

**ANDOVER CITY COUNCIL
Tuesday, June 11, 2013
Minutes**

1. Mayor Ben Lawrence called the meeting to order.

2. Roll Call

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

Staff: Police Chief Mike Keller, Fire Chief Jim Shaver, Chief Financial Officer Donna Davis, Assistant City Administrator Jennifer McCausland, City Attorney J.T. Klaus, Assistant Director of Public Works and City Engineer Steve Anderson, City Clerk Susan Renner, and City Administrator Sasha Stiles.

A/V staff: Cindy Barrett

3. Invocation was given by Pastor Leon Hiebert of the Andover Police Department Chaplains.

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

5. Public Forum

Jay Mullen, 840 S. Sunset Circle, provided pictures and a letter requesting that the Council consider lowering the height of grass for City Code violations by at least 6".

After considerable discussion the Council requested staff to schedule the discussion for a workshop meeting. Ms. Stiles explained it would be after the 2014 budget was finalized, in August or September.

6. Acceptance of Agenda

A motion was made by Council Member Kris Estes, seconded by Council Member Troy Tabor to accept the agenda as presented. Motion carried 5/0.

7. Mayor Ben Lawrence presented Chief Financial Officer Donna Davis with the Government Finance Officers Association Excellence in Financial Reporting Award for 2011.

8. Consent Agenda

- a. Approval of Minutes
 - i. City Council Meeting: May 28, 2013

- b. Receive & file reports
 - i. Fire: May 2013
- c. Receive & file minutes
 - i. CVB: May 8, 2013
- d. Approval of appropriation ordinance B-10-13 in the amount of \$ 374,288.57.
- e. Approval of contracts for Greater Andover Days
 - i. Big Fat Fun for Saturday, September 28, 2013, from 7:00 p.m. to 10:00 p.m. at a cost \$3,000.
 - ii. AJ McCausland Band for Saturday, September 28, 2013, from 6:30 p.m. to 9:30 p.m., at a cost of \$750.
- f. Approval of a check request for CVB funds for the hotel voucher program for Days Inn in the amount of 2,360 (4/22-6/3 vouchers)
- g. Approval of an engagement letter for City Attorney and Bond Counsel services with J.T. Klaus, Triplett Woolf & Garretson.
- h. Approval of the revised Memorandum of Understanding for a Regional 911 Grant that was approved at the May 28, 2013 City Council meeting.

A motion was made by Council Member Clark Nelson, seconded by Council Member Sheri Geisler to approve the consent agenda as presented. Motion carried 5/0.

9. [Andover Chamber of Commerce Community Partnership](#)

Travis Griffin, President of the Andover Chamber of Commerce, asked the Council to renew the Community Partner & Champion Level membership at a cost of \$5,000.

Council Member Kris Estes thanked the Chamber for their work on the upcoming Richard Marx Concert in the Park and stated she believed the 1st Fridays are a success.

Mayor Ben Lawrence stated he appreciated the changes that have been made in the organization and is now moving in the right direction.

Council Member Sheri Geisler stated she would like to see the Chamber have sources of revenue other than membership fees. Mr. Griffin responded it has been challenging, there are events throughout the year and they are brainstorming for new ideas. Mr. Griffin noted the annual golf tournament is coming up and it is a fund raiser for the organization.

Council Member Caroline Hale had concerns supporting the organization with such a large amount of tax dollars and would like them to provide the Council with a Profit &

Loss statement. She would like to see the City lower the amount next year and eventually move to the membership supporting the organization.

Council Member Troy Tabor commented on some of the Chamber's involvement in City events.

Mr. Griffin stated he would like the Council to look at this as a partnership, along with the CVB.

A motion was made by Council Member Clark Nelson, seconded by Council Member Troy Tabor to approve the request by the Andover Chamber of Commerce of a Community Partnership at a cost of \$5,000. Motion carried 5/0.

10. Ad Valorem Property Tax Abatement for Founders' Real Estate

a. Public Hearing

Mayor Ben Lawrence opened the public hearing. No one spoke. He closed the hearing.

- 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. (improvements at KMC)

A motion was made by Council Member Clark Nelson, seconded by Council Member Kris Estes 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. (improvements at KMC) Motion carried 5/0. Resolution number 13-20 was assigned.

