

**ANDOVER CITY COUNCIL**  
**Tuesday, May 28, 2013**  
**Minutes**

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

2. Roll Call

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

Staff: Police Chief Mike Keller, Fire Chief Jim Shaver, Assistant City Administrator Jennifer McCausland, City Attorney J.T. Klaus, Director of Public Works and Community Development Les Mangus, City Clerk Susan Renner, City Administrator Sasha Stiles and City Consulting Engineer Mike Thompson.

A/V staff: Cindy Barrett

3. There was no invocation.

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

5. Public Forum

Jon Becker, 210 Kerry Lynn Drive, thanked the Council on behalf of Prairie Creek Elementary and USD 385 for allowing the first annual April Fools 5k run. There were 225 participants and they hope the event will grow each year. Mr. Becker also thanked city staff for being open and excited to the idea from the beginning.

6. Acceptance of Agenda

Mayor Lawrence requested the addition of two executive sessions to the agenda; one for land acquisition and one for legal matters.

Sasha Stiles stated there was a bid tab for item 9) 2013 Street Rehab Project on the bench and asked the Council if they would like to move item 11) Memorandum of Understanding with Sechrest LLC and Flint Hills National Golf Club, Inc. to the June 25th meeting when all Council Members would be present.

A motion was made by Council Member Clark Nelson, seconded by Council Member Sheri Geisler to accept the agenda as modified. Motion carried 4/0.

6.5 Consent Agenda

- a. Approval of Minutes
  - i. City Council Workshop: May 13, 2013
  - ii. City Council Meeting: May 14, 2013
- b. Receive & file reports
  - i. Police Department: April 2013
  - ii. Library: Income & Expense April 2013; Directors May 2013
- c. Receive & file minutes
  - i. Library: April 10, 2013
  - ii. CVB: December 4, 2012
- d. Approval of appropriation ordinance B-09-13 in the amount of \$ 320,651.00.
- e. Approval of a request by the Convention & Visitors Bureau
  - i. Close Central Park on Saturday, June 22, 2013
  - ii. Allow a public fireworks show
  - iii. Extend the daytime hours to 12:00 a.m. for the noise levels referenced in Chapter 4, Article 9, of the Code of The City of Andover
- f. Approval of the Park Dept. berm hydro-seeding on 21st Street.
- g. Approval of a request to close the south entrance of Fairway Circle off of Lakeside Drive for the Green Valley 5th & 6th HOA annual neighborhood pool party on June 29, 2013.
- h. Approval of a Memorandum of Understanding for a Regional 911 GIS Grant.
- i. Approval of a request by the Andover Police & Fire Departments for a public fireworks show at the Police and Fire Festival, June 1, 2013, in Central Park.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to approve the consent agenda as presented. Motion carried 4/0.

[7. Application for a fireworks sales stand at 1114 W US 54](#)

Mayor Ben Lawrence stepped down from the bench due to what could be perceived as a conflict of interest. With the absence of Council President Caroline Hale Mayor Lawrence asked senior Council Member Clark Nelson to step in.

Sasha Stiles presented the application for a stand at a new location and stated it has been reviewed and approved by staff.

A motion was made by Council Member Sheri Geisler, seconded by Council Member Byron Stout to approve the application for a fireworks sales stand at 1114 W US 54. Motion carried 4/0.

Mayor Ben Lawrence returned to the bench.

8. Sunstone Apartments (Vantage-Marketplace 3rd Addition) water & sanitary sewer bids

Sasha Stiles explained these improvements were for the extension of the public utilities.

- a. Accept the water and sanitary sewer plans

A motion was made by Council Member Kris Estes, seconded by Council Member Sheri Geisler to accept the water and sanitary sewer plans as presented. Motion carried 4/0.

- b. Authorize the taking of bids for opening June 11, 2013

A motion was made by Council Member Kris Estes, seconded by Council Member Sheri Geisler to approve the taking of bids for opening June 11, 2013. Motion carried 4/0.

9. 2013 Street Rehab Project

Mike Thompson, City Consulting Engineer, Poe & Associates, stated the bids on the bench were opened that morning. Mr. Thompson pointed out that there were three paving companies pre-qualified to do work in Andover but the bid tab reflects two bids; Cornejo and Sons now owns LaFarge.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to accept the low bid from APAC in the amount \$441,353, once insurance and bonds have been reviewed and approved by the city attorney. Motion carried 4/0.

