

ANDOVER CITY COUNCIL
Tuesday, October 11, 2011
Minutes

1. Mayor Lawrence called the meeting to order at 7:02 p.m.

2. Roll Call

Present were Council Member Byron Stout IV, 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 Financial Advisor Mark Detter, and Public Works & Community Development Director Les Mangus.

3. Pastor Robert Lukenbill of the Andover Church of Christ gave the invocation.

4. Mayor Lawrence led the Pledge of Allegiance

5. Public Forum

Pastor Robert Lukenbill, Andover Church of Christ, thanked the City Council for assisting in getting the word out regarding the clothing drive give-away on October 1. There were 125+ people who came and were appreciative for the clothing. The church is planning on continuing the offering on a monthly basis.

6. Acceptance of Agenda

Mayor Lawrence requested the addition of a discussion at the end of the meeting regarding appointed officials.

Sasha Stiles stated the completion document for the resolution presented in Public Building Commission agenda item C. was on the bench.

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

7. Consent Agenda

- a. Approval of Minutes
 - i. City Council Workshop: September 26, 2011
 - ii. City Council Meeting: September 27, 2011
- b. Receive & file reports
 - i. Finance: September 2011
 - ii. Fire: September 2011
 - iii. Police: August 2011; September 2011
- c. Receive & file minutes
 - i. Planning Commission: July 19, 2011; August 16, 2011
- d. Approval of appropriation ordinance B-18-11 in the amount of \$ 375,104.58.
- e. Approval of a Police Department recommendation to develop a comprehensive plan to prevent racial or other biased based policing in Andover.
- f. Approval of Police Department General Orders M1206 "Selection of Personnel"; M1308 "Career Development"; M1202 "Personal Equipment & Apparel"; M1218 "Performance Recognition Awards" .
- g. Approval of the acceptance of a permanent drainage easement and a temporary construction easement for the 21st Street project.
- h. Approval of a request to land an aircraft on City owned property.

A motion was made by Council Member Troy Tabor, seconded by Council Member Dave Tingley to approve the consent agenda as presented. Motion carried 6/0.

8. DeWaay Financial

- A. Financial Advisor termination for agenda item 9 and item C of the Public Building Commission agenda.

Mark Detter provided the termination paperwork for DeWaay Financial, as required by current law, to move forward with the underwriting agreement.

A motion was made by Council Member Clark Nelson, seconded by Council Member Sheri Geisler accept the DeWaay Financial termination letter. Motion carried 6/0.

B. Underwriting agreement

Mark Detter provided an agreement for underwriting the refunding bonds to be presented in City Council agenda item 9 and Public Building Commission agenda item C. Mr. Detter explained the refunding of these bonds will save the City a projected \$67,000 over the next 8 years.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to approve the DeWaay Underwriting agreement as presented. Motion carried 6/0.

9. An ordinance of the City of Andover, Kansas, approving the issuance of \$995,000 aggregate principal amount of the Andover Public Building Commission, refunding Revenue Bonds, Series B, 2011 (park facilities project) for the purpose of providing for the refunding and early redemption of certain of the commission's outstanding Improvement Revenue Bonds, Series 2001 (park facilities project) and the outstanding Improvement Revenue Bonds, Series A, 2003 (park facilities project); prescribing the form and authorizing the execution of a sixth supplemental lease by and between the Public Building Commission and the City; and authorizing the execution of a bond purchase agreement between the Commission, the City, and DeWaay Financial Network, LLC, as underwriter of the bonds.

A motion was made by Council Member Clark Nelson, seconded by Council Member Caroline Hale to adopt an ordinance of the City of Andover, Kansas, approving the issuance of \$995,000 aggregate principal amount of the Andover Public Building Commission, refunding Revenue Bonds, Series B, 2011 (park facilities project) for the purpose of providing for the refunding and early redemption of certain of the commissions outstanding Improvement Revenue Bonds, Series 2001 (park facilities project) and the outstanding Improvement Revenue Bonds, Series A, 2003 (park facilities project); prescribing the form and authorizing the execution of a sixth supplemental lease by and between the Public Building Commission and the City; and authorizing the execution of a bond purchase agreement between the Commission, the City, and DeWaay Financial Network, LLC, as underwriter of the bonds. Motion carried 6/0. Ordinance number 1498 was assigned.

10. Recess City Council meeting and convene Public Building Commission meeting

A motion was made by Council Member Byron Stout, seconded by Council Member Troy Tabor at 7:22 p.m. to recess the City Council meeting and convene Public Building Commission meeting. Motion carried 6/0.

