

ANDOVER CITY COUNCIL
Tuesday, May 29, 2012
Minutes

1. Call to Order

2. Roll Call

Present were Mayor Ben Lawrence, Council Member Byron Stout IV, Council Member Sheri Geisler, Council Member Clark Nelson, Council Member Caroline Hale, Council Member Troy Tabor, Council Member Kris Estes, Police Chief Mike Keller, Chief Financial Officer Donna Davis, Fire Chief Jim Shaver, Assistant City Administrator Jennifer McCausland, City Attorney Norman Manley, Public Works & Community Development Director Les Mangus, City Clerk Susan Renner, City Administrator Sasha Stiles, City Engineer Mike Thompson, City Bond Counsel J.T. Klaus, and Communications/IT Director Bill Duggan.

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

4. Mayor Lawrence led the Pledge of Allegiance.

5. Public Forum

There was not a representative present from Green Valley 5th Addition HOA to answer questions but a request had been submitted for a street closure on June 23, 2012. Police Chief Keller stated this is an annual event.

A motion was made by Council Member Caroline Hale, seconded by Council Member Sheri Geisler to approve the request by the Green Valley 5th Addition HOA to close the south Fairway Circle entrance off of Lakeside Drive for a block party. The event is Saturday, June 23, 2012, from 2pm - 10pm. Motion carried 6/0.

6. Acceptance of Agenda

Mayor Lawrence requested the addition of an executive session to discuss legal matters. Council Member Caroline Hale requested item 11) grant for public funds requests, be moved from the regular agenda to the consent agenda.

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

7. Presentations Sunlight Children's Advocacy and Rights Foundation (S.C.A.R.F.)

Suzi Thein, Executive Director, Sunlight Children's Advocacy and Rights Foundation (S.C.A.R.F.), presented the Council with information regarding their program since

inception and the progress of the Children's Home to be built at 21st Street and the Kansas Turnpike entrance. Hope Community Church donated 3+ acres of land next to the church and GLMV Architects has donated their services for design of the facility. She expressed her gratitude for the support the Council has given their organization. She noted that \$100,000 was raised at their annual fund raising event, the Buckaroo Ball.

8. Consent Agenda

- a. Approval of Minutes
 - i. City Council Meeting: May 8, 2012
- b. Receive & file reports
 - i. Finance: April 2012
 - ii. Police: April 2012
- c. Approval of appropriation ordinance B-09-12 in the amount of \$ 663,245.31.
- d. Approval of non-elected personnel items

Robert Mayer, Parks Department, position change from interim Facility Maintenance Manager at \$16.15 per hour to Facility Maintenance manager at \$17.15 per hour, salaried position, effective May 15, 2012.

Ethan Haworth, Wastewater Department new hire for seasonal worker, at a salary of \$9.00 per hour, effective May 10, 2012.

Chad Cheslic, position change from Firefighter 2 to Firefighter 3, with a pay increase from \$11.70 to \$12.00 per hour, effective June 15, 2012.

John Gabriel, position change from Firefighter 2 to Firefighter 3, with a pay increase from \$12.03 to \$12.33 per hour, effective June 16, 2012.

- e. Approval of drainage easements for south Andover Road storm sewer (Butler & Dombaugh).
- f. Approval of Arlen's Home Improvement revision to the original contract for the Community Center remodel to reduce the amount of the contract in the amount \$8,285.00 due to flooring issues.
- g. Approval of a check request of CVB funds for the Hotel Voucher Program in the amount of \$2,720 to Days Inn (previously Andover Express Inn).
- h. Approval of payment to property owners at 2009 N. Andover Road and 1953 N. Andover Road for irrigation system repair due to the 21st Street improvement project in the amount of \$2,280 plus tax for each property.

