

ANDOVER CITY COUNCIL
Tuesday, May 08, 2012
Minutes

1. [Mayor Lawrence called the meeting to order.](#)

2. [Roll Call](#)

Present were Council Members Byron Stout IV, Sheri Geisler, Kris Estes, Clark Nelson, Caroline Hale, and Troy Tabor. Staff in attendance was: Police Chief Mike Keller, Chief Financial Officer Donna Davis, Fire Chief Jim Shaver, Assistant City Administrator Jennifer McCausland, City Attorney Norman Manley, Public Works and Community Development Director Les Mangus, City Clerk Susan Renner, City Administrator Sasha Stiles, and City Engineer Jim Ubert.

3. [Invocation was given by Pastor Greg Perkins of Eastside Community Church.](#)

4. [Pledge of Allegiance was led by Mayor Lawrence with the assistance of Mackenzie Buchanan and her father Andover Police/School Resource Officer Buck Buchanan.](#)

5. [Mayor Lawrence opened the public forum. Gene Miller stepped to the podium but decided to speak during the public hearing regarding the NRP. No one else spoke. The public forum was closed.](#)

6. [Acceptance of Agenda](#)

Mayor Lawrence requested item f) Mayoral appointments be moved to the regular agenda for discussion regarding the liaison appointment to the Rotary Club.

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. [Mayor Lawrence proclaimed the week of May 13 as National Police Week and specifically May 15 as Peace Officer Memorial Day.](#)

Chief Keller stated there will be a dinner sponsored by the Police Department Chaplains in honor of law enforcement and respect for all they do. Chief Keller added there will be memorial ceremonies held around the state as well.

8. Presentations

a. Hands to Serve - October 20, 2012

Matt Rivers presented information regarding the 21 projects that over 300 volunteers assisted with in 2011. He asked the City for assistance for the 2012 program by promoting it on the City web page and on City cable channel 7.

b. Insurance Center Inc. rebate

Mayor Lawrence explained how and why the city has received dividend checks from the insurance carrier and noted the receipt of \$6,974.59 for 2011.

c. Police & Fire Foundation Scholarships awards.

Police Chief Michael Keller presented a \$500 scholarship to Ashlee Atkins for her pursuit in Criminal Justice and Fire Chief Jim Shaver presented a \$500 scholarship to Nathan Juresic for his in Fire Science. Both students are Andover Central High School seniors and plan to attend Butler Community College.

A motion was made by Council Member Byron Stout, seconded by Council Member Sheri Geisler to approve the use of the city website and cable channel 7 to assist with the promotion of the Hands to Serve event. Motion carried 6/0.

9. Consent Agenda

- a. Approval of Minutes
 - i. City Council Workshop: April 23, 2012
 - ii. City Council Meeting: April 24, 2012

- b. Receive & file reports
 - i. Fire: April 2012
 - ii. Library: Finance March 2012

- c. Receive & file minutes
 - i. Site Plan Review: March 6, 2012
 - ii. Subdivision: January 10, 2012
 - iii. Planning Commission: February 21, 2012
 - iv. Library: March 14, 2012

- d. Approval of appropriation ordinance B-08-12 in the amount of \$ 280,906.32.

