

**ANDOVER CITY COUNCIL
Tuesday, September 28, 2010
Minutes**

The Andover City Council met for a regular meeting on Tuesday, September 28, 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, Administrative Services Director Donna Davis, Fire Chief Jim Shaver, Police Chief Mike Keller, City Clerk Susan Renner, City Engineer Mike Thompson, City Financial Advisor Mark Detter and City Attorney Norman Manley.

The Invocation was given by Reverend Leon Hiebert of the Police Department Chaplains. Invocation

The Pledge of Allegiance was led by Mayor Lawrence. Pledge of Allegiance

Mayor Lawrence opened the floor to public comment. No public comments were made. The Mayor closed the public forum. Public Forum

Sasha Stiles requested the removal of agenda item 7) Key Construction change order #12 from the Public Building Commission agenda. Agenda

A motion was made by Council Member Geisler, seconded by Council Member Reams, to accept the agenda with the removal of item 7 from the Public Building Commission agenda. Motion carried 6/0.

A motion was made by Council Member Hale, seconded by Council Member Reams, to approve the consent agenda as presented. Consent agenda

A. Approval of Minutes: City Council Meeting, September 14, 2010

B. Receive & file reports:

- i. Finance August 2010
- ii. Police August 2010

C. Approval of appropriation ordinance B-17-10 in the amount of \$478,382.82

D. Approval of non-elected personnel items:

E. Heath Kintzel, Police Department new hire as Police Officer, with a starting wage of \$15.96 per hour effective September 20, 2010.

F. Approval of Police Department General Orders; Canine Teams O2406

G. Approval of the issuance of a Cereal Malt Beverage license

- i. City of Andover d/b/a/ GAD
1607 E Central

H. Approval of Greater Andover Days contracts

- i. Andi Eck – Comedy Variety Show, October 1, in the amount of \$550
- ii. Carrie McDonald Face Painting, October 1, in the amount of \$300

Motion carried 6/0.

Sasha Stiles presented a proposal from Poe & Associates for construction engineering services for the 21st Street improvement project. Ms. Stiles explained the city needs to select a consultant to stay on track with K.D.O.T.’s process, although the project will not bid until 2011.

Poe & Associates proposal for 21st St project

Council Member Hale confirmed the city will pay 20% of the construction costs and WAMPO will pay for 80% and Ms. Stiles confirmed the funds had been budgeted in the 2011 budget.

A motion was made by Council Member Hale, seconded by Council Member Geisler, to approve the proposal as presented. Motion carried 6/0.

Sasha Stiles presented a recommendation from the 20 Year Specials Review Committee to approve the request made by B.C. Partners, L.L.C. for the Andover Landing project located at the southeast corner of 21st Street and Andover Road. The review committee met for consideration of the project on August 18, 2010. *(minutes from that meeting are following these minutes)*

20 Year Specials Andover Landing

A motion was made by Council Member Nelson, seconded by Council Member Jessen, to approve the request as recommended. Motion carried 6/0.

Sasha Stiles presented a revised developers agreement and petitions for the 21st Street water main, paving for phase 1 and 2, sanitary sewer, water distribution for phase 1 and 2, and storm drain improvements. Ms. Stiles added the revisions were due to a change in the spread of specials as requested by the review committee and to meet higher construction costs. The petitions have been reviewed by bond counsel and staff.

Andover Landing Revised Developers Agreement and revised Petitions

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to accept the developer’s agreement and petitions as presented. Motion carried 6/0.

Sasha Stiles 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

Resolution 10-19 Andover Landing

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) and repealing Resolution No.10-12.

Ms. Stiles explained the resolution finds the improvements advisable and lists the probable cost and how the cost will be spread as specials.

A motion was made by Council Member Geisler, seconded by Council Member Reams, to approve the resolution as presented. Motion carried 6/0. Resolution number 10-19 was assigned.

Sasha Stiles 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. 10-19 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 for the orderly construction of said improvements and repealing Ordinance No. 1467.

Ordinance 1477
Andover Landing

Ms. Stiles explained the ordinance authorizes the work to begin and the issuance of the bonds related to the Andover Landing project as set for in the previous item, Resolution 10-19.