- i. Approval of the Communications/IT Department purchase of a service contract for six tornado sirens for the remainder of 2012 from Blue Valley Public Safety, Grain Valley, Missouri, in the amount of \$3,486 and a Federal Signal software upgrade from Blue Valley Public Safety in the amount of \$2,985.65.
- j. Approval of the Communications/IT Department purchase of five mobile data computers for Public Safety vehicles from Data911, Alameda, California, in the amount of \$33,242.50.
- k. Approval of the Fire Department purchase of twenty-five Drager PSS7000 Self Contained Breathing Apparatus (SCBA) and equipment from Weis Fire & Safety Equipment Co, Salina, Kansas, in the amount of \$185,570.02 and the SCBA Bauer UNIII compressor from Emergency Fire Equipment, Inc., Mayfield, Kansas, in the amount of \$39,475. The purchase is to be made with federal grant funds and the city's portion of the grant is 10%, \$22,504.50.
- l. Approval of the Mayoral appointment of Kyle Fritzler, YMCA Sports Director, to the Park Planning Committee.
- m. Approval of Cornejo & Sons change order seven for Andover Landing Phase 1 - reconciliation of quantities (-\$43,329).

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to approve the consent agenda items a through m and include regular agenda item 11) Grant of Public Funds request, approving the \$2,000 request from S.C.A.R.F. and denying the request of Andover Public Library Friends request in the amount of \$1,130. Motion carried 6/0.

9. [A resolution indicating the intent of the governing body of the City of Andover, Kansas to issue certain taxable industrial refunding revenue bonds in an aggregate principal amount of not to exceed twelve million seven hundred fifty thousand dollars \(\\$12,750,000\) for the purpose of \(i\) refunding and redeeming prior to their maturity certain of the City's outstanding \(a\) taxable industrial refunding and improvement revenue bonds, series 2008 \(Andover Senior Care, L.L.C.\), \(b\) taxable industrial revenue bonds, series a, 2009 \(Andover Senior Care, L.L.C.\), and \(c\) subordinated taxable industrial revenue bonds, series b, 2009 \(Andover Senior Care, L.L.C.\) and \(ii\) paying certain costs of issuance.](#)

J.T . Klaus, Triplett Woolf & Garretson, City Bond Counsel, explained the owners of Victoria Falls are asking to refinance bonds that were issued in 2008 and 2009. This is at no cost to the city. Mr. Klaus added the refinance would have no effect on the current approved tax abatements; 2008 bonds currently reduced by 20% for 2012 and 10% for 2013, then expire and 2009 bonds abatement 100% for 2012, 50%, for 2013, 25% for 2014, then expire.

A motion was made by Council Member Byron Stout, seconded by Council Member Sheri Geisler to approve a resolution indicating the intent of the governing body of the City of Andover, Kansas to issue certain taxable industrial refunding revenue bonds in an aggregate principal amount of not to exceed twelve million seven hundred fifty thousand dollars (\$12,750,000) for the purpose of (i) refunding and redeeming prior to their maturity certain of the City's outstanding (a) taxable industrial refunding and improvement revenue bonds, series 2008 (Andover Senior Care, L.L.C.), (b) taxable industrial revenue bonds, series a, 2009 (Andover Senior Care, L.L.C.), and (c) subordinated taxable industrial revenue bonds, series b, 2009 (Andover Senior Care, L.L.C.) and (ii) paying certain costs of issuance. Motion carried 6/0.

10. [Andover Farm at Cedar Park 5](#)

Les Mangus explained the property owners confirmed there was a water line and it would only require a short wastewater line extension to plat the two lots. The owners of the property will be responsible for all costs related to the installation.

a. [Final Planned Unit Development Plan](#)

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to accept the plat for Andover Farm at Cedar Park 5 Addition as presented. Motion carried 6/0.

b. [Accept the plans for the sewer extension project](#)

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to accept the plans for the sewer extension project. Motion carried 6/0.

c. [Developers Agreement](#)

A motion was made by Council Member Clark Nelson, seconded by Council Member Kris Estes to accept the Developers Agreement with the addition of the substantial completion date of June 28, 2012. Motion carried 6/0.

