

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

The Andover City Council met for a regular meeting on Tuesday, July 13, 2010 at 909 N. Andover Road in the Andover Civic Center. Council President Caroline Hale called the meeting to order at 7:00 p.m. City Council Members present were Julie Reams, Clark Nelson, Sheri Geisler and Dave Tingley. Others in attendance were: City Administrator Sasha Stiles, Assistant City Administrator Jennifer McCausland, 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 Engineer Mike Thompson, City Bond Counsel J.T. Klaus, City Financial Advisor Mark Detter and City Attorney Norman Manley. Mayor Lawrence and Council Member J.R. Jessen were absent.

The Invocation was given by Council President Hale.

Invocation

The Pledge of Allegiance was led by Council President Hale.

Pledge of Allegiance

Council President Hale opened the floor to public comment. No one spoke.

Public Forum

Kimberly Spielman, Wichita Area Metropolitan Planning Organization (WAMPO), presented information regarding a Household Travel Survey that will be conducted by the ETC Institute, on behalf of WAMPO, from August to October. This information will be used to update the regional travel demand model. WAMPO wanted to make sure citizens were aware of the survey, that it was legitimate, and that the information obtained was confidential. Ms. Spielman added for additional information visit their website [www.wampoks.org](http://www.wampoks.org).

WAMPO Presentation

Susan Bradley, outgoing President and Jamie Stinemetz, current President of the Andover Rotary Club, presented the Council with a check in the amount of \$2,186.68 for the purchase of plants for the rain garden at the park in the Cornerstone Addition. These funds come from the district level and local Rotary Club.

Rotary Presentation

Sasha Stiles presented the completion documents for APBC #4) Bond Resolution and asked that APBC #5) Radio system infrastructure, be removed from the agenda for further review before presenting to Public Building Commissioners.

Agenda

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to accept the agenda with revisions as noted above. Motion carried 4/0.

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 Workshop, June 28, 2010  
City Council Meeting, June 29, 2010

- B. Receive & file Minutes:     Site Plan Review, May 4, 2010  
   Planning Commission, May 18, 2010  
   Library, May 12, 2010
  
- C. Receive & file reports:
  - i. Finance                     June 2010
  - ii. Fire                        June 2010
  - iii. Library                    May 2010
  
- D. Approval of appropriation ordinance B-12-10 in the amount of \$669,995.63
  
- E. Approval to disperse \$3,000 to the Andover Senior Center as approved in the 2010 budge.
  
- F. Approval of a change order with APAC for surfacing Harry Street from Andover Road to Prairie Creek (\$299,580.05)
  
- G. Approval of the formation of a US 54 Corridor Committee as requested by Parsons Brinckerhoff and appointing Council Members Clark Nelson and Caroline Hale, Site Plan Review Committee member Lynn Heath and Planning Commission member Quentin Coon, to that committee.
  
- H. Approval of non-elect personnel items
  - Police Department Ben Graber position change from Officer to MPO I, with an hourly rate change from \$17.59 to \$17.92, effective July 12, 2010.
  
- I. Approval to dedicate real estate to the public for improvement of Central Avenue in front of the library and city hall in Central Park.
  
- J. Approval of Police Department Code of Ethics/Conduct Department Mission & Values Statement for the departments General Orders Manual.
  
- K. Approval of a contract with ClearChannel for Greater Andover Days advertising in the amount of \$1,129.00.
  
- L. Approval of Park Planning Committee suggested rates for additional hours, outside the normal rental times but with rental; Lodge at Central Park at \$30 per hour; Community Center at 13<sup>th</sup> Street at \$20 per hour.

Motion carried 4/0.

Les Mangus presented an ordinance changing the Zoning District Classification of certain lands located in the City of Andover, Kansas, under the authority granted

Z-201-10-02  
Andover Landing  
21<sup>st</sup> & Gilmore

by the Zoning Regulations of the City as originally approved by Ordinance No. 1187. (Z-2010-02-Andover Landing – 21<sup>st</sup> and Gilmore).

Mr. Mangus explained the developer had additional engineering done on the drainage and street system and found the commercial layout on 21<sup>st</sup> Street did not work well. This zoning change will reflect the configuration of the final plat also presented this evening.

Council Member Nelson confirmed the change would increase multi-family use as opposed to commercial.

Council Member Geisler inquired if the property was in the flood plain. Mr. Mangus stated a portion of the property is.

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to approve the ordinance as presented. Motion carried 4/0. Ordinance number 1466 was assigned.

Sasha Stiles presented the final plat, the improvement petitions for 21<sup>st</sup> Street north sidewalk, Andover Road sidewalk, sanitary sewer, storm drain, 21<sup>st</sup> Street water main, water distribution phase 1, water distribution phase 2, paving phase 1 and paving phase 2; and a developer’s agreement for Andover Landing.