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

Sasha Stiles presented the bids for the Andover Landing project that were tabled at the August 31st meeting to allow the developer time to revise the developers agreement and petitions. There were four bids received, Mies Construction at \$786,302.25, LaFarge North America at \$795,180.60, Nowak Construction at \$849,996.90, and the low bidder Cornejo & Sons at \$780,721.90.

Andover Landing
improvement bids

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to accept the bid from Cornejo & Sons in the amount of \$780,721.90. Motion carried 6/0.

Sasha Stiles presented a Request for Proposal written by Poe & Associates for the wastewater treatment facility upgrade. Ms. Stiles reminded the Council of the discussion at the August 10, 2010, meeting regarding the KDHE requirements and the city's permit for the wastewater plant. Ms. Stiles stated the request this evening was to authorize the distribution of the RFP.

Request for Proposal
Wastewater treatment
facility upgrade

A motion was made by Council Member Hale, seconded by Council Member Geisler, to approve the request to solicit the Request for Proposals by Poe & Associates. Motion carried 6/0.

Jennifer McCausland presented a resolution amending the Code of Municipal Policies, City of Andover, Chapter 2, Personnel, Article 2 -1.4 position descriptions. Ms. McCausland explained this resolution adds the position of Assistant Parks and Recreation Director to the Code of Municipal Policies. Ms. McCausland added this position will provide much needed support for the department as well as learning all the duties of the Park & Recreation Director.

Resolution 10-20
Personnel 2 – 1.4
Assistant Park &
Recreation Director

A motion was made by Council Member Geisler, seconded by Council Member Reams, to approve the resolution as presented. Motion carried 6/0. Resolution number 10-20 was assigned.

Jennifer McCausland presented a resolution amending the Code of Municipal Policies, City of Andover, Chapter 2, Personnel, Article 2 -1.2 position & salary classification plan. Ms. McCausland explained this resolution adds the salary range for the approved position.

Resolution 10-21
Personnel 2-1.2
Assistant Park &
Recreation Director

A motion was made by Council Member Hale, seconded by Council Member Reams, to approve the resolution as presented. Motion carried 6/0. Resolution number 10-21 was assigned.

Jennifer McCausland presented a resolution amending the Code of Municipal Policies, City of Andover, Chapter 4, Parks and Recreation, adding Article 4-3, Naming City Parks.

Code of Municipal
Policies
Naming of parks
Tabled

Ms. McCausland explained the Park Planning Committee had discussed that with the continued amount of parks planned they felt they should make a recommendation for the naming of the parks.

Council Member Nelson was concerned of the possibility there was a state statute regarding the naming of parks and would like the item to be tabled until further information can be obtained.

A motion was made by Council Member Hale, seconded by Council Member Jessen, to table the resolution until further information can be obtained. Motion carried 5/1. Council Member Geisler opposed.

Sasha Stiles presented a Memorandum of Understanding with Honeywell for a facility and infrastructure improvement review. Ms. Stiles explained there is no cost to the city and the study could reveal areas where the city could take advantage of savings.

Honeywell MOU

A motion was made by Council Member Reams, seconded by Council Member Geisler, to approve the Memorandum of Understanding as presented. Motion carried 6/0.

A motion was made by Council Member Reams, seconded by Council Member Geisler, at 7:37 p.m. to recess the Andover City Council meeting and convene the Public Building Commission meeting. Motion carried 6/0.

Recess and convene APBC

Building Commission President Hale called the meeting to order at 7:37 p.m. Public Building Commissioners present were Dave Tingley, J.R. Jessen, Ben Lawrence, Clark Nelson, Julie Reams and Sheri Geisler. Also in attendance was Public Building Commission Secretary Susan Renner.

Call to order

A motion was made by Public Building Commissioner Lawrence, seconded by Public Building Commissioner Reams, to approve the minutes from the August 31, 2010, Public Building Commission meeting. Motion carried 7/0.

August 31, 2010 minutes

City Administrator Sasha Stiles presented the bids for the furnishing of the new city hall. Ms. Stiles explained the information was sent to the vendors that were interested and two of the three submitted bids. Roberts Hutch-Line bid \$160,785.66, Galaxie Business Equipment was the low bid at \$152,390.00, and Quill Corporation did not submit a bid.

City hall furniture bids

Ms. Stiles stated these bids do not include the filing system originally planned as staff is looking into additional options for filing including a document retention program and once staff has determined the best process they will return to the Commission with a recommendation.

