

**ANDOVER CITY COUNCIL
Tuesday, September 14, 2010
Minutes**

The Andover City Council met for a regular meeting on Tuesday, September 14, 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 Jennifer McCausland, Director of Public Works and Community Development Les Mangus, Fire Chief Jim Shaver, Police Chief Mike Keller, City Clerk Susan Renner, City Engineer Mike Thompson, Communications/IT Director William Duggan and City Attorney Norman Manley.

The invocation was given by Pastor Leon Heibert of the Andover Police Chaplains. Invocation

The Pledge of Allegiance was led by Mayor Lawrence and Boy Scouts from Pack 584. Pledge of Allegiance

Mayor Lawrence opened the floor to public comment. Public Forum

Deanna Knapp, WeBeLoS Den Co-Leader Andover Pack 584, requested permission to use Andover Central Park on Saturday, October 9 from 2:00 p.m. thru Sunday noon, for their annual Pack 584 Fall Cubscouts' Family Campout. Ms. Knapp also requested approval to include a rain/cold weather date of October 16-17.

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to approve the request as presented, with the scouts to coordinate with the police and fire departments. Motion carried 6/0.

Karen Tones, 200 S Andover Road, thanked everyone who participated in the installation of the left turn signal at 13th and Andover Road intersection.

Paul Hanneman, 1204 W Terradyne, stated his concern regarding two trees in the right of way in front of Malcoms Auto on Central Avenue and the possibility of them being a safety hazard. Mr. Hanneman presented a letter of citizen concern to be entered in to the record. (letter inserted at the end of the minutes)

Les Mangus stated the trees were part of the Central Streetscape design and he will have staff look in to the matter.

The public forum was closed.

Sasha Stiles, presented the following changes and additions for the agenda: item 7-G - APAC change order one correcting the language in the description and Agenda

reason; two additional GAD contracts, Boeing Company Jazz Band and KP Pro Audio, to the regular agenda for discussion before consideration; item 9 – revised wording in the heading of the littering ordinance to include the section location in the Code of the City of Andover; and item 10 - the entering into the record a letter submitted by a citizen’s regarding the Terradyne request for extension. (letter inserted at the end of the minutes)

Council Member Hale requested to add a discussion at the end of the regular agenda concerning a request made via email by the Hinshaw family.

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.

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

Consent agenda

- A. Approval of Minutes: City Council Workshop, August 30, 2010
City Council Meeting, August 31, 2010
- B. Receive & file Minutes: Site Plan Review, July 6, 2010
Site Plan Review, July 13, 2010
Library, July 14, 2010

Receive & file reports:

- i. Fire August 2010
- ii. Library July 2010

- C. Approval of appropriation ordinance B-16-10 in the amount of \$957,483.15
- D. Approval of Police Department General Orders M1218-Performance Recognition Awards; 02707-Less Lethal Shotguns; 02704-Electronic Control Device; 02521-Missing Person-child; 02520-Missing Person-Adult
- E. Approval of employee status changes for:
Travis Hooper, position change from Communications/IT Support to Master Communications Officer 1, with a pay decrease from \$16.08 per hour to \$15.58 per hour, effective September 20, 2010.
Jeremiah Slattery, Communications Officer to IT Support/Communications Officer, with no change in pay, effective September 20, 2010.
- F. Approval of APAC change order two for segmental retaining wall revision and erosion control in the Cornerstone Commercial/School Addition (+\$3,353.25)
- G. Approval of APAC change order one for paving and drainage improvements per approved plans. (+\$14,647.50) Wording was

corrected in the description and reason for the change.

H. Approval of a request for payment regarding the CVB Hotel Voucher Program to Hausu Patel, Express Inn, in the amount of \$320.