A. Roll Call

Public Building Commission President Dave Tingley called the meeting to order. Present were Public Building Commissioners Byron Stout IV, Sheri Geisler, Ben

Lawrence, Clark Nelson, Caroline Hale, Troy Tabor and Public Building Commission Secretary Susan Renner.

B. Minutes of July 26, 2011

A motion was made by Public Building Commissioner Caroline Hale, seconded by Public Building Commissioner Sheri Geisler to approve the minutes of July 26, 2011. Motion carried 7/0.

C. A resolution of the Andover Public Building Commission, authorizing and providing for the refunding and early redemption of certain of the commission's outstanding Improvement Revenue Bonds, Series 2001 (park facilities project) and outstanding Improvement Revenue Bonds, Series A, 2003 (park facilities project); authorizing and providing for the issuance of the Commission's refunding Revenue Bonds, Series B, 2011 (park facilities project), in the aggregate principal amount of \$995,000, for the purpose of paying a portion of the costs thereof; prescribing the form and details of the Series B, 2011 bonds; authorizing the lease of the improvements to the City of Andover, Kansas; making certain other covenants and agreements with respect to the foregoing; and authorizing the execution of certain agreements and supporting documents.

Mark Detter stated this resolution authorizes the refunding of the bonds addressed in the ordinance previously discussed in the Council meeting.

A motion was made by Public Building Commissioner Clark Nelson, seconded by Public Building Commissioner Caroline Hale to adopt a resolution of the Andover Public Building Commission, authorizing and providing for the refunding and early redemption of certain of the Commission's outstanding Improvement Revenue Bonds, Series 2001 (park facilities project) and outstanding Improvement Revenue Bonds, Series A, 2003 (park facilities project); authorizing and providing for the issuance of the Commissions refunding Revenue Bonds, Series B, 2011 (park facilities project), in the aggregate principal amount of \$995,000, for the purpose of paying a portion of the costs thereof; prescribing the form and details of the Series B, 2011 bonds; authorizing the lease of the improvements to the City of Andover, Kansas; making certain other covenants and agreements with respect to the foregoing; and authorizing the execution of certain agreements and supporting documents. Motion carried 7/0. Resolution number APBC 11-03 was assigned.

D. Adjourn Public Building Commission meeting and reconvene City Council meeting

A motion was made by Public Building Commissioner Sheri Geisler, seconded by Public Building Commissioner Byron Stout at 7:24 p.m. to adjourn the Public Building Commission meeting and reconvene City Council meeting. Motion carried 7/0.

D. [Adjourn Public Building Commission meeting and reconvene City Council meeting](#)

Norman Manley stated currently the Mayor and City Council do not have authorization to remove or suspend an appointed official prior to the end of their annual appointment.

Mayor Lawrence asked the Council if they would like Mr. Manley to draft a charter ordinance with provisions for the Mayor to suspend an appointed official and the Mayor and Council to remove an appointed official mid-term. The Council concurred.

11. [Member Items](#)

Mayor Ben Lawrence

- Stated in response to the criticisms received during the 2012 budget process there will be one financial document discussed at each of the workshop meetings beginning in November.
- Asked those who attended the League of Kansas Municipalities conference this past weekend to comment.

Council Member Byron Stout

- Stated he was unable to attend the conference.

Council Member Sheri Geisler

- Attended the conference and enjoyed the meetings, specifically the meetings regarding libraries and the 2010 Census.
- Stated the Hands to Serve project was this past weekend with 14 projects in Andover and was a success for a first year program.

Council Member Dave Tingley

- Heard a lot of good feedback regarding Greater Andover Days.
- Attended the conference and was a disappointed in some of the classes offered.

Council Member Clark Nelson

- Agreed with Council Member Tingley regarding the LKM Conference.
- Thought the Greater Andover Days tailgate party was a success.

Council Member Caroline Hale

- Stated the community enjoyed Greater Andover Days.
- Commended Council Member Geisler for her hard work with the Hands to Help project.
- Reminded everyone of the FEMA and FCC nationwide emergency broadcast testing on November 9.

Council Member Troy Tabor had none.

12. Recess to October 19, to the 13th Street Butler Community College facility for a joint meeting with USD 385 School Board members and Butler Community College Board.

A motion was made by Council Member Caroline Hale, seconded by Council Member Troy Tabor at 7:44 p.m. to recess the meeting. Motion carried 6/0.

Respectfully Submitted by

Susan Renner
City Clerk

Approved this 25th of October, 2011 by the City Council, City of Andover