11. [Grant for Public Funds requests - moved to the consent agenda](#)

- a. *Sunlight Children's Advocacy and Rights Foundation (S.C.A.R.F.) approved \$2,000*
- b. *Andover Public Library Friends denied \$1,130*

12. [Envisioning Group 1: Andover Industrial Park recommendation](#)

Sasha Stiles read the Envisioning Group's recommendation from their May 17, 2012, minutes. This recommendation is for the un-platted portion.

Council Member Caroline Hale inquired of the possibility to use the land for practice fields, soccer fields, etc.

Council Member Kris Estes stated she has attended both Envisioning Group 1 and Envisioning Parks Group meetings and that idea was brought up and the committee felt there was the possibility for a better use. She believes they want to remove the “industrial” from the park.

Council Member Clark Nelson asked Grant Tidemann, Weigand, to present their suggestion regarding best use of the park as outlined in his email.

Grant Tideman, J.P. Weigand & Sons, Commercial Division realtors, after speaking with City staff, suggested the sale of the existing lots which have the streets and sewer and the Council hire an informed appraiser to perform a highest and best use study on the 47 acres of raw land. Mr. Tideman added the property has changed over time and the change needed might be from an industrial park to a business park. The industrial park market is very competitive and with the length of time, amount of money already spent by the city, he would recommend looking at alternatives.

Council Member Byron Stout would like to stay with the original intent of the property and bring in commerce which is important to sustain and gain a broader tax base.

Mayor Ben Lawrence believes the best use of the property should be determined prior to making any other decisions regarding the property. The commissioning of a report is merited.

A motion was made by Council Member Troy Tabor, seconded by Council Member Byron Stout to solicit an RFP for a study to determine the best uses of the back 47 acres of the Andover Industrial Park. Motion carried 6/0.

Executive session

A motion was made by Council Member Sheri Geisler, seconded by Council Member Byron Stout to enter executive session at 8:01 p.m. for approximately ten minutes to discuss legal matters and to include the governing body, city administrator, city counsel, and director of public works. Motion carried 6/0.

A motion was made by Council Member Byron Stout, seconded by Council Member Troy Tabor to come out of executive session at 8:29 p.m. Motion carried 6/0.

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

13. Member Items

Council Member Byron Stout

- Attended the police dinner and thought it was a great event.

Council Member Sheri Geisler

- Reminded everyone of the city wide garage sales this weekend.
- Reminded everyone of the Police and Fire event Saturday night from 6-8:30pm.
- Reminded everyone that the Andover library has great summer programs and activities.

Council Member Troy Tabor had none.

Council Member Caroline Hale

- Reminded everyone of the 1st Annual Police and Fire festival on Saturday.
- Stated on a sad note that Debbie Dolecek had passed away on Sunday. She was the founding member of the Andover Historical Society.

Council Member Kris Estes

- Thanked Eastside Community Church for sponsoring the peace officers appreciation dinner for the great work our officers do.
- Thanked the Senior Center for allowing her to be a guest at their luncheon.

Council Member Clark Nelson had none.

Mayor Lawrence inquired about the development of the Cornerstone Park.

- Les Mangus explained the park was one year behind due to the drought last year leaving an inability to get anything seeded the decision was made not to sod due to water requirements. A portion of the sod will be completed in the fall and in the meantime the park will re-seeded. The playground equipment is in place, trees are there, parking lot is there, only the big picnic shelter is missing and it is on order. All that is required for completion is some concrete and a basketball court.

Mayor Lawrence inquired when the speed limit will return to 40mph on 21st Street.

- Les Mangus stated as soon as the signs are installed. The street department is waiting on a response from Dig Safe.

Mayor Lawrence gave an update on the revised NRP with the time line and how the applications will be accepted. He reminded everyone the program still needs the approval of the Attorney General.

14. Adjourn

A motion was made 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 12th June, 2012, by the City Council, City of Andover