I. Approval of the Greater Andover Days schedule of events for September 30 thru October 2, 2010

2010 Greater Andover Days Schedule

All events are held at Andover Central Park, 1607 E. Central, unless otherwise noted in this schedule. Visit www.andoverks.com for sign up forms to enter the business expo/craft fair, fishing clinic, softball tournament, parade and other activities listed or call the City of Andover at (316) 733-1303.

Thursday, September 30, 2010 5pm – 10pm

FREE Shuttle service provided every 10 minutes from 5pm – 11pm from Andover Central Middle and Andover Central High School parking lots to Central Park.

4pm – 8pm – Sunflower Elementary Consignment Sale – Located at Sunflower Elementary, 616 E. Douglas.

5pm – 8:40pm - Andover Schools in Concert at the Central Park Gazebo

- 5:00pm – Andover Central High School Jazz Bands
- 5:50pm – Andover High School Jazz Bands
- 6:40pm – Cottonwood Elementary Choir
- 7:00pm – Sunflower Elementary Choir
- 7:20pm – Andover Central Middle School Sixth Grade Choir
- 7:40pm – Andover Central High School Choir
- 8:10pm – Andover High School Choir

5pm – 10pm - Information Booth, First Aid, Police & Lost Child Station – Located at the Lodge

5pm – 10pm - Food Court – *Sponsored by the Andover Rotary Club*

6pm – 8pm – Miss Andover Rehearsal – Located at Andover Central High School

6pm – 10pm - Ottaway Amusement Carnival (Wrist Band Special - \$20)

Friday, October 1, 2010 5pm – 11pm

FREE Shuttle service provided every 10 minutes from 5pm – 12am from Andover Central Middle and Andover Central High School parking lots to Central Park.

9am – 5pm – Peace Lutheran Church Arts & Craft Show – Located at 405 W. 21st Street

4pm – 8pm – Sunflower Elementary Consignment Sale – Located at Sunflower Elementary, 616 E. Douglas.

4pm – 8pm - Prize Bingo – Located at the Andover Senior Center, 410 N. Lioba – *Sponsored by Humana & Kentucky Fried Chicken*

5pm – 10pm – Information Booth, First Aid, Police Lost Child Station – Located at the Lodge

5pm – 10pm – Food Court Open – *Sponsored by the Andover Rotary Club*

6pm – Miss Andover Pageant – Located at Andover Central High School – *Sponsored by Treescapes*

6pm – 8pm – Street Carnival featuring Twining Vines Henna Temporary Tattoos, Carrie McDonald Face Painting and City of Andover's Big Boy Toys. – *Sponsored by Laham Developments*

6pm – 7pm – Flag Retirement Ceremony – Located at the Lodge fire pit

6pm – 10pm - Ottaway Amusement Carnival (Wrist Band Special - \$20)

7pm – 7:45pm – Flying Debris Show – Located on stage – *Sponsored by Laham Development*

8pm – 11pm – Street Dance featuring Apryl and the Get Down – Located on stage – *Sponsored by Laham Development*

9pm – Crowning of Miss Andover 2011 – Located on stage

Saturday, October 2, 2010 10am – 11pm

Free Shuttle service provided every 10 minutes from 11am– 12am from Andover Central Middle and Andover Central High School parking lots to Central Park.

7am – 10am – Country Breakfast – Located at the Andover Senior Center, 410 Lioba

7:30am – Fun Run – Located at the Andover Central Middle School parking lot – *Sponsored by Kansas Medical Center and Shelter Insurance- Jodi Ocadiz*

8am – 9:15am – Parade Line-up (see parade route at www.andoverks.com)

8am – Free donuts & coffee while supplies last – Located at Timbuktu 1251 N. Andover Road

9am – 3pm – Sunflower Elementary Consignment Sale – Located at Sunflower Elementary, 616 E. Douglas.

