

**ANDOVER CITY COUNCIL
Tuesday, April 13, 2010
Minutes**

The Andover City Council met for a regular meeting on Tuesday, April 13, 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, Administrative Services Director Donna Davis, Fire Chief Jim Shaver, Police Captain Randy Coffman, City Clerk Susan Renner, City Financial Advisor Mark Detter, City Bond Counsel J.T. Klaus, and Stormwater Utility Operator Rick Lanzrath.

The Invocation was given by Dayton Poe of Generations Church.

Invocation

The Pledge of Allegiance was led by Mayor Lawrence.

Pledge of Allegiance

Mayor Lawrence opened the floor to public comment.

Public Forum

Todd Gilbert, 631 N Prosperity, announced the Boy Scouts of America are celebrating their 100th Anniversary and in honor of this celebration Troop 533 of Andover would like permission to raise funds to purchase and plant 3-5 redbud trees in Central Park. Scout Gilbert also asked permission to place a plaque explaining why the trees were planted.

Child Abuse Prevention
Month Proclamation

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to approve Scout Gilberts request with the guidance and approval of Jim Sims, Chief Building and Grounds Keeper.

Sheri Rickard, 745 N Woodstone Drive, asked the Council to consider amending the sign ordinance to allow for off-site signage for real estate companies. Currently she is paying someone to put her signs out after 6:00 p.m. on Friday and pick up by 10:00 p.m. on Sunday while the Code Enforcement Officer is off duty.

Mayor Lawrence explained the process needs to start at the Planning Commission level, and then the Planning Commission would make recommendation to the Council. Mayor Lawrence stated he felt the ordinance should allow realtors to do their job in a good fashion without defeating its original intent.

Denise Kelley, Executive Director, Andover Chamber of Commerce, provided a brief update on the Chambers' development and stated the Chamber was dedicated to transition and are now past the point of just concept and have shown progress.

Chamber of Commerce
update

Nancy Johnson, Kansas Gas Service, Community Relations Manager, representing the Kansas Pipeline Association, presented Andover Fireman John

Kansas Pipeline
Association award

Gabriel with a check for \$1,000. Fireman Gabriel had registered at a training class he attended and won this grant award for Andover Fire and Rescue.

Fire Chief Jim Shaver was present to congratulate Fireman Gabriel and stated Fireman Gabriel would decide which Fire Department program or equipment the funds would be used for.

Mayor Lawrence presented Administrative Services Director Donna Davis with a Certificate of Achievement for Excellence in Financial Reporting for 2008. This is the 11th year Mrs. Davis has received this award and the 30th year for the City.

Excellence in Financial Reporting for 2008 Award

Sasha Stiles presented a revised ordinance, removing Marketplace Commercial, for agenda item 11.

Agenda

A motion was made by Council Member Hale, seconded by Council Member Reams, to accept the agenda with the revised ordinance for item 11. Motion carried 6/0.

J.T. Klaus, Triplett, Woolf and Garretson, City Bond Council, explained Marketplace East and Marketplace Commercial were removed from the ordinance due to a printing error made by the Augusta Daily Gazette who failed to print the notice for the hearing on the required date. Mr. Klaus asked the Council to acknowledge anyone who was present this evening to discuss Marketplace East and Marketplace Commercial assessments even though there will be a request later in tonight's meeting for a hearing to be called at the April 27 Council meeting.

Public Hearing

Mayor Lawrence called the public hearing at 7:34 p.m. to hear comments from the public regarding special assessments for Serendipity Estates, Cornerstone Commercial and School Addition, Cornerstone Storm Drain Phase 3, and Marketplace East and Marketplace Commercial.

No one spoke.

Mayor Lawrence closed the hearing at 7:37 p.m.

