

**ANDOVER CITY COUNCIL
Tuesday, November 9, 2010
Minutes**

The Andover City Council met for a regular meeting on Tuesday, November 9, 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 Captain Rocky Craig, Police Chief Mike Keller, Communications/IT Director Bill Duggan, City Clerk Susan Renner, City Engineer Jim Ubert and City Attorney Norman Manley.

The Invocation was given by Dayton Poe of the Generations Church.

Invocation

The Pledge of Allegiance was led by Mayor Lawrence.

Pledge of Allegiance

Mayor Lawrence opened the floor to public comment. There was no public comment. The public forum was closed.

Public Forum

Carol Knolla, Greater Andover Days Committee Chair, presented a check in the amount of \$687.50 to the Andover Police & Fire Foundation. Ms. Knolla explained the check represents \$.50 for each GAD button sold for the 2010 event. Ms. Knolla added there are many police and fire department employees that are volunteers for the event.

Greater Andover Days presentation to AP & FF

Mayor Lawrence thanked Ms. Knolla and the GAD Committee for all of their hard work for what sometimes seems a thankless job.

Council Member Geisler requested consent agenda items I) Computer purchase for the Police Department; J) Projector purchase for the Police Department; K) frequency licensing for the City; and L) radio purchase for the Public Works Department be moved to the regular agenda for additional information.

Agenda

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

A motion was made by Council Member Nelson, seconded by Council Member to approve consent agenda items A thru H and M thru O.

Consent agenda

A. Approval of Minutes: City Council Workshop, October 25, 2010
City Council Meeting, October 26, 2010

B. Receive & file Minutes: Site Plan Review, September 7, 2010
Planning Commission, September 21, 2010
Library, September 8, 2010

- C. Receive & file reports:
- i. Finance October 2010
 - ii. Police September 2010
 - iii. Fire September 2010
 - iv. Library August 2010
- D. Approval of appropriation ordinance B-20-2010 in the amount of \$705,676.95
- E. Approval of a check request for the CVB Hotel Voucher Program to the Andover Express Inn in the amount of \$380.00.
- F. Approval of non-elected personnel items:
Police Officer Curtis Anderson to Certified Police Officer with a salary increase from \$15.96 per hour to \$16.71 per hour effective October 18, 2010.
Wastewater Department Operator IV Jason Jacobs longevity increase from \$17.13 per hour to \$17.56 per hour effective October 5, 2010.
Resolutions 10-24 and 10-25 amending the Code of Municipal Policies of the City of Andover, Chapter 2, Personnel, Articles 1.4 and 1.2 adding the position of Utility Billing Assistant/Receptionist and setting the Position and Salary Classification Plan.
- G. Approval for authorization to submit request for bids for a motor grader from the Street Department.
- H. Approval to accept a bid for street, curb and sidewalk repairs on Andover Road, and curb repairs on Angle Lane, Columbine, Fieldstone Street and Lakeside Drive, from APAC-Kansas, Inc., Wichita, in the amount of \$11,577.
- I. Approval of a computer purchase for the Police Department – moved – moved to regular agenda*
- J. Approval of a projector purchase for the Police Department – moved to regular agenda*
- K. Approval of frequency licensing fee for the City of Andover – moved to regular agenda*
- L. Approval of a radio purchase for the Public Works Department – moved to regular agenda*
- M. Approval of a one-half page ad in the Livability section of the Kansas Economic Development Guide in the amount of \$3,510 payable to Journal Communications, Inc., Franklin, Tennessee, the advertising contractor.

- N. Approval of the appointment to the Planning Commission of Andrew Hart, 13687 SW 70th Street, Andover, filling the vacancy of the outside city limits member with the term to expire in May 2011.
- O. Approval of Police Department General Orders: M1208 Employee Review; M1201 Standards of Conduct; M1203 Patrol Assignments-Watch Briefing

Motion carried 6/0.

Council Member Geisler asked for more information on the four agenda items moved from the consent agenda.

Bill Duggan stated due to the savings provided through the purchase of the hardware for the new city hall the police department can replace three of their out of warranty computers in the patrol squad room with Dell computers at a cost of \$1,068.24 each for a total of \$3,204.72. These will be purchased from ISG Technologies of Wichita and the funds are available in the 2010 budget.

