

**ANDOVER CITY COUNCIL
Tuesday, November 30, 2010
Minutes**

The Andover City Council met for a regular meeting on Tuesday, November 30, 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, 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, Communications/IT Director Bill Duggan, City Engineer Mike Thompson, City Financial Advisor Mark Detter and City Attorney Norman Manley. Council Member Reams was attending the National League of Cities conference in Denver.

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

Invocation

The Pledge of Allegiance was led by Scout John Brosz of Andover Troop 524.

Pledge of Allegiance

Mayor Lawrence opened the floor to public comment.

Public Forum

John Brosz, 117 W Douglas, stated he was in attendance at tonight’s Council meeting as part of the process to obtain his Scout Citizenship and Community Membership badge.

The public forum was closed.

Don Rogers, Stutzman’s Refuse Disposal, bought out by Waste Connections Inc., Hutchison office, presented the Council with a refund check in the amount of \$5,990.40 representing the amount Waste Connections charged the City when the City cancelled their contract. Waste Connections will be offering a refund to any other Andover citizen that was charged a contract cancellation fee.

Don Rogers
Stutzmans Refuse
Disposal

Mr. Rogers stated that with the marriage of the two companies the staff of Stutzman’s has been retained and will continue to serve the Andover community. Mr. Rogers stated one of the positive aspects of the change is that citizens will now be able to participate in the Recycle Bank program.

Sasha Stiles presented completion documents for agenda item 13) A resolution for the issuance of temporary improvement notes and agenda item 14) A resolution authorizing and providing for the public sale of General Obligation Bonds.

Agenda

Ms. Stiles requested the addition of a contract for the Police and Fire Department phone service be added to the agenda.

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to accept the agenda with the completion documents and the addition of the phone contract as agenda item 17. Motion carried 5/0.

Mayor Lawrence opened a public hearing for vacation case VA-2010-02 641 N Woodstone.

Public Hearing
VA-2010-02

Les Mangus explained the homeowner had a well drilled and it was in the easement; all utility companies have been notified by City staff and they have reported no conflict. Staff recommends approval to vacate.

Mayor Lawrence closed the public hearing.

A motion was made by Council Member Geisler, seconded by Council Member Jessen, to approve consent agenda items A through H.

Consent agenda

- A. Approval of Minutes: City Council Meeting, November 9, 2010
City Council Meeting, US 54 Corridor,
November 15, 2010
- B. Approval of appropriation ordinance B-21-10 in the amount of \$1,320,635.15
- C. Approval of the Police Department's ordering two Ford Crown Victoria Police Interceptors from Rusty Eck Ford with graphics and emergency lighting from various vendors at a total cost of \$59,573.10 (one at \$30,661.55 and one at \$19,911.55). Due to the 90-120 day lead time to build the cars, they are being ordered in 2010, but will be charged to the 2011 budget.
- D. Approval of a proposal for the construction of a 16' x 16 park shelter in the Cornerstone Addition neighborhood park in the amount of \$18,568 by Riggs Recreation Equipment of Leawood, Kansas.
- E. Approval of the purchase of 2010 employee monetary service awards in the amount of \$1,700; 10-five year employees, 2-ten year employees, and 1-fifteen year employee.
- F. Approval of the purchase of \$780 Andover Chamber of Commerce Bucks for City employees, 78 employees at \$10 each.
- G. Approval of a bid for the refinishing of the wood floors in room 1 of Central Park Lodge in the amount of \$3,200 by AAA Hardwood Flooring of Augusta.

H. Approval of 2011 Cereal Malt Beverage license renewals

Pizza Hut of Southeast Kansas
307 N Andover Road

Kwik Shop
114 W Highway 54

Motion carried 5/0.

Mayor Lawrence presented the vacation order for VA-2010-02 for 641 N Woodstone allowing the well to remain in the easement as drilled.

VA-2012-02
641 N Woodstone

Council Member Geisler inquired about the process of notification for a vacation case, if this was not approved who pays to close the well and she would like to see some kind of permit required to drill. Les Mangus explained property owners within 200’ of the subject property are notified by mail and a sign is posted at the location and as for the cost of closing the well it would be between the property owner and the drilling company. Mr. Mangus stated the State regulates and issues well permits but chooses not to enforce the regulations and he is hesitant to issue a city permit or enforce what the State is already doing. Mr. Mangus added the wells are found when our inspectors follow through with the inspection of an issued electrical permit for the pump.

Mr. Mangus stated the city will periodically send a letter to the well drillers and of the 30-40 wells drilled annually there may be 2 or 3 that come to us after the fact for the vacation.

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to approve the vacation as requested. Motion carried 5/0.

Mayor Lawrence presented an Underwriting Agreement for Temporary Improvement Notes, Series A, with DeWaay Financial Network.

DeWaay Financial
Network Underwriting
Agreement

Mark Detter, DeWaay Financial, stated that due to the fact that DeWaay Financial Network will be acting as the underwriter on these Temporary Improvement Notes, the Council must accept the resignation of the company as Financial Advisor for this item only and hire DeWaay Financial Network as the underwriter.

A motion was made by Council Member Nelson, seconded by Council Member Hale, to approve the agreement for this item only. Motion carried 5/0.

Mayor Lawrence presented an ordinance amending and restating Ordinance No. 1442 of the City of Andover, Kansas.

Ordinance 1480

Mark Detter, DeWaay Financial, City Financial Advisor, explained this ordinance is due to financial regulation changes regarding disclosure.