- e. Approval of non-elected personnel
- Curtis Anderson, position change from Police Officer to MPO I, with a salary increase from \$16.71 to \$17.04 per hour, effective May 14, 2012.
 - Lance Parker, position change from MPO II to MPO III, with a salary increase from \$18.34 to \$18.67 per hour, effective May 14, 2012.
 - Andrew Davis, new hire as parks department maintenance worker at a starting salary of \$11.00 per hour, effective April 24, 2012.
 - Steele Estes, new hire as parks department seasonal maintenance worker, at a starting salary of \$9.00 per hour, effective April 26, 2012.
 - Nick Knowles, position change from park department maintenance worker to park department semi-skilled maintenance worker and status change from training to regular, with a salary increase from \$10.75 to \$11.25 per hour, effective March 1, 2012.
 - David Sohm, new hire as street department maintenance worker, at a starting salary of \$12.00 per hour, effective April 24, 2012.
- g. Approval of Communications/IT Department purchase of software required for law enforcement remote connections from NetMotion Wireless of Seattle, Washington, in the amount of \$5,755.99.
- h. Approval of Police Department General Orders: M1115 Property Management-Department Owned Property; M1204 Employee Assistance Plan; M1205 Recruitment & Equal Employment Opportunity; M1217 Physical Fitness; M1221 Line of Duty Deaths; O2202 Alcohol Enforcement Countermeasures; O0204 Civil Disturbances/Civil Disobedience; O2413 Hostage Situations; O2414 Barricaded Subject Situations; O2509 Criminal Intelligence; O2603 Traffic Law Enforcement; O2703 Impact Weapons; O2705 Patrol Rifles; O2802 All Hazards Plan; O2805 Communications; O2806 Jurisdiction; P3103 Community Outreach Program; P3104 Neighborhood Association Liaison Program; P3110 Traffic Calming Measures.
- i. Approval of Wichita Park Board contract for stage use for Greater Andover Days, September 27 through September 30, in the amount of \$750 daily.

A motion was made by Council Member Troy Tabor, seconded by Council Member Byron Stout to approve the consent agenda with the exception of item f) Mayoral appointments. Motion carried 6/0.

Consent agenda item f) Approval of annual Mayoral appointments was moved to the regular agenda for discussion.

Mayor Lawrence asked if more than one Council Member would be interested in attending the Rotary meetings as it can become difficult for one individual to attend all of their meetings. The fee for membership in the Rotary Club is \$165 per quarter and includes one meal at each meeting. Any additional members that attend would pay \$10 for their meal.

Council Members Byron Stout, Troy Tabor, and Clark Nelson and City Administrator Sasha Stiles were appointed as liaison members to the Rotary Club.

Mayor Lawrence stated that as members of the Grant of Public Funds committee Council Members Caroline Hale and Byron Stout will look into funds used for memberships.

A motion was made by Council Member Clark Nelson, seconded by Council Member Troy Tabor to approve the annual Mayoral appointments as presented with the additional members to the Rotary Club liaison appointment. Motion carried 6/0. The list of the appointments is attached to these minutes.

10. Neighborhood Revitalization Plan

a. Mayor Lawrence opened the public hearing at 7:35 p.m.

George Beliveau, 931 Maplewood Court, stated he was against the program and felt the Andover American wrote a biased article in favor of the program with what he believed to be incorrect information. He stated the ladies on the Council have shown compassion for the citizens and asked them to vote their conscience.

Gene Miller, 420 Jamestown, asked for clarification of the program. Mr. Miller strongly opposes the application for new construction.

Mayor Ben Lawrence explained the proposal is a revision to the current program which would include all areas of town, new homes, additions or modifications to existing homes, and include commercial development. The program would offer a tax rebate of up to 95% to property owner for a specific amount of time. There are minimum dollar amount for permits and a maximum on the rebate amount.

Andrew Barkley, 1117 Terradyne Court, stated he has been a resident of Andover for 19 years. He expressed his appreciation to the council for making this a marvelous community but believes this proposal is bad public policy. If the Council does move forward he would ask the caps be lowered.

Mayor Ben Lawrence closed the public hearing at 7:50 p.m.

b. [An ordinance adopting a Neighborhood Revitalization Plan and designating a neighborhood revitalization area, hereby repealing the plan that was adopted by Ordinance 1449 of the City of Andover, Kansas.](#)

Council Member Byron Stout stated you don't have to be female to be compassionate and to eliminate the tax is compassionate, not only will this spur the economy by helping new residents and current residents it will bring traffic to our town and the interest in our community will increase. He believes this will be a huge commercial advantage to our community.