Consent agenda item I
Police Department
computer purchase

Mr. Duggan stated the Police Department's portable projector is no longer working and due to the age of the projector it is not practical to have repaired. The projector is used for department needs as well as frequent Home Owner's Association meetings, SPEED presentations, etc. Mr. Duggan stated the portable projector and two mice pointers would be purchased from Amazon.com for a total amount of \$1,245.88 and will be paid for from the 2010 IT budget.

Consent agenda item J
Police Department
projector purchase

A motion was made by Council Member Geisler, seconded by Council Member Nelson, to approve the computer and portable projector purchases as presented. Motion carried 6/0.

Mr. Duggan explained as part of the 800 MHz radio project a license is required from the FCC and an application will be filed through APCO International, the FCC's frequency coordinator, at a one time application cost of \$2,205. Mr. Duggan stated this is also from the 2010 budget.

Consent agenda item K
800 MHz radio license

Mr. Duggan stated the City needs 12 portable radios for the Public Works Department to complete the 800 MHz radio conversion project. Jeff Armantrout has located new Motorola XTS2500 portable radios at a total cost of \$16,098, two radios at \$1,299 each and ten at \$1,350 each. Mr. Duggan noted the State of Kansas is charging \$3,566 for the same radio.

Consent agenda item L
800 MHz radio purchase

A motion was made by Council Member Geisler, seconded by Council Member Reams, to approve the licensing and radio purchases as presented. Motion carried 6/0.

Anthony Speere, Advanced Research & Technology Development Group, gave a brief update on the NIAR Project he and Ty Masterson have been working on and thanked the Council for their patience. Mr. Speere stated Butler County has given

NIAR update

them an extension until February 18, 2011, for the \$250,000 grant of economic development funds.

Mayor Lawrence stated the letter of intent with the City of Andover is in effect thru December 31, 2010 and if an extension was necessary it could be discussed at the December 28th Council meeting.

Mayor Lawrence presented an ordinance amending the Zoning Regulations of the City of Andover, Kansas, as originally adopted by Ordinance No. 1187, and incorporating as a part thereof amendments to Sections C of Article 4 pertaining to conditional uses in the B-1, B-2, B-3, B-4, B-5 and B-6 business districts.

Ordinance 1479
Zoning Regulations

Les Mangus explained this ordinance would amend the Zoning Regulations to allow application to be made for single family use in the B-1, B-2, B-3, B-4, B-5 and B-6 business districts. Mr. Mangus added that if passed any applications would be submitted to the Board of Zoning Appeals and the decision would be final at that Board.

A motion was made by Council Member Hale, seconded by Council Member Jessen, to approve the ordinance as presented. Motion carried 6/0. Ordinance number 1479 was assigned.

Sasha Stiles presented a proposal from Poe & Associates in the estimated amount of \$1,000 for engineering services to construct infrastructure improvements to serve Flint Hills Addition, Phase 3 Club Estates. Ms. Stiles explained with this particular piece of property there was an agreement between the resident and the property owners to allow the resident to stay as long as she chose to and she is now ready to move. The developer would like to split the property in to three lots and will pay for all costs associated with the extension of these services.

Poe & Associates proposal
Flint Hills Addition, Phase
3 Club Estates

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

Sasha Stiles presented a revised proposal from Professional Engineering Consultants for engineering services for the Andover Landing Addition. Ms. Stiles stated when the petition amounts were revised it became necessary to revise this agreement because the engineering fees are based on the cost of the project.

Professional Engineering
Consultants for Andover
Landing Addition

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

Sasha Stiles presented information regarding a request by Chief Wastewater Plant Operator Brian Walls to change the hours of operation for the compost site between December 1st and March 31st. Ms. Stiles stated there is minimal use of the facility during these dates and closing the site on Saturday and Sundays would allow for a savings in wages and the Central Park site will remain open year round.

Compost site winter hours

A motion was made by Council Member Geisler, seconded by Council Member Hale, to approve the request to close the compost site on Saturday and Sunday's at the wastewater plant from December 1, 2010 thru March 31, 2011 with the Monday thru Friday hours remaining 7am – 3:30pm. Motion carried 6/0.

A motion was made by Council Member Geisler, seconded by Council Member Reams, at 7:36 p.m. to recess the City Council meeting and convene the Andover Public Building Commission meeting. Motion carried 6/0.