Council Member Clark Nelson inquired if we should be looking for another company to pre-qualify. Mike Thompson responded they would evaluate and provide a recommendation.

10. A contract franchise ordinance granted to Wildflower Telecommunications, LLC DBA Ideatek, a telecommunications local exchange service provider providing local exchange service within the City of Andover.

Sasha Stiles explained our City Code requires a franchise agreement with companies wishing to offer phone service to our citizens. The ordinance has been reviewed and approved by the City Attorney.

A motion was made by Council Member Clark Nelson, seconded by Council Member Kris Estes to adopt a contract franchise ordinance granted to Wildflower Telecommunications, LLC DBA

Ideatek, a telecommunications local exchange service provider providing local exchange service within the City of Andover. Motion carried 4/0. Ordinance number 1539 was assigned.

11. Memorandum of Understanding with Sechrest LLC Flint Hills National Golf Club, Inc. – moved to the June 25th City Council meeting.
12. A resolution amending the Code of Municipal Policies, City of Andover, Chapter 2, Personnel, Article 6, Personnel Policy and Guidelines.

Sasha Stiles explained this was a continuation of updating the employee handbook.

A motion was made by Council Member Clark Nelson, seconded by Council Member Kris Estes to adopt a resolution amending the Code of Municipal Policies, City of Andover, Chapter 2, Personnel, Article 6, Personnel Policy and Guidelines as presented. Motion carried 4/0. Resolution number 13-19 was assigned.

Executive session to discuss real estate acquisition.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout to enter executive session at 7:30 p.m. for approximately five minutes to discuss real estate acquisition and to include the Governing Body, City Administrator, City Attorney and Public Works Director. Motion carried 4/0.

A motion was made by Council Member Byron Stout, seconded by Council Member Sheri Geisler, at 7:38 p.m. to come out of executive session. Motion carried 4/0.

A motion was made by Council Member Clark Nelson, seconded by Council Member Byron Stout, to approve a real estate contract for purchase of the property at 908 E. 13<sup>th</sup> in the amount of \$65,000 and authorize the Mayor to initiate and sign the contract. Motion carried 4/0.

Executive session to discuss legal matters.

A motion was made by Council Member Sheri Geisler, seconded by Council Member Byron Stout to enter executive session at 7:41 p.m. for approximately fifteen minutes to discuss legal matters and include the Governing Body, City Administrator, City Attorney, and Public Works Director. Motion carried 4/0.

A motion was made by Council Member Byron Stout, seconded by Council Member Sheri Geisler, at 7:58 p.m. to come out of executive session. Motion carried 4/0.

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

### Member items

Council Member Sheri Geisler

- Reminded everyone to attend to the Police & Fire Foundation Festival, Saturday, June 1.
- The work day for the hike and bike path is also on June 1.

Council member Clark Nelson

- Inquired about the Easter Addition and their issues with water.
  - Sasha Stiles stated staff had only received one inquiry call.

Council Member Kris Estes

- Encouraged citizens to get involved with the ten year plan for the City by using the community voice on the City website.
- Thanked officer Braxton Hill for attending their HOA meeting.
- Reminded the community of the City wide garage sale this Saturday, June 1.
- Stated if the City of Wichita goes through with the punitive fines for water usage the City of Andover will be subject to those as well.
  - Sasha Stiles stated she would attend the Wichita City Council meeting when this is to be discussed.
- Stated the construction at the intersection of Andover Road and 13<sup>th</sup> Street starts June 3, which is also the first day of classes at Butler Community College.

Council Member Byron Stout had none.

Mayor Lawrence announced the Richard Marx concert in Central Park was scheduled June 22 and free tickets could be picked up at local sponsoring businesses. He added there was possibly a sponsor for a fireworks display.

### 13. Adjourn

A motion was made by Council Member Byron Stout, seconded by Council Member Sheri Geisler at 8:09 p.m. to adjourn Motion carried 4/0.

Respectfully Submitted by

Susan Renner

City Clerk

Approved this 11<sup>th</sup> of June, 2013 by the City Council, City of Andover.