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

Consent Agenda

- A. Approval of Minutes: City Council Workshop, March 29, 2010
City Council Meeting, March 30, 2010
- B. Receive & file reports:
 - i. Finance March 2010
 - ii. Fire March 2010
 - iii. Fire 2009 Annual Report
- C. Approval of appropriation ordinance B-06-10 in the amount of \$459,190.26

- D. Approval of non-elected personnel item for Police Officer Braxton Hill, from non-certified officer to certified officer with a pay increase from \$15.97 per hour to \$16.72 per hour effective April 5, 2010.
- E. Approval of a new location for a fireworks sale stand
 Ka-Boomers Ent., Inc.
 106 E 13th St (ne corner of Andover Road and 13th St
 Michelle & Shawn Forsberg)
- F. Approval of purchase of Police Department two 2010 Crown Victoria Police Interceptors at \$62,239.40 from Olathe Ford of Olathe, Kansas and one 2010 Ford Explorer at \$24,973.74 from the Kansas Highway Patrol's Partner's Program.
- G. Approval of a supplemental agreement with Poe & Associates for 159th Street paving and sidewalk project in the amount of \$3,000 for bidding and construction inspection services.

Motion carried 6/0.

J.T. Klaus, Triplett, Woolf and Garretson, City Bond Council, presented the revised ordinance of the City of Andover, Kansas, levying special assessment taxes on certain real properties in the City, for the purpose of paying a portion of the costs of certain internal improvements benefiting such real properties; providing for the giving of notice of said special assessment taxes by publication and mailing; and providing for the collection of said special assessment taxes.

Ordinance 1458
Special Assessments
Serendipity Estates
Cornerstone

Mr. Klaus explained with the removal of Marketplace East and Marketplace Commercial from tonight's proceedings the Council had two actions, 1. consider the ordinance before them and 2. consider the re-notice and re-publish for the Marketplace East and Marketplace Commercial Assessment hearing for the April 27, 2010, City Council meeting.

A motion was made by Council Member Nelson, seconded by Council Member Hale, to adopt the revised ordinance (excluding Marketplace East and Marketplace Commercial) as presented this evening. Motion carried 6/0. Ordinance 1458 was assigned.

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to authorize Bond Counsel to re-notice and re-publish to call a public hearing at the April 27, 2010, City Council meeting for Marketplace East and Marketplace Commercial special assessments. Motion carried 6/0.

Sasha Stiles presented an ordinance establishing a riparian buffer exception to the abatement of weeds and noxious growths of vegetation within the City of Andover, Kansas, which ordinance shall restate Section 8-202 and adopt Section 8-202.1 of the Code of the City of Andover, Kansas and guidelines for submitting a Riparian Buffer plan to the City.

Ordinance 1459
Riparian Buffer

Ms. Stiles stated this had been ongoing since summer 2009 when the North Meadows Homeowners' Association was cited for code violations for their stormwater detention pond. This type of planting is new and becoming popular to address serious erosion.

A motion was made by Council Member Geisler, seconded by Council Member Reams, to approve the ordinance and guidelines as presented. Motion carried 6/0. Ordinance 1459 was assigned.

Member Items

Member Items

Council Member Reams thanked both the Fire and Police Departments for their quick response to a neighbor's fire.

Council Member Reams stated drivers should be cautious and pay more attention to where they park their vehicles in housing additions.

Council Member Geisler had none.

Council Member Nelson thanked Susan Renner for catching the publication error for the Marketplace assessments.

Council Member Hale stated as liaison to the new trash program she would like citizens to do their part by reducing, reusing, and recycling and teaching our children the same. She is glad the vendor for our recycling utility is providing revenue back to our municipal, county, and state government, by keeping the recycling in Kansas and bringing a lower price than anyone was paying. Those trash companies that are now matching Stutzmans pricing are acknowledging they have been overcharging and she wonders how the citizens of Wichita will feel when they realize Andover citizens are paying a much less rate than they.

Council Member Jessen had none.

Council Member Tingley had none.

A motion was made by Council Member Reams, seconded by Council Member Jessen, at 8:00 p.m. to adjourn. Motion carried 6/0.

Adjourn

Respectfully Submitted by

Susan Renner
City Clerk

Approved this 27th day of April, 2010 by the City Council, City of Andover.