

**ANDOVER CITY COUNCIL
Tuesday, April 27, 2010
Minutes**

The Andover City Council met for a regular meeting on Tuesday, April 27, 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, 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 Bond Counsel J.T. Klaus.

The Pledge of Allegiance was led by Mayor Lawrence.

Pledge of Allegiance

Mayor Lawrence presented a proclamation for National Police Week, May 9th thru May 15th, 2010.

National Police Week
Proclamation
May 9 – 15th

Police Chief Keller stated there will be national services in Washington D.C., state services in Topeka, and local service in Wichita to commemorate National Officers Memorial Day on May 15th.

Mayor Lawrence presented a proclamation for the National Day of Prayer on May 6th, 2010.

National Day of Prayer
Proclamation
May 6th

Mary Ann Adams stated there will be services on May 6th at 12 noon at City Hall and at 7:00 p.m. at the Community Center located on 13th Street.

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

Public Forum

Mayor Lawrence requested information be added to item E of the consent agenda and the addition of two executive sessions.

Agenda

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

Mayor Lawrence called a public hearing at 7:06 p.m. for comments from the public regarding Marketplace East and Marketplace Commercial special assessments.

Public Hearing
Marketplace East &
Marketplace Commercial
special assessments

No one spoke.

Mayor Lawrence closed the public hearing at 7:07 p.m.

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to approve the consent agenda with the addition of Eric Black as Library

Consent Agenda

Board appointee for item E, an executive session for non-elected personnel and an executive session for legal matters.

- A. Approval of Minutes: City Council Meeting, April 13, 2010
- B. Receive & file Minutes: Library, February 10, 2010
- C. Receive & file reports:
 - i. Library January 2010
- D. Approval of appropriation ordinance B-07-10 in the amount of \$676,237.50
- E. Approval of Mayoral appointments to the Library Board for four year terms; Eric Black, 204 W 1st Street, Andover and the re-appointment of Mark Detter, 523 Woodstone Place, Andover
- F. Approval of Police Department General Order M1106 Goals and Objectives

Motion carried 6/0.

J.T. Klaus, Triplett, Woolf and Garretson, City Bond Council, presented an 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. (Marketplace East and Marketplace Commercial)

Ordinance 1460
Marketplace East and
Marketplace Commercial
special assessments

Mr. Klaus explained this was missing from the April 13th Council meeting due to a newspaper printing error.

A motion was made by Council Member Geisler, seconded by Council Member Reams, to approve the ordinance as presented. Motion carried 6/0. Ordinance number 1460 was assigned.

Sasha Stiles presented a resolution establishing the times and dates for permitted sales and for the permitted discharge of fireworks within the City of Andover, Kansas.

Resolution 10-06
Fireworks sale and
discharge for 2010

Mayor Lawrence stepped down from the bench due to what could be perceived as a conflict of interest.

Council President Hale asked if there were any changes to the dates and times of discharge and sale of fireworks inside the City limits for 2010.

Sasha Stiles stated the resolution has the same dates and times as in 2009 when the holiday fell on a Saturday. She added this year the official holiday is Monday, July 5th.

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to approve the resolution as presented. Motion carried 6/0. Resolution number 10-06 was assigned.

A motion was made by Council Member Geisler, seconded by Council Member Reams, at 7:13 p.m. to go in to executive session for approximately ten minutes to discuss non-elected personnel and to include the Governing Body, City Administrator, and City Counsel. Motion carried 6/0.

Executive Session
non-elected personnel

A motion was made by Council Member Reams, seconded by Council Member Geisler, at 7:24 p.m. to come out of executive session. Motion carried 6/0.

No action was taken as a result of the executive session.

A motion was made by Council Member Geisler, seconded by Council Member Reams, at 7:24 p.m. to go in to executive session for approximately ten minutes to discuss legal matters and to include the Governing Body, City Administrator, and City Counsel. Motion carried 6/0.

Executive Session
legal matters

A motion was made by Council Member Geisler, seconded by Council Member Jessen, at 7:39 p.m. to come out of executive session. Motion carried 6/0.

A motion was made by Council Member Geisler, seconded by Council Member Reams, to extend the letter of intent between the City of Andover and Advanced Research and Technology Development Group for lots one and two of the Andover Industrial Park to December 31, 2010 and authorize the Mayor to sign the Collaborative Agreement for NIAR Grant. Motion carried 6/0.

Advanced Research &
Technology Development
Group letter of intent and
NIAR Grant

Member items

Member items

Council Member Reams stated the C.V.B. has had a new billboard put up at the 21st Street exit from the southbound lane of the Kansas Turnpike. "Eat Shop Stay and Play in Andover" was the theme and designed by George Lay signs.

Council Member Geisler asked if the City collects sales tax from the seasonal business that come to Andover. Sasha Stiles stated the State collects sales tax from the vendors and the City receives 1% of that tax.

Council Member Nelson had none.

Council Member Hale mentioned the Sunlight Children's Advocacy and Rights Foundation (S.C.A.R.F.) held their annual fundraiser, Buckaroo Ball, and there was a great turn out. She added our police department has a close relationship with this organization and that they served 384 children in 2009.

Council Member Jessen had none.

Council Member Tingley had none.

Mayor Lawrence asked Les Mangus to check into information regarding new street Christmas decorations.

Mayor Lawrence asked for the updates on east Pawnee and Harry Street paving projects and 159th Street north of 21st Street.

Sasha Stiles stated that before the City can present a petition for Pawnee Street improvements an intergovernmental agreement with Bruno Township and Butler County will need to be completed. The residents in that area have asked to pave east of Andover Road.

Sasha Stiles stated for the paving of Harry Street, if the City is forced to maintain road outside the city limits, we will attempt to annex the right of way. Poe and Associates have been engaged by Butler County for engineering and are close to completion of the scope of work so an agreement can be signed and the engineering can begin.

Sasha Stiles stated staff is still pursuing an agreement with the Wichita Water Department regarding the annexation of the west side of 159th Street north of 21st Street.

Les Mangus stated the construction on south Andover Road has been delayed due to the water and gas utility contractors numerous conflicts and errors in locating and moving their utilities.

A motion was made by Council Member Reams, seconded by Council Member Jessen, at 7:55 p.m. to recess the meeting to April 29, 2010, 6:00 p.m. at the Central Park Lodge for a joint meeting with USD 385 and Butler Community College. Motion carried 6/0.

Adjourn

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 11th day of May, 2010 by the City Council, City of Andover.