9 am – GAD 4th Annual Coed Softball Tournament – Located at Andover Central High School Ball Diamonds- *Sponsored by Auto Craft Collision Repair*

9am – 5pm – Peace Lutheran Church Arts & Craft Show – Located at 405 W. 21st Street

10am – Greater Andover Days Parade – Parade starts at 13th & Andover Road going south, east on Central then south on Shay to Sunflower Elementary School's parking lot – *Sponsored by Emprise Bank*

10am – 5pm – Business Expo/Craft Fair – *Sponsored by Vornado*

10am – 7pm – St. Vincent de Paul Fall Festival sponsored by the Be Our Guest Ministry featuring a café, boutique and bingo in The Ville (bingo doors open at noon with games beginning at 1pm) – 123 N. Andover Road.

10am – 10pm - Food Court Open – *Sponsored by the Andover Rotary Club*

11am – 11pm – Information Booth, First Aid, Police and Lost Child Station – Located at the Lodge
 11am – 10pm – Ottaway Carnival Rides – \$20 Wrist Band Specials 12pm – 5pm & 5pm – 10pm
 11am – 2pm – Monterrey Dinner – Located at the Generations Church 425 Greenvalley Drive
 11am – 3pm – KidFest featuring Sunny Day Celebrations with a Family Know-it-all Game, Follow Da Leader Dance A-Long, Refrigerator Challenge, What Time Is It?, Potato Sack Races, As Simple as ABC and crafts. Also featuring KID-ID, YMCA gymnastic and dance performances, face painting, Digging for Treasure, Butler County Children’s Fire Safety House and Wholesale Fireworks Jumpy Jumps. – *Sponsored by INTRUST Bank*
 11:30am – Andover YMCA Cheer & Dance – Located at the Gazebo
 12pm – 4pm – Car Show at Central Park – *Presented by Wheat State Flacon Club*
 12pm – 1:30pm Pet Show – Located at the Gazebo – *Presented by Andover Vet Clinic*
 1pm – Hotdog Eating Contest – Located in front of stage – *Sponsored by Scoopfire, Farmland, Delano Bread & Culligan*
 1pm – 4pm – Fishing Clinic – *Sponsored by Poe & Associates & Nelson, Gunderson Lacey*
 1:30pm – 2pm – Ballet Styles School – Located at the Gazebo
 2pm – 2:30pm – Corry Academy of Irish Dancing – Located at the Gazebo
 2:30pm – 3pm – Air Capital Taekwondo – Located at the Gazebo
 3pm – 3:30pm – Car Show Winners Announced – Located at the Gazebo
 3pm – 4pm – Pig Catch
 4pm – 6pm - Monterrey Dinner – Located at the Generations Church 425 Greenvalley Drive
 4:30pm – Dance Magic – Located at the Gazebo
 5:30pm – 6:30pm – Boeing Jazz Band – Located on stage - *Sponsored by Capitol Federal*
 6pm – 7pm – Ice Cream Social – Locate on the west side of the Lodge - *Sponsored by Dairy Queen*
 6pm – Parade Winners Announced – Located on stage
 6:30pm – 10pm – Concert in the Park Featuring Big Fat Fun – Located on stage - *Sponsored by Capitol Federal*
 7pm – 11pm – Beer Garden
 8:30pm – Fireworks Show - *Sponsored by Andover State Bank*

J. Approval of the Greater Andover Days contract

- i. Shawna Jones, DBA Twining Vines temporary tattoo artist (October 1 – 6pm – 9pm) in the amount of \$300.

Motion carried 6/0.

Les Mangus presented two contracts for Greater Andover Days; Boeing Company Jazz Band for entertainment on Saturday, October 2, 5:30 p.m. to 6:30 p.m. in the amount of \$250 and KP Pro Audio for all audio/visual needs for the festival in the amount of \$3,850.

Greater Andover Days contracts – addon

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to approve the contracts as presented after review and approval of City Counsel Norman Manley. Motion carried 6/0.

Sasha Stiles presented a resolution of policy for the financing of public improvements and the levying of special assessments within the City of Andover, Kansas. (special assessment policy 3-6).