A motion was made by Council Member Hale, seconded by Council Member Jessen, to approve the ordinance as presented. Motion carried 5/0. Ordinance number 1480 was assigned.

Mayor Lawrence presented a resolution providing for the issuance of Temporary Improvement Notes of the City of Andover, Kansas, in the total principal amount of \$3,833,000, as heretofore authorized by Ordinance Nos. 1361 (as amended by Ordinance No. 1444), 1365 (as amended by Ordinance Nos.1441, 1443, 1454 and 1470), and 1477 of the City, in order to provide funds for the temporary financing of the costs of construction of certain internal improvements in the city authorized by said ordinances; and providing the terms, details, form and conditions of said temporary improvement notes.

Resolution 10-26
Temporary Improvement
Notes

Mark Detter, DeWaay Financial, explained these temp notes are for improvements to the Andover Landing and Prairie Creek additions.

A motion was made by Council Member Hale, seconded by Council Member Geisler, to approve the resolution as presented. Motion carried 5/0. Resolution number 10-26 was assigned.

Mayor Lawrence presented a resolution of the City of Andover, Kansas, authorizing and providing for the public sale of the City’s General Obligation Bonds, Series B, 2010, in a total principal amount of not to exceed \$2,908,000; setting forth the details of said public sale; and providing for the giving of notice thereof.

Resolution 10-27
General Obligation Bonds

Mark Detter, DeWaay Financial, explained this resolution will allow the city to take bids on December 14, 2010 and present the results at the Council meeting that evening.

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to approve the resolution as presented. Motion carried 5/0. Resolution number 10-27 was assigned.

Sasha Stiles presented a change order from APAC in the credit amount of \$19,047 to adjust for bid quantities to-final as-built quantities for the 2010 Street Rehabilitation Project.

2010 Street Rehab
APAC change order

A motion was made by Council Member Geisler, seconded by Council Member Hale, to approve the change order as presented. Motion carried 5/0.

Sasha Stiles presented the final plans for water, storm water drain, paving, and drainage and sidewalk improvements for Andover Landing Addition Phase 2 and explained they have been reviewed and accepted by staff and the city engineer. At the request of the land developer staff requested approval to negotiate a change order with Cornejo who is currently on site working Phase 1 as the developer would like to have homes up before the 2011 school year begins.

Andover Landing Phase 2
final plans

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to accept the plans and approve staff to negotiate a contract with Cornejo to continue with Phase 2. Motion carried 5/0.

Bill Duggan presented a contract with Windstream for phone service for the Police and Fire Departments. He added the service has a few enhancements from our current service provider and also represents a savings of approximately \$3,000-\$4,000 annually.

Contract for phone service at Police and Fire Dept's

A motion was made by Council Member Nelson, seconded by Council Member Geisler, to approve the contract and authorize Mr. Duggan to sign the contract. Motion carried 5/0.

A motion was made by Council Member Geisler, seconded by Council Member Nelson, at 7:48 p.m. to recess the Andover City Council meeting and convene the Andover Public Building Commission meeting. Motion carried 5/0.

Recess and convene Public Building Commission meeting

Building Commission President Hale called the meeting to order at 7:48 p.m. Public Building Commissioners present were Dave Tingley, J.R. Jessen, Ben Lawrence, Clark Nelson, and Sheri Geisler. Also in attendance was Public Building Commission Secretary Susan Renner. Public Building Commissioner Reams was absent.

A motion was made by Public Building Commissioner Geisler, seconded by Public Building Commissioner Jessen, the minutes from the November 9, 2010, to approve as corrected (*two entry's referred to Mayor Lawrence*). Motion carried 6/0.

November 9, 2010 minutes

City Communications/IT Director Bill Duggan presented a proposal from Sabre Towers & Poles, of Sioux City, Iowa, for anti-climb protection for the radio tower behind the new city hall in an amount not exceed \$5,677.

Anti-climb protection

A motion was made by Public Building Commissioner Nelson, seconded by Public Building Commissioner Jessen, to approve the purchase as requested. Motion carried 6/0.

A motion was made by Public Building Commissioner Jessen, seconded by Public Building Commissioner Geisler, at 7:58 p.m. to adjourn the Public Building Commission meeting and reconvene the Andover City Council meeting. Motion carried 6/0.

Adjourn and reconvene City Council meeting

Member items

Member Items

Council Member Tingley had none.

Council Member Jessen had none.

Council Member Hale

- Reminded everyone Hometown Christmas is Thursday, December 9, at the Central Park Lodge and Andover Public Library.
- Thanked the Andover Police Department for their continued outstanding job and asked Police Chief Keller to expound on some department happenings.
- Congratulated Deputy Fire Chief Roosevelt and Assistant City Administrator McCausland for graduating from Leadership Butler.

Council Member Nelson had none.

Council Member Geisler

- Would like staff to put something on the City website regarding the drilling of wells in easements.
- Stated she was very impressed with how well the Palin book signing event at Dillons went.

Mayor Lawrence

- Stated 2011 is an election year and three council members and the mayor are up for election and if you are interested in running for office paperwork is available at city hall or on the city website.

A motion was made by Council Member Hale, seconded by Council Member Geisler, at 8:09 p.m. to adjourn. Motion carried 5/0. Adjourn

Respectfully Submitted by

Susan Renner
City Clerk

Approved this 14th day of December, 2010 by the City Council, City of Andover.