

**ANDOVER CITY COUNCIL
Tuesday, September 13, 2011
Minutes**

1. Call to Order

Mayor Lawrence called the meeting to order at 7:00 p.m.

2. Roll Call

Members present were Council Member Byron Stout, Council Member Sheri Geisler, Council Member Dave Tingley, Council Member Clark Nelson, Council Member Caroline Hale, Council Member Troy Tabor, Mayor Ben Lawrence, Administrative Services Director Donna Davis, Police Chief Mike Keller, Fire Chief Jim Shaver, Assistant City Administrator Jennifer McCausland, City Attorney Norman Manley, City Administrator Sasha Stiles, City Clerk Susan Renner, City Engineer Mike Thompson, City Bond Counsel J.T. Klaus, City Financial Advisor Mark Detter, and Public Works & Community Development Director Les Mangus.

3. Invocation as given by Pastor Leon Hiebert.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Andover Cub Scout Pack 584.

5. Mayor Lawrence opened the public forum. There were no comments.

6. Acceptance of Agenda

Sasha Stiles presented the completion document for agenda item 12) Bond Resolution and added the appointment of Scott Wilson as USD 385 School Board representative to the community envisioning committee as outlined in consent agenda item j.

Mayor Lawrence requested a brief discussion be added to the end of the agenda regarding Vornado.

A motion was made by Council Member Caroline Hale, seconded by Council Member Sheri Geisler to accept the agenda as modified. Motion carried 6/0.

7. Presentations – A request by Andover Cub Scout Pack 584 for use of Central Park for their annual family campout on October 8 & 9

Craig Grissen, 1810 N. Peckham Circle, Cub Scout Pack 584 leader, requested the use of a portion of Central Park for their annual family campout on October 8 & 9 (rain date October 15 & 16).

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to approve the use of Andover Central Park by Cub Scout Pack 584 on October 8 & 9 with the rain date of October 15 & 16 and to coordinate with Fire Chief Shaver and Police Chief Keller. Motion carried 6/0.

8. Consent Agenda

- a. Approval of Minutes
 - i. City Council Workshop: August 29, 2011
 - ii. City Council Meeting: August 30, 2011
- b. Receive & file reports
 - i. Finance: August 2011
 - ii. Fire: August 2011
- c. Approval of appropriation ordinance B-16-11 in the amount of \$ 1,046,473.80.
- d. Approval of non-elected personnel items

Fire Captain Rocky Craig, longevity increase from \$16.56 per hour to \$16.97 per hour effective October 7, 2011.
Park Department new hire Nicholas Knowles at \$9.00 per hour effective September 13, 2011.
- e. Approval of a request of the Public Works Department to submit an RFP for a department vehicle.
- f. Approval of KDOT/LaFarge change order 17 for the South Andover Road project for concrete pavement in the amount of \$63,480.
- g. Approval of a check request to distribute budgeted funds to the Andover Senior Center in the amount of \$3,000.
- h. Approval of a check request from CVB funds for reimbursement to Express Inn in the amount of \$2,920 for the Hospital Voucher program for July 11 through September 7, 2011.
- i. Approval a Police Department purchase of Power DMS Software in the amount of \$2,425 from Power DMS of Orlando, Florida.

- j. Approval of Mayoral appointments to the K-State Envisioning Economic Prosperity project committee as follows:
- Mayor Ben Lawrence
 - Council Members Byron Stout, Sheri Geisler, Clark Nelson, Caroline Hale, Dave Tingley, and Troy Tabor
 - Planning Commissioner Lynn Heath
 - Site Plan Review Committee member Dennis Bush
 - Business sector representative Kent Bush (Augusta Gazette/Andover American)
 - Health sector representative Daryl Thornton (Kansas Medical Center)
 - Education sector representative Dr. Jackie Vietti (Butler Community College)
 - Education sector representative Mark Evans (USD 385)
 - Education sector representative Scott Wilson (USD 385 Board member)

A motion was made by Council Member Dave Tingley, seconded by Council Member Caroline Hale to approve the consent agenda as revised (*item j*). Motion carried 6/0.

9. [Mark Detter, City Financial Advisor, DeWaay Financial, resignation to serve as the underwriter for the bond refunding on agenda items 11 and 12 only.](#)

Mr. Detter stated with interest rates moving from .75 to 2.5 on the last bond issue to now .6 to 2.25, as financial advisor felt the opportunity should be presented to the Council for a potential cost savings of \$68,000.

A motion was made by Council Member Caroline Hale, seconded by Council Member Sheri Geisler to approve the resignation of Mark Detter, DeWaay Financial, to serve as the underwriter for the bond refunding on agenda items 11 and 12 only. Motion carried 6/0.

10. [DeWaay Financial Underwriting Agreement](#)

A motion was made by Council Member Sheri Geisler, seconded by Council Member Caroline Hale to approve the DeWaay Financial Underwriting Agreement and authorize the Mayor to sign the agreement. Motion carried 6/0.