Resolution 10-17
Special Assessment
Financing

Ms. Stiles explained this resolution will allow the collection by the city of unpaid assessments, interest and penalties and to draw from the developer’s letter of credit.

A motion was made by Council Member Geisler, seconded by Council Member Reams, to adopt the resolution as presented. Resolution number 10-17 was assigned.

Sasha Stiles presented an ordinance amending the Code of the City of Andover, Chapter XIII, Offenses Against Peace and Order, adding Article 13-212, prohibiting littering within the City of Andover, Kansas.

Ordinance 1477
Littering

Police Chief Keller explained this ordinance will add additional types of littering which state statute does not address.

A motion was made by Council Member Geisler, seconded by Council Member Reams, to adopt the ordinance as presented. Motion carried 6/0. Ordinance number 1477 was assigned.

Mayor Lawrence presented a resolution extending the intent of the Governing Body of the City of Andover, Kansas to issue certain taxable industrial revenue bonds as set forth in Resolution No. 09-06 of the City. (Terradyne)

Resolution 10-18
Terradyne Country Club
IRB extension

Craig Smith, 8827 Clubside Court, Wichita, owner of Terradyne Country Club, requested an extension of twelve to eighteen months time including the tax abatement, for the intent to issue Industrial Revenue Bonds for the financing of a hotel/convention center project located at Terradyne. Mr. Smith stated due to the economy things are virtually at a stand still but they are still seeking financing.

Council Member Hale confirmed there is no responsibility to the city, it is a matter of helping the project get off the ground and offering the tax abatement as it was for the Holiday Inn Express.

Council Member Tingley referred to a statement from the March 10, 2009, Council meeting minutes, by J.T. Klaus, Triplett, Woolf and Garretson, City Bond Counsel, *the issuance of Internal Revenue bonds is not giving the city's money to the project or endorsing the project, it is simply a building block to allow the developers to begin their process.*

A motion was made by Council Member Geisler, seconded by Council Member Nelson, to extend the date to September 10, 2011. Motion carried 5/1. Council Member Reams opposed. Resolution number 10-18 was assigned.

Mayor Lawrence addressed questions that had been emailed to the Council and city staff from Ms. Linda Hinshaw of Tomorrow's Memories, 301 W Central, regarding the renovation of the business to include a residence for the owners. Mayor Lawrence stated he believed this was a legitimate concern and staff would meet with the property owner to discuss options and the process that needs to be followed for making these kinds of changes.

Hinshaw zoning
discussion

Member Items

Member items

Council Member Julie Reams

- Referenced someone in her neighborhood who is not mowing their lawn and that it harbors unwanted pests. She felt the city code allowing 18" height before being a violation was too high for the length of the process and would like it to be looked at for possible revision.

Council Member Sheri Geisler

- Java Villa Café is open in the library and is good.
- The strip mall being built west of Dillons in Marketplace will house a nail salon, dry cleaners, H & R Block, and Scooters Coffee House.

Council Member Clark Nelson

- WAMPO met today and tabled an item regarding the charging of the outlying area member cities a percentage of the project cost for their projects funded through WAMPO. This item will need to be budgeted into future projects.

Council Member Caroline Hale

- Shared concern over some local business' closing
- The State Fair was great

Council Member J.R. Jessen had none.

Council Member Dave Tingley

- Believes the request from Paul Hanneman was important and would like staff to give serious thought to the issue.

Mayor Ben Lawrence

- Greater Andover Days is quickly approaching, September 30 thru October 1, and volunteers are needed.
- The annual Employee/Volunteer Appreciation event will be a smaller event for 2010 and Council participation is needed.

A motion was made by Council Member Reams, seconded by Council Member Geisler, at 9:00 p.m. to adjourn. Motion carried 6/0. Adjourn

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 28th day of September, 2010 by the City Council, City of Andover.