Council Member Clark Nelson stated he actually shares Dr. Barkley and others political position more than they may realize, he is a conservative. He does not want to increase taxes and he wants to provide the necessary services and let free enterprise live and fall on its own. Other communities have adopted similar programs and he believes they are working. He is skeptical on the commercial and has been persuaded there is a difference in new home and re-sale home sales.

Council Member Caroline Hale stated she is opposed to government getting involved. She believes the only reason we are looking at this is because Wichita initiated a program that includes the east side of town where those homeowners could have children attending Andover schools. She believes this is giving an entitlement to certain groups. She is opposed.

Council Member Kris Estes has received a lot of calls welcoming her to the Council and they all had one thing in common; their comments concerning this proposal. It is not the governments' place to intervene in the private housing industry. She cannot support the proposed program.

Sheri Geisler stated she has struggled with the program. It will negatively affect the re-sale home market but the commercial would benefit our community by increasing the tax base. She believes a lot of the comments that have been stated as fact are actually not. She is not in support of the program.

Council Member Troy Tabor reminded everyone the Council Members are tax payers and will not benefit from this program. He did a comparison of the homes built in Monarch Landing which is located on the west side of 159th at 21st and the Cornerstone Addition located on the east of 159th. He stated there has been a strong trend of decline in building in Andover. He agrees those citizens re-selling homes in excess of \$200,000 will be impacted but he has to look at the community as a whole, not just those selling homes. He believes that giving up the taxes for a short term will provide growth to the City long term. He supports the program.

Mayor Ben Lawrence stated he and Sasha Stiles attended the Butler County Commission meeting and presented the proposal where they took an un-official vote on the caps and term limits, and it was unofficially approved with a 3 to 2 vote.

Sasha Stiles stated USD 385 will consider the proposal at their school board meeting on May 14.

Mayor Ben Lawrence stated this is about the long term viability of the City; we are losing the battle right now as far as attracting new homes and businesses. He will override his personal opinion because he believes this proposal is in the best interest of the community.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to approve an ordinance adopting a Neighborhood Revitalization Plan and designating a neighborhood revitalization area, hereby repealing the plan that was adopted by Ordinance 1449 of the City of Andover, Kansas. Motion carried 4/3. Council Members Caroline Hale, Sheri Geisler, and Kris Estes opposed. Mayor Lawrence voted in favor. Mayor Lawrence stated he would not sign the ordinance unless the other entities involved approved the plan as well and directed the Ordinance not be published at this time. Ordinance number 1511 was assigned.

11. [Andover Industrial Park marketing proposals](#)

Sasha Stiles presented the JP Weigand proposal which was recommended by the review committee and a memo explaining the process that was used. Staff is requesting Council accept the proposal and allow staff and the Mayor to negotiate the details of the agreement and bring it back for approval.

A motion was made by Council Member Byron Stout, seconded by Council Member Kris Estes to accept the proposal from JP Weigand for marketing the Andover Industrial Park as requested. Motion carried 6/0.

12. [Poe & Associates proposal for 2012 Street Rehabilitation](#)

Jim Ubert, Poe & Associates, Consulting Engineer, presented the proposal for the design, engineering and administration of the 2012 Street Rehabilitation project.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to approve the Poe & Associates proposal for the 2012 Street Rehabilitation project. Motion carried 6/0.

13. [Member Items](#)

Council Member Clark Nelson

- Stated he would normally not endorse a NRP as proposed but due to events beyond control he felt it necessary.

Council Member Kris Estes

- Appreciates the discussions and that it is open for citizen participation. She stated she struggled with the NRP as proposed but she will support moving forward with no ill feelings.

Council Member Caroline Hale

- Concurred with Council Member Estes regarding the NRP and added her decision was not a matter of her compassion or gender.
- Reminded everyone that real estate tax is due May 10.
- Noted the work at the intersection 159th and Kellogg is on its way at a cost to KDOT of \$1,666,531.16.
- Asked for volunteers for the Historical Society Museum and to call Carol Moser at 775-3656 if interested.
- Stated Debbie Dolocek, life time Andover resident, is very ill and would appreciate your prayers.