A motion was made by Public Building Commissioner Geisler, seconded by Public Building Commissioner Reams, to accept the bid from Galaxie Business Equipment of Winfield Kansas in the amount of \$152,390. Motion carried 7/0.

Eric Eakins, GLMV Architects, explained Key Construction change order #10 in the amount of \$13,412 is a result of a communication error between the design team and the engineers. Key Construction caught the missing soffits at a point in the construction where there is no tear out or backtracking.

Key Construction change proposal #10 – soffits

A motion was made by Public Building Commissioner Lawrence, seconded by Public Building Commissioner Nelson, to approve the change order as long as the cost per square foot does not exceed the cost per square foot in the original bid from Key Construction and if it does the change order will have to come back to the Commission for further consideration.

Eric Eakins confirmed this would not hold up the progress of the construction and he would confirm the comparison of the cost by Wednesday.

Motion passed 7/0.

Sasha Stiles explained change order #11, the reworking of the handicap ramp from city hall across Bush Parkway to Central Park Lodge in order for the two to connect properly and stay within ADA standards. Ms. Stiles stated staff suggests the funds come from the Park Improvement fund since it directly affects the park.

Key Construction change proposal #11 – handicap ramp

A motion was made by Public Building Commissioner Nelson, seconded by Public Building Commissioner Reams, to approve change order #11 in the amount of \$4,020 and to pay from the Park Improvement fund. Motion carried 7/0.

APBC Item 7: Key Construction change order #12 4” sleeves for data lines \$499 was removed from the agenda for further consideration by staff.

Key Construction change proposal #12 - removed

Sasha Stiles presented Key Construction change order #13 in the amount of \$1,405, for sod instead of dirt or mud in the front between the building and the sidewalk which will result in a much nicer appearance and less chance of erosion.

Key Construction change proposal #13 – sod

Commissioner Tingley stated the cost to fix any erosion of the area would be more than the cost of the sod.

A motion was made by Public Building Commissioner Tingley, seconded by Public Building Commissioner Nelson, to approve the change order as presented. Motion carried 7/0.

Sasha Stiles presented Key Construction change order #15 in the amount of \$1,313 to increase the width for the east/west walk from the building entry to the plaza from 6.5’ to 8’. Ms. Stiles explained the 6.5’ walk with overhang of parked vehicles could be cumbersome for citizens in a wheel chair. Ms. Stiles stated staff recommends this change order also be paid from the Park Improvement fund.

Key Construction change proposal #15 – sidewalk width

A motion as made by Public Building Commissioner Nelson, seconded by Public Building Commissioner Jessen, to approve the change order as presented and to pay from the Park Improvement fund.

Public Building Commissioner Lawrence stated his opposition to the funds coming from the Park Improvement fund as he believes the change belongs to the project not the park.

Motion carried 6/1. Commissioner Lawrence opposed.

A motion was made by Public Building Commissioner Geisler, seconded by Public Building Commissioner Reams, at 8:17 p.m. to adjourn the Public Building Commission meeting and reconvene the Andover City Council meeting. Motion carried 7/0.

Adjourn reconvene Council meeting

Member items

Member items

Council Member Julie Reams

- Stated she did not want Key Construction to present any more change orders.
- Stated she had received emails and phone calls regarding the weed height ordinance mentioned at the September 14, 2010, meeting and asked staff to look into what other cities restrictions are.
- Told everyone to enjoy Greater Andover Days.

- Wished her son happy 8th birthday.

Council Member Sheri Geisler

- Invited everyone to Greater Andover Days and added GAD buttons could be purchased at some local merchants and city hall.

Council Member Clark Nelson

- Thanked Eric Eakins, GLMV Architects, for doing a good job for the city.

Council Member Caroline Hale

- Invited everyone to Greater Andover Days.
- Stated she would not be in attendance at the October 12, 2010, council meeting and inquired who would step in as Public Building Commission president. Norman Manley stated he would check.

Council Member J.R. Jessen

- Invited everyone to Greater Andover Days

Council Member Dave Tingley

- Had none.

A motion was made by Council Member Reams, seconded by Council Member Geisler, at 8:26 p.m. to adjourn. Motion carried 6/0. Adjourn

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 12th day of October, 2010 by the City Council, City of Andover.