

**ANDOVER CITY COUNCIL
Tuesday, October 30, 2012
Minutes**

1. Mayor Ben Lawrence called the meeting to order.

2. Roll Call

Council Members: Byron Stout IV, Troy Tabor, Caroline Hale, Kris Estes and Clark Nelson were present. Council member Sheri Geisler was absent.

Staff: Police Chief Mike Keller, Chief Financial Officer Donna Davis, Fire Chief Jim Shaver, Assistant City Administrator Jennifer McCausland, City Counsel Norman Manley, Public Works & Community Development Director Les Mangus, City Clerk Susan Renner, City Administrator Sasha Stiles, City Bond Counsel J.T. Klaus, City Financial Advisor Mark Detter, and City Consulting Engineer Mike Thompson.

A/V staff: Communications/IT Director Bill Duggan

3. Invocation was given by Pastor Robert Lukenbill of the Andover Church of Christ and Andover Police Department Chaplains.

4. Pledge of Allegiance was led by Mayor Ben Lawrence.

5. Public forum was opened. No comments were made.

6. Acceptance of Agenda

Sasha Stiles presented an additional item for the agenda; Fire Department replacement of building heating units, Cornejo & Sons revised change order for consent agenda item j, and the completion document for agenda item 10 for issuance of bonds.

Mayor Lawrence requested an executive session be added to the end of the agenda to discuss legal matters.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to accept the agenda with modifications. Motion carried 5/0.

7. Greater Andover Days presentation to Fire & Police Foundation

Kandace Hunt, Greater Andover Days committee co-chair, presented the Andover Police and Fire Foundation a check in the amount of \$688.00. The GAD committee donated \$.50 cents of each button sale to the foundation.

8. Consent Agenda

- a. Approval of Minutes
 - i. City Council Meeting: October 9, 2012
- b. Receive & file reports
 - i. Police Department: September 2012
 - ii. Library: Director Report October 2012
 - iii. Library: Financial Report September 2012

- c. Receive & file minutes
 - i. Library: July 11, 2012
 - ii. Historical Society: July 19, 2012; September 20, 2012
- d. Approval of appropriation ordinance B-19-12 in the amount of \$ 727,243.56.
- e. Approval of non-elected personnel items
 - Marlena Graham, Communications Officer, from training to regular status, with a pay increase from \$13.50 to \$13.75 per hour, effective October 15, 2012.
 - Joshua Blanding, new hire Police Officer, at a pay rate of \$15.96 per hour, effective October 31, 2012.
 - Michael Shinert, new hire Police Officer, at a pay rate of \$15.96 per hour, effective October 31, 2012.
- f. Approval of a contract with the City of Wichita Parks and Recreation Department for use of the portable stage for Greater Andover Days, September 26-29, 2013, in the amount of \$750 per day.
- g. Approval of Police Department General Order M1222 Specialized Assignments.
- h. Approval of renewal of Cereal Malt Beverage licenses for 2013 for the following locations:
 - Kwik Shop #717 at 114 W Highway 54; Dillons #85 at 225 Cloud; Pizza Hut at 307 N. Andover Road; Presto #1614 at 2035 N. Andover Road; Presto #1619 at 105 W. Central; and Timbuktu Bar and Grill at 1251 N. Andover Road.
- i. Approval of an addendum to the contract with Poe & Associates for the 2012 Street Rehab project (\$17,700).
- j. *Approval of Cornejo & Sons change order one for adjustment of final quantities for 13th Street work (\$22,542.89 amount was revised to \$22,627.89)*
- k. Approval of low bid from Dondlinger for sidewalk repairs on the 13th Street bridge (\$19,750)

A motion was made by Council Member Byron Stout, seconded by Council Member Caroline Hale to approve the consent agenda as revised. Motion carried 5/0.

[9. A resolution of the City of Andover, Kansas, approving the sale of a certain project financed with the proceeds of revenue bonds of the City; authorizing the execution and delivery of \(1\) a special warranty deed, \(2\) a bill of sale, \(3\) a termination and release of lease, and \(4\) a satisfaction, discharge and release of indenture. \(YMCA\)](#)

J.T. Klaus, stated the resolution authorizes the retirement of the Industrial Revenue Bonds in the original amount of \$23,000,000 issued in 2007 for the building of the YMCA facility and to terminate all documents affiliated with those bonds, effective November 1, 2012 and return property ownership to the YMCA. The YMCA has paid the City \$1,000 for services to pay off these bonds.