Andover Landing  
Final Plat  
Improvement petitions  
Developers Agreement

A motion was made by Council Member Reams, seconded by Council Member Nelson, to accept the final plat, the petitions as outlined above, and the developer’s agreement. Motion carried 4/0.

J.T. Klaus, Triplett, Woolf and Garretson, City Bond Counsel, presented a resolution determining the advisability of making certain internal improvements in the City of Andover, Kansas; setting forth the general nature of the improvements, the estimated or probable costs thereof, the extent of the benefit district to be assessed for the costs thereof, the method of assessment and the apportionment of the costs between the benefit district and the city at large; authorizing and providing for the making of the improvements in accordance with the findings of the governing body; and directing the publication and recording of this resolution (Andover Landing improvements).

Resolution 10-12  
Andover Landing  
improvements

A motion was made by Council Member Nelson, seconded by Council Member Reams, to approve the resolution as presented. Motion carried 4/0. Resolution number 10-12 was assigned.

J.T. Klaus, Triplett, Woolf and Garretson, City Bond Counsel, presented an ordinance authorizing the construction of certain internal improvements in the City of Andover, Kansas, as heretofore determined advisable and authorized to be made by Resolution No. 10-12 of the City, under the authority of K.S.A. 12-6a01 *et seq.*, as amended and supplemented; providing for the payment of the costs of said improvements; authorizing the issuance of general obligation bonds for the payment of the costs of said improvements and authorizing and providing for the issuance of temporary improvement notes from time to time as funds are needed

Ordinance 1467  
Andover Landing  
improvements

for the orderly construction of said improvements. (Andover Landing improvements)

A motion was made by Council Member Geisler, seconded by Council Member Reams, to adopt the ordinance as presented for temporary notes in the amount \$2,738,500. Motion carried 4/0. Ordinance number 1467 was assigned.

Sasha Stiles presented an ordinance repealing and replacing Ordinance 1354 annexing land to the City of Andover, Kansas. Ms. Stiles explained this was to correct a typographical error in Exhibit A (legal description attached to the back of the minutes) which took the city’s boundary a little farther south than it should have.

Ordinance 1468  
Ami Lane annexation  
Correction to legal

A motion was made by Council Member Geisler, seconded by Council Member Reams, to adopt the ordinance as presented. Motion carried 4/1. Ordinance number 1468 was assigned.

J.T. Klaus, Triplett, Woolf and Garretson, City Bond Counsel, presented an ordinance of the City of Andover, Kansas, approving the issuance of \$4,350,000 aggregate principal amount of the Andover Public Building Commission, Improvement Revenue Bonds, Series A, 2010 (city hall) for the purpose of providing funds to acquire, construct and equip a city hall; prescribing the form and authorizing the execution of a third supplemental site lease by and between the City and the Commission; prescribing the form and authorizing the execution of a fourth supplemental lease by and between the Public Building Commission and the City; and authorizing the execution of a bond purchase agreement between the Commission, the City, and DeWaay Financial Network, LLC, as underwriter of the bonds.

Ordinance 1469  
Improvement Revenue  
Bonds-City Hall  
\$4,350,000

Mr. Klaus explained this ordinance would approve the issuance of \$4,350,000 in Improvement Revenue Bonds by the Public Building Commission to finance the construction of the new city hall. The city will lease the facility from the Public Building Commission and pay rent equal to the amortization of the bond payment. Mr. Klaus added the approval of this document does not authorize the issuance of the bonds, that action would be determined during the Public Building Commission meeting.

A motion was made by Council Member Nelson, seconded by Council Member Reams, to adopt the ordinance as presented. Motion carried 4/0. Ordinance number 1469 was assigned.

A motion was made by Council Member Geisler, seconded by Council Member Reams, at 7:38 p.m. to recess the City Council meeting and convene the Andover Public Building Commission meeting. Motion carried 4/0.

Recess to Public Building  
Commission meeting

Public Building Commission President Caroline Hale called the meeting to order. Public Building Commissioners present were Dave Tingley, Clark Nelson, Sheri Geisler and Julie Reams. Public Building Commission secretary Susan Renner was also present. Commissioners Ben Lawrence and J.R. Jessen were absent.

A motion was made by Public Building Commissioner Geisler, seconded by Public Building Commissioner Reams, to approve the minutes of June 29, 2010. Motion carried 5/0.

