by Council Member Geisler, at 7:44 p.m. to come out of executive session. Motion carried 6/0.

A motion was made by Council Member Reams, seconded by Council Member Geisler, at 7:44 p.m. to go in to executive session for approximately five minutes to discuss non elected personnel and to include the Governing Body, City Administrator Sasha Stiles and City Counsel Norman Manley. Motion carried 6/0.

Executive Session

A motion was made by Council Member Reams, seconded by Council Member Hale, at 8:00 p.m. to come out of executive session. Motion carried 6/0.

Member Items

Member items

Council Member Reams thanked everyone for coming by the booth at the Home Show; she felt there was good turnout.

Council Member Geisler invited everyone to the ground breaking ceremony for the new city hall on Wednesday.

Council Member Geisler inquired as to how long the sales tax was for the building of the library. Sasha Stiles stated that from January 1, 2006 to December 31, 2007 there was a ¾ cent sales tax for a total of \$2,049.585.52

Council Member Nelson stated he hopes the City has good planning to face its monetary obligations

Council Member Hale stated she was glad to be back in Andover after a trip to Tucson, Arizona.

Council Member Jessen had none.

Council Member Tingley thanked the Street Department for their hard work during this past winter storm.

Council Member Tingley inquired about some homes in the Mecca Acres area that were in need of looking at by the City Building Code Official.

A motion was made by Council Member Hale, seconded by Council Member Geisler, at 8:10 p.m. to recess until Wednesday, February 10, 2010, at 3:00 p.m. for the ground breaking ceremony for the new city hall at Central Park. Motion carried 6/0.

Recess to February 10, 2010, for new city hall ground breaking ceremony

Respectfully Submitted by

Susan Renner

Secretary

Approved this 23rd day of February, 2009 by the City Council, City of Andover.