A motion was made by Council Member Clark Nelson, seconded by Council Member Troy Tabor to adopt a resolution of the City of Andover, Kansas, approving the sale of a certain project financed with the proceeds of revenue bonds of the City; authorizing the execution and delivery of (1) a special warranty deed, (2) a bill of sale, (3) a termination and release of lease, and (4) a satisfaction, discharge and release of indenture. Motion carried 5/0. Resolution number 12-13 was assigned.

10. A resolution providing for the issuance of temporary improvement renewal notes of the City of Andover, Kansas, in the total principal amount of \$2,945,000, as heretofore authorized by Ordinance No. 1477 of the City, in order to provide funds to renew the principal amount of the City's temporary notes previously issued for the temporary financing of the costs of construction of certain internal improvements in the City authorized by said ordinance; and providing the terms, details, form and conditions of said temporary improvement renewal notes (Prairie Creek)

Mark Detter, delivered bids for the sale of temporary notes for a one year renewal for the Prairie Creek Addition. Mr. Detter added the City received a Standard & Poors +1 rating for these bonds and interest rates received from Commerce at .35%; UMB at .375 and Country Club Bank at .45%. Mr. Detter requested the Council accept the low bid from Commerce Bank.

A motion was made by Council Member Clark Nelson, seconded by Council Member Troy Tabor to accept the bid of .35% from Commerce Bank. Motion carried 5/0.

J.T. Klaus, explained the adoption of this resolution would retire the current temporary notes and extend the specials to the 2014 tax roll.

A motion was made by Council Member Clark Nelson, seconded by Council Member Kris Estes to adopt a resolution providing for the issuance of temporary improvement renewal notes of the City of Andover, Kansas, in the total principal amount of \$2,945,000, as heretofore authorized by Ordinance No. 1477 of the City, in order to provide funds to renew the principal amount of the City's temporary notes previously issued for the temporary financing of the costs of construction of certain internal improvements in the City authorized by said ordinance; and providing the terms, details, form and conditions of said temporary improvement renewal notes (Prairie Creek) Motion carried 5/0. Resolution number 12-14 was assigned.

11. Vacation Case VA-2012-06 903 W Terradyne Circle

Mayor Ben Lawrence opened the public hearing.

Tony Zimbelman, 8737 W Northridge Court, Wichita, the contractor representing the property owners was to answer any questions.

Les Mangus explained there was a 30' easement for a sewer line prior to the platting of Terradyne. He added that is a large easement and the sewer line was on the east side of the easement.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to approve vacation case VA-2016-06 903 W. Terradyne Circle as presented. Motion carried 5/0.

12. Holiday Christmas Eve and New Year's Eve as unpaid or vacation day.

Sasha Stiles stated that Christmas Eve and New Year's Eve fall on Mondays and City Hall offices would be closed on Tuesday. Ms. Stiles added past holidays had shown minimal if no business taking place on the day before the holiday and asked Council to consider closing the offices on Monday and staff would use vacation, comp, or take no pay for the day.

Council concurred the offices could close on Monday, December 24 and Monday, December 31.

13. [Added to agenda. Fire Department purchase](#)

Fire Chief Shaver presented a request by the Andover Fire Department to replace three heating units, two of which failed over the 10/27 weekend. Ms. Stiles added the Butler County Commission approved to pay 50% of the cost of the replacement not to exceed a total cost of \$15,000.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to approve the request to fund up to \$7,500 for the replacement of three heaters at the fire station to be purchased and installed by Butler County. Motion carried 5/0.

14. [Added to agenda. Executive session.](#)

A motion was made by Council Member Clark Nelson, seconded by Council Member Caroline Hale to enter executive session to discuss legal matters for approximately ten minutes and to include the Governing Body, City Administrator, and City Counsel. Motion carried 5/0.

A motion was made by Council Member Byron Stout, seconded by Council Member Kris Estes, to come out of executive session. Motion carried 5/0.

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

13. [Member Items](#)

Council Member Byron Stout
Welcomed Jennifer McCausland back from maternity leave.

Council Member Troy Tabor had none.

Council Member Caroline Hale
Also welcomed Jennifer back.

Council Member Kris Estes
Also welcomed Jennifer back.

Council Member Clark Nelson had none.

Susan Renner invited the Council and the public to volunteer for a Leadership Butler Class of 2011 project on November 3 packing macaroni and cheese dinners for Butler County food banks and youth programs.

14. [Adjourn](#)

A motion was made by Council Member Byron Stout, seconded by Council Member Caroline Hale to adjourn. Motion carried 5/0.

Respectfully Submitted by

Susan Renner
City Clerk

Approved this 13th of November, 2012 by the City Council, City of Andover, Kansas.