J.T. Klaus, Triplett, Woolf and Garretson, City Bond Counsel, presented a resolution of the Andover Public Building Commission, authorizing and providing for the purchasing, acquiring, constructing, furnishing and equipping of a new city hall; authorizing and providing for the issuance of the Commission’s Improvement Revenue Bonds, Series A, 2010, in the aggregate principal amount of \$4,350,000, for the purpose of paying a portion of the costs thereof; prescribing the form and details of the Series A, 2010 Bonds; authorizing the lease of the improvements to the City of Andover, Kansas; making certain other covenants and agreements with respect to the foregoing; and authorizing the execution of certain agreements and supporting documents.

APBC Resolution 10-02  
Improvement Revenue  
Bonds  
\$4,350,000

Mr. Klaus explained this resolution would authorize the issuance of the bonds that would be paid for from the city’s rent payments for the city hall. This would be spread out over 20 years and a provision has been included that would allow the bonds to be called in a shorter amount of time if the sales tax passes in August which would pay off the bonds in a much shorter amount of time.

A motion was made by Public Building Commissioner Nelson, seconded by Public Building Commissioner Geisler, to approve the resolution as presented. Motion carried 5/0. Resolution number APBC 10-02 was assigned.

Public Building Commission President Hale stated what a fantastic deal for the financing and the public can vote for greater savings by choosing the sales tax instead of property tax.

*APBC #5) Radio system infrastructure was removed from the agenda for further review by staff*

Radio system  
infrastructure

Les Mangus presented change order #6 from Key Construction in the amount of \$9,425.00 for some aesthetic and maintenance changes; change of downspouts from plastic to cast iron as they are more durable and look nicer; and to correct an area where the drainage grade is minimal at the north east corner of the building.

Key Construction change  
order #6  
\$9,425

A motion was made by Public Building Commissioner Geisler, seconded by Public Building Commissioner Reams, to approve the change order as presented. Motion carried 5/0.

A motion was made by Public Building Commissioner Geisler, seconded by Public Building Commissioner Reams. At 7:53 p.m. to adjourn and reconvene the City Council meeting. Motion carried 5/0.

Adjourn and reconvene  
City Council meeting

Member Items

Member items

Council Member Reams reminded everyone of the Town Hall meeting on July 22<sup>nd</sup> regarding information on the sales tax vote on the August 3<sup>rd</sup> ballot. She added the project is beneficial to the community and invited everyone to hear the facts.

Council Member Geisler stated she agrees with Council Member Reams.

Council Member Geisler inquired about the 159<sup>th</sup> and Kellogg stop light progress. Les Mangus stated he had not heard any more from the City of Wichita.

Council Member Nelson inquired about possible repairs to 159<sup>th</sup> Street between Kellogg and Central. He would like to see something done as the potholes are getting very bad.

Council Member Nelson stated he and Les Mangus were at the WAMPO meeting today and was happy to announce that with the adoption of the 2011 transportation program Andover will receive, subject to available funds, \$4,300,000 for the 21<sup>st</sup> Street project (159<sup>th</sup> to Andover Road) and in 2013 for improvements to 159<sup>th</sup> Street east from the turnpike to just south of 21<sup>st</sup> Street.

Council Member Nelson thanked J.T. Klaus, Mark Detter, and Norman Manley for their excellent legal advice and service to the city.

Council Member Hale thanked Clark and Les for their time at WAMPO.

Council Member Tingley inquired about the progress of the installation of the stop light directional arrow at 13<sup>th</sup> Street and Andover Road. Mr. Mangus stated the light should be modified by the time school begins.

Council Member Tingley inquired about a possible completion date for the south Andover Road project. Mr. Mangus stated the project is still on track for October or November.

Council Member Tingley stated he hopes citizens will participate in the trash service regardless of their hard feelings.

Council Member Hale stated after reading of the duck saves in the local paper it is nice to know our police department care and responds to such requests from citizens.

Council Member Hale stated she had checked out a radar gun from the police department, S.P.E.E.D. program, and has found that people are usually going 17-19 miles per hour so when someone comes through at 25 miles per hour it seems like they are going fast.

Council Member Hale stated the recycle program went into effect July 1 and preparations are almost complete for the area designated for yard waste at Central Park for Stutzman's customers.

Council Member Hale stated the sales tax is up to the public to vote and reminded everyone a vote no does not mean no tax increase it only chooses which tax to increase; 20 years of property tax or 4 years of a 1-cent sales tax. The sales tax will let everyone who passes through pay for the facility.

A motion was made by Council Member Geisler, seconded by Council Member Reams, at 8:08 p.m. to recess to July 22, 2010, Town Hall meeting at 6:00 p.m. at 909 N Andover Road. Motion carried 4/0.

Adjourn

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 27<sup>th</sup> day of July, 2010 by the City Council, City of Andover.