Recess meeting and convene Public Building Commission meeting

Building Commission President Hale called the meeting to order at 7:36 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 Reams, seconded by Public Building Commissioner Lawrence, to approve the minutes from the October 26, 2010, Public Building Commission meeting. Motion carried 7/0.

October 26, 2010 minutes

Les Mangus, Director of Public Works and Community Development presented Key Construction change order proposal #19 for three 24 x 30 access panels which are necessary above the council chambers at a cost of \$306. This was an architect oversight and the funds would come from the project contingency.

Key Construction COP #19 – access panels

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

City Administrator Sasha Stiles presented a change order proposal from Key Construction for the first of two phases for the plaza in the amount of \$114,467 to construct the foundation and includes project safety, earthwork and grading, storm sewer per plans, concrete foundation for tower (4 ea – 3' x 3' x 3'), concrete foundation for radius bench, light poles bases (4 ea – 18" dia x 4'), concrete paving around clock tower (colored and standard), concrete sidewalks per plan, masonry and cast stone for radius bench, cast stone seat wall dividers, (2) – 1" conduits rough-in from building to tower, and construction cleanup. Phase 2 work will include installation of (2) Elderhorst Bells clocks at a cost of \$9,050. Ms. Stiles stated \$200,000 was budgeted in the city hall project.

Key Construction change order for plaza foundation

Public Building Commissioner Lawrence stated a meeting had been held to discuss value engineering items to cut the cost of the facility to stay within the budget. The above work is the foundation of the project and the tower will be completed in a few months. When the current job superintendent leaves the site it will cost a considerable amount more to bring him back. Public Building Commissioner Lawrence added there are some lighting issues that are being discussed and whether the funds will come from the street or park funds.

A motion was made by Public Building Commissioner Geisler, second by Public Building Commissioner Reams, to approve the change order for the first phase of the plaza between the new city hall facility and the library. Motion carried 7/0.

A motion was made by Public Building Commissioner Geisler, seconded by Public Building Commissioner Reams, at 7:48 p.m. to adjourn the Public Building Commission meeting and reconvene the City Council meeting. Motion carried 7/0.

Adjourn Public Building Commission meeting

A motion was made by Council Member Geisler, seconded by Council Member Jessen, at 7:49 p.m. to go into executive session to discuss legal matters and to include the governing body, city administrator, zoning administrator, and legal counsel for ten minutes. Motion carried 6/0.

Executive session – legal

A motion was made by Council Member Geisler, seconded by Council Member Reams, at 8:15 p.m. to come out of executive session.

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

Member Items

Member items

Council Member Reams

- Offered her condolences to the Laham family in the loss of George Laham, Sr.
- Wished City Administrator Stiles happy birthday.

Council Member Geisler

- Asked if staff would check in to having the city wide clean up day follow the city wide garage sale.
- Inquired about the progress at 159th and Kellogg. Les Mangus stated there was an agreement establishing responsibility of the road and next will be the engineering contract for design for KDOT.
- Reminded everyone the Park Planning Committee is accepting suggestions for the naming of the neighborhood park in the Cornerstone Addition. Les Mangus added the park will include water garden, playground equipment, and a large multi-purpose field.
- Stated the disparity of the tuition at Butler Community College for out of county residents really bothers her and believes we should meet with our state representatives regarding this issue.
- Inquired about the pending zoning case sign on south Andover Road. Les Mangus stated the property owner would like to put a package liquor store in the strip.
- Inquired about the completion of the South Andover Road Project. Les Mangus stated they are hoping to be complete by Thanksgiving.

Council Member Nelson

- Had none.

Council Member Hale

- Had none.

Council Member Jessen

- Had none.

Council Member Tingley

- Welcomed Atwoods and complimented the store.

Mayor Lawrence appointed Council Member Reams, Geisler, and Tingley to the 2010 Employee Salary Review Committee.

Mayor Lawrence announced that due to the 13th Street construction the Lewellen's would be allowed to park their trucks on Commerce Street in the Industrial Park thru Friday, November 12.

A motion was made by Council Member Hale, seconded by Council Member Geisler, at 8:35 p.m. to recess the City Council meeting until Monday, November 15, 6:00 p.m., at the Central Park Lodge for a discussion regarding the US 54 corridor. Motion carried 6/0.

Recess City Council meeting to Monday, November 15, 2010, 6pm, Central Park Lodge

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 30th day of November, 2010 by the City Council, City of Andover.