11. [An ordinance of the City of Andover, Kansas, authorizing the issuance of the City's General Obligation Refunding Bonds, Series B, 2011, in the aggregate principal amount of \\$1,780,000, for the purpose of refunding certain outstanding general obligation bonds of the City; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds; authorizing certain other documents and actions; and making certain covenants with respect thereto.](#)

J.T. Klaus, Triplett, Woolf & Garretson, City Bond Counsel explained the ordinance authorizes the issuance of the bonds, and the resolution that follows sets the terms, interest rates and the payout. These General Obligation Bonds are to refund the Series A, 1999 and Series A, 2003 bonds in a total amount of \$1,780,000.

A motion was made by Council Member Clark Nelson, seconded by Council Member Sheri Geisler to approve an ordinance of the City of Andover, Kansas, authorizing the issuance of the City's General Obligation Refunding Bonds, Series B, 2011, in the aggregate principal amount of \$1,780,000, for the purpose of refunding certain outstanding general obligation bonds of the City; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds; authorizing certain other documents and actions; and making certain covenants with respect thereto. Motion carried 6/0. Ordinance number 1495 was assigned.

12. A resolution prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Refunding Bonds, Series B, 2011, in the total aggregate principal amount of \$1,780,000, of the City of Andover, Kansas, previously authorized by Ordinance No. 1495 of the City; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith

A motion was made by Council Member Clark Nelson, seconded by Council Member Sheri Geisler to adopt a resolution prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Refunding Bonds, Series B, 2011, in the total aggregate principal amount of \$1,780,000, of the City of Andover, Kansas, previously authorized by Ordinance No. 1495 of the City; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith. Motion carried 6/0. Resolution number 11-20 was assigned.

13. Official Payments contract for citizen bill pay with credit/debit card or electronic check

Jennifer McCausland stated this contract had been revised and approved by Norman Manley, City Attorney, as requested by the Council after the contract was reviewed at the August 30, 2011 meeting.

Council Member Troy Tabor wanted confirmation that the City would not be held responsible for credit card transactions and to make sure there was sufficient notification to the public of the convenience fee.

Ms. McCausland stated City employees would not be directly involved in the transactions. Citizens will either use the service on-line, calling an 800 number, or by swiping their card at the point of sale. Staff will work with the vendor to provide adequate signage.

A motion was made by Council Member Caroline Hale, seconded by Council Member Sheri Geisler to approve the Official Payments contract for citizen bill pay with credit/debit card or electronic check and authorize the Mayor to sign. Motion carried 6/0.

14. Butler County Emergency Operations Plan

Sasha Stiles explained the plan has been reviewed by staff and is recommended for acceptance.

A motion was made by Council Member Dave Tingley, seconded by Council Member Byron Stout to accept the Butler County Emergency Operations Plan. Motion carried 6/0.

15. [Poe & Associates proposal for engineering services for the intersection of Andover Road and 13th Street.](#)

Sasha Stiles explained KDOT provided an opportunity for improvement at the intersection of Andover Road at 13th Street with use of State safety funds. The City would be responsible for the cost of the construction engineering and funds are available from the street sales tax fund.

A motion was made by Council Member Clark Nelson, seconded by Council Member Sheri Geisler to approve the Poe & Associates proposal for engineering services for the intersection of Andover Road and 13th Street in the amount of \$72,000. Motion carried 6/0.

16A. [Vornado IRB discussion \(add-on\)](#)

Mayor Lawrence explained Vornado is planning a 30,000 sq.ft. expansion of their current plant and would like the City to consider issuing industrial revenue bonds for the financing. He added the original plant was built with industrial revenue bonds as the finance mechanism and they have been paid off.

J.T. Klaus, Triplett Woolf & Garretson, City Bond Counsel, explained the benefits of financing a project like this through bonds. Mr. Klaus added if the Council would like to consider the issuance of bonds he will provide a cost benefit analysis at the next City Council meeting.

16. [Member Items](#)

Council Member Byron Stout had none.

Council Member Sheri Geisler

- Stated Vornado was started by an Andover resident.

Council Member Dave Tingley

- Stated Andover is fiscally sound due to diligent work by City Bond Council, City Financial Advisor and staff.

Council Member Clark Nelson had none.

Council Member Caroline Hale

- Stated the Andover Historical Museum is open and is looking for people who would be interested in getting involved.
- Reminded everyone of the Andover Senior Center breakfast on Saturday, September 17.

Council Member Troy Tabor had none.

17. Adjourn

A motion was made at 7:59 p.m. by Council Member Byron Stout, seconded by Council Member Troy Tabor to adjourn. Motion carried 6/0.

Respectfully Submitted by

Susan Renner
City Clerk

Approved this 27th day of September, 2011 by the City Council, City of Andover