

ANDOVER CITY COUNCIL  
Tuesday, March 12, 2013  
Minutes

1. Mayor Ben Lawrence called the meeting to order.

2. Roll Call

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

Staff: 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, Director of Communications/IT Bill Duggan and City Bond Counsel J.T. Klaus.

A/V staff: Cindy Barrett

3. There was no invocation.

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

5. Public Forum

- a. Nicole Peak, a representative for the House of Hope of Wichita, requested use of Central Park for a race/walk fundraiser on June 8, 2013 from 6:00 a.m. to 12:00 noon.

A motion was made by Council Member Byron Stout, seconded by Council Member Sheri Geisler to approve the request as presented and asked Ms. Peak to coordinate with the Police Department. Motion carried 6/0.

6. Acceptance of Agenda

Mayor Ben Lawrence requested the addition of an executive session to discuss contract matters.

A motion was made by Council Member Clark Nelson, seconded by Council Member Troy Tabor to accept the agenda with the addition of an executive session for legal matters. Motion carried 6/0.

7. Proclamation - Dyane Smokorowski Honored as Kansas Teacher of the Year

Mayor Ben Lawrence presented Ms. Dyane Smokorowski with a City proclamation in recognition of her receiving the 2013 Kansas Teacher of the Year award.

8. Consent Agenda

- a. Approval of Minutes
  - i. City Council Workshop: February 27, 2013
  - ii. City Council Meeting: January 19, 2013; February 26 & 28, 2013
- b. Receive & file reports
  - i. Fire: February 2013
- c. Approval of appropriation ordinance B-04-13 in the amount of \$ 476,136.03.
- d. Approval of the Police Department's request to purchase two Ford SUV Police Interceptors from Rusty Eck Ford of Wichita in the amount of \$24,793 each with associated equipment and installation charges from miscellaneous providers at a total cost of \$63,925.94 for both vehicles.
- e. Approval of the Wastewater Department renewal of a manhole rehabilitation services contract with Mayer Specialty Services of Goddard, Kansas, for approximately 200 vertical feet at \$83.50 per vertical foot.
- f. Approval of the Wastewater Department proposal for sewer line rehabilitation services with Layne Inliner, Kiowa, Colorado, for 4,800 line feet of 8" clay sewer lines at a cost of \$102,068 including reinstate services and necessary bonds.
- g. Approval of a check request for CVB funds for the hotel voucher program to the Andover Days Inn in the amount of \$1,440 for vouchers dated February 3 through February 24, 2013.

A motion was made by Council Member Clark Nelson, seconded by Council Member Caroline Hale to approve the consent agenda as presented. Motion carried 6/0.

9. Industrial Revenue Bonds (KMC)

- a. Mayor Ben Lawrence opened the public hearing to hear comments regarding property tax exemption. No one spoke. The public hearing was closed.

- b. [A resolution of the Governing Body of the City of Andover, Kansas, approving an ad valorem property tax exemption for property acquired with the proceeds of certain industrial revenue bonds.](#)

J.T. explained the resolution provides for a 100% property tax abatement for ten years for the medical building that will be built as a result of the issuance of industrial revenue bonds.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to adopt a resolution of the Governing Body of the City of Andover, Kansas, approving an ad valorem property tax exemption for property acquired with the proceeds of certain industrial revenue bonds. Motion carried 6/0. Resolution number 13-12.

10. [NetMotion software purchase](#)

Bill Duggan, Director of Communications/IT explained this is a renewal for five years, one payment, and 25% savings. Mr. Duggan added this software renewal for support/upgrades is a requirement for Criminal Justice Information Systems.

A motion was made by Council Member Clark Nelson, seconded by Council Member Troy Tabor to approve the software renewal with NetMotion Wireless of Seattle, Washington, for a five year term in the amount of \$11,031.04 to be paid in one sum in 2013. Motion carried 6/0.

11. [Discussion: dates and times for sales and discharge of fireworks](#)

Mayor Ben Lawrence stepped down from the bench due to what could be perceived as a conflict of interest.

Council Member Caroline Hale suggested the start of sale and discharge of fireworks to begin on Saturday, June 29<sup>th</sup> instead of the 27<sup>th</sup>.

Council Member Clark Nelson asked Police Chief Keller about complaints. Chief Keller responded the complaints received are discharge after hours.

Jacob Marietta, Wholesale Fireworks of Andover, stated this is their eight days to make a living and to reduce the dates of sale would make a big difference in sales.

Council Member Kris Estes encouraged good public behavior and asked citizens to contact Council Members with their thoughts regarding this issue.

Council Member Byron Stout stated this is a benefit and rules should be abided by.

The Council concurred to keep the dates/times for both sale and discharge as they were last year. Sasha Stiles stated a resolution will be presented at the March 26<sup>th</sup> meeting for consideration.

Mayor Ben Lawrence returned to the bench and to a comment made by Council Member Byron Stout regarding his efforts to be efficient government responded that by its nature government was not designed to be efficient, it was designed for everybody and there is no way it can be as efficient as the private sector.

## 12. Discussion: Convention & Visitors Bureau summer concert

Mayor Ben Lawrence explained the CVB has been pursuing a goal to build, maintain, and operate an amphitheatre in Central Park. The CVB would like to sponsor a free outdoor concert in Central Park this summer to test community support and identify citizens' concerns and any safety issues that may arise. Mayor Lawrence added there are a lot of logistics for such an event and the CVB would like concurrence from the Council before moving forward with any plans. The Council concurred.

### 12.1 Executive Session to discuss legal matters (added to agenda)

A motion was made by Council Member Sheri Geisler, seconded by Council Member Troy Tabor to enter executive session to discuss legal matters for approximately ten minutes and to include the Governing Body, City Administrator, City Attorney, and the representatives present with Weigand Realtors. 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. Motion carried 6/0.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to accept the land purchase contract from Andover Landing, LLC in the amount of \$410,000 for the purchase of 48.9 un-platted acres in the Andover Industrial Park and authorize the Mayor to sign the contract. Motion carried 6/0.

## 13. Member Items

Council Member Byron Stout

- Was glad to see the sale of the property and looks forward to any development it brings.
- Commented that Pastor Leon Heibert and his wife are back east with Mrs. Heibert's mother and asked everyone to keep them in their thoughts and prayers.

Council Member Sheri Geisler

- Stated concern with Senate Bill 145 which would change the election for city officials to November and would require party declaration.

Council Member Troy Tabor had none.

Council Member Caroline Hale

- Is also concerned with the Senate Bill 145 and has emailed the senate committee members.

Council Member Kris Estes

- Also has concerns with the confusion it would bring by moving the elections to November. She does not believe it will achieve larger voter turnouts.
- Reminded the public to register to vote.
- Wished her daughter Carolyn happy 14<sup>th</sup> birthday.

Council Member Clark Nelson

- Thanked Weigand for the great job for the sale of the property in the industrial park.

Sasha Stiles pointed out the 2014 budget schedules were included in their packets and added priority sheets would be sent to them.

14. Adjourn City Council Meeting March 12, 2013

A motion was made by Council Member Caroline Hale, seconded by Council Member Kris Estes to adjourn. Motion carried 6/0.

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 26<sup>th</sup> day of March, 2013, by the City Council, City of Andover, Kansas.