11. Sunstone Apartments sewer and water improvements (Vantage-Marketplace 3rd Addition)

Jason Gish, MKEC, stated that although seven requests for bid were sent out only two responded and they were opened that morning. Both bids were under the engineer estimate and Nowak Construction was the low bidder.

A motion was made by Council Member Clark Nelson, seconded by Council Member Kris Estes to accept the bid for sanitary sewer and water distribution improvements from Nowak Construction, Goddard, Kansas, in the amount of \$114,238. Motion carried 5/0.

12. Executive Session - legal matters

A motion was made by Council Member Sheri Geisler, seconded by Council Member Troy Tabor at 7:48 p.m. to enter executive session to discuss legal matters for approximately fifteen

minutes and to include the Governing Body, City Administrator, and City Attorney. Motion carried 5/0.

A motion was made by Council Member Kris Estes, seconded by Council Member Caroline Hale, at 8:04 p.m. 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 Troy Tabor had none.

Council Member Sheri Geisler

- Had been hearing good comments about the upcoming Richard Marx concert.
- Stated the Rails to Trails work day for clean up between 159th and 13th Street that was scheduled for June 1 was rescheduled to June 29.
- Announced the City received the Transportation Enhancement Grant for the Redbud Trail project. She thanked Assistant Public Works Director/City Engineer Steve Anderson for bringing that together.

Council Member Clark Nelson

- Stated we need to concentrate on water rights and whether the City should have some kind of water plan. He asked staff to begin looking at ways of conservation.
 - Sasha Stiles explained that once the City of Wichita had their conservation plan finalized staff would develop an internal conservation plan for City operations.
- Council Member Nelson stated as a region the water issue needs to be addressed.

Mayor Lawrence stated water has been in the forefront for the past 14-15 years and potential ideas had been discussed. He would like the entire region of counties and cities staff get together and figure out what needs to be done.

Council Member Caroline Hale

- Asked Fire Chief Shaver and Police Chief Keller to fill her in on the Police & Fire Festival.
 - Police Chief Keller stated it was the best year yet. In comparison to the event last year and all the National Night Out events with a record amount of attendees.

Council Member Kris Estes

- Thanked everyone for their work on the Police & Fire Festival.
- Agrees with the statements made regarding water and added staff has been staying on top of it. She would like to see something on the website and city channel regarding water conservation for the citizens.

- Announced there is a free high school band concert at Andover Central High on June 26 at 7:00 p.m.
- Wants everyone to look out for each other in the summer heat.

14. Adjourn

Respectfully Submitted by

Susan Renner
City Clerk

Approved this 25th day of June, 2013, by the City Council, City of Andover, Kansas.

To: Mayor, City Council and Staff;

I have included a letter defining my intent, 3 pictures: Maintained Yard, Yard at 12", Yard at 18+ " and my request.

I come before you to ask the council to amend the city ordinance that deals with the code requirements regarding the lawns/ yards of residential homes. The issue I am addressing is, what I believe to be unrealistic, the height of 18" requirement by code before the city will initiate any action. The registered letter is then mailed. Next the perpetrator has then 10 days to respond. Following this action the perpetrator is given 10 days to correct the violation if the perpetrator responds. At the point the city is allowed to assign a mowing company to the property, technically, approximately 20 growing days have passed ; on average a possible 30 more growing days might pass before the **NOW forest of grass** is cut. As a neighbor I am facing a 2 month period after the city takes action before we see a result.

The result- it is cut and left to dry up and blow through-out the neighborhood. It creates a GRASS- CATCH 22!!

I would ask the height requirement be reduced to a realistic number. The suggested average height of a maintained yard by professional Landscaping Companies such as Treescapes is 3"- 3 ½", Ground Maintenance companies such as Countryside or Koala Tee 3"- 3 ½", even Property Management Companies like HOA Management- is 3"- 3 ½". Using these numbers the city approves, by ordinance, the height approximately **6 times** the height of a maintained yard before any action is taken.

What if a homeowner goes on vacation for 2 weeks? Early Spring growth, the period that grass growth is at its highest point of stimulation, is approximately 4" a week. 2 weeks equals 8" adding the maintained height 3- 3 ½" totals at most 11 ½".

I am requesting the height be adjusted down and the cuttings be hauled away. Thank you for your time and consideration.

J. Mullen



This
could be
Next Door
to you!!