Council Member Troy Tabor

- Sees a powerful argument on both sides of the NRP but after seeing numbers of the new builds at Monarch Landing compared to the Cornerstone addition he could not argue against it.
- Glad to see Ace Hardware opening.

Council Member Sheri Geisler

- Struggled with her vote for the NRP and had received many phone calls regarding the issue.
- Complimented city staff on the wonderful job they do.
- Reminded the public that sales people knocking on their doors must have a license issued by the city in their possession.
- Reminded the public to shop local if they could.

Council Member Byron Stout

- Stated government needs to learn to do more with less.
- Attended the open house for Dave Tingley's new location.

Mayor Ben Lawrence

- Commented that if you find yourself in a position where you feel you have to defend your position, you might want to re-think your position.
- He told the Council they do not want him voting and they need to figure out how to work together to come to a consensus. They need to take the best interest of the City of Andover to heart.

Sasha Stiles reminded everyone of the open house for the Highway 54 Corridor plan, Thursday, May 10, at City Hall.

[14. Recess City Council Meeting to the re-scheduled Workshop on May 21 at 7 p.m.](#)

A motion was made by Council Member Troy Tabor, seconded by Council Member Byron Stout to recess the City Council Meeting. Motion carried 6/0.

Respectfully Submitted by,

Susan Renner
City Clerk

Approved this 29th of May, 2012 by the City Council, City of Andover, Kansas.

Mayoral Appointments

Appointed City Officials (1 year)

City Treasurer	Julie Spyres	Chief of Police	Michael Keller
City Attorney	Norman Manley	City Clerk	Susan Renner
Municipal Court Judge	Gene White	City Engineer	Steve Anderson
Prosecuting Attorney	Cami Baker		

Council Liaisons (1 year)

Bulter Community College	Troy Tabor	REAP	Les Mangus
Chamber of Commerce	Sheri Geisler	REAP	Jennifer McCausland
Comprehensive Development Plan	Troy Tabor	Recycling Utility	Sheri Geisler
CVB	Ben Lawrence	Rotary	Byron Stout
CVB	Kris Estes	Rotary	Troy Tabor
Fire	Clark Nelson	Rotary	Clark Nelson
Golf Course	Byron Stout	Rotary	Sasha Stiles
Grant of Public Funds	Byron Stout	Site Plan Review	Byron Stout
Grant of Public Funds	Caroline Hale	Streets	Sheri Geisler
Library	Sheri Geisler	USD 385	Kris Estes
National League of Cities	Jennifer McCausland	WAMPO	Caroline Hale
Parks	Caroline Hale	Wastewater	Kris Estes
Planning Commission	Kris Estes	YMCA	Sheri Geisler
Police	Caroline Hale	YMCA	Troy Tabor

Park Planning (1 year)

Ben Lawrence	David Foster	Les Mangus	Tim Johnson
Doug Carr	Doug Baber	Jim Sims	Kim Mosier Stevens
Sheri Geisler	Tracey Dreiling	Adam Glendening	Rob Doshier
Dennis Bush	Sasha Stiles	Bill Ellison	
Carol Wohlford	Ralph Rust	Bob Baier	

Housing Authority (4 year)

Mike Ball	Keith Zinn
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CVB (1 year)

Malik Idbeis	Hausu Patel
Tim Johnson	Daryl Thornton

Golf Course (1 year)

Tom Klocek	Scott Stauffer
Sam Murray	Les Mangus

Mayoral Appointments

Health Board

(3 year) Dr. Cathy Harmon Dr. Steve Lemon (3 year)
(2 year) Dr. Charlie Green

Planning Commission (3 years)

Quentin Coon Ken Boone
(outside city limits) Aaron Masterson

Site Plan Review Committee (3 years)

Dennis Bush