

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, August 28, 2007
Tuesday, 9: 37 A.M.

The City Council met in regular session with Mayor Brewer in the Chair. Council Members Fearey, Longwell, Schlapp; Skelton, and Williams present. Council Member Gray was absent with prior notice.

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Karen Sublett, City Clerk; present.

The Minutes of the regular meeting of August 21, 2007, approved 6 to 0.

CONSENT AGENDA

Motion--
--carried

Brewer moved that Consent Items 1-15g be approved in accordance with the recommended action shown thereon. Motion carried 6 to 0, (Gray absent).

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED AUGUST 27, 2007

Motion--
--carried

Brewer moved to receive and file report; approve contracts; and authorize the necessary signatures. Motion carried 7 to 0.

Minutes of the regular meetings dated August 20, 2007, were read and on motion approved.

Bids were opened August 24, 2007, pursuant to advertisements published on:

2007 Contract Maintenance Area Concrete Phase 2 (north of MacArthur, east of 135th Street West) (472-84520/132720/620469/) Traffic to be maintained during construction using flagpersons and barricades. (District I, IV, V, VI)

Kansas Paving Company - \$308,000.00 (Engineer's Estimate)

Storm Water Drain #298 to serve Lillie 2nd Addition (south of Maple, west of Maize) (468-84208/751432/485323) Does not affect existing traffic. (District V)

Mies Construction - \$108,696.00

Motion--
--carried

Brewer moved that the contracts be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 6 to 0, (Gray absent).

WATER UTILITIES DEPARTMENT/PRODUCTION & PUMPING DIVISION: Fencing Hess Pump Station

American Fence Company, Inc. - \$66,417.00

PUBLIC WORKS DEPARTMENT/FLEET MAINTENANCE DIVISION: Utility Work Machine

White Star Machinery & Supply - \$34,566.89

PARK DEPARTMENT/GOLF DIVISION: Rye Grass Seed

Quality Turf - \$45,762.00

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IT/IS DEPARTMENT: Microsoft Enterprise Agreement/RQ701329

SHI, Software House International - \$309,000.00*

Per State of Kansas Contract #07359

*Purchases utilizing Government Entities Contracts, Cooperative Contracts and Agreements - Ordinance No. 38-122 Section 2.64.020 (j).

Motion--

Brewer moved that the contracts be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the necessary signatures be authorized.

--carried

Motion carried 6 to 0, (Gray absent).

CMBS

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

Renewal	2007	(Consumption off Premises)
Alan Bundy	Homestead Restaurants LLC dba Z Pizza	306 North Rock Road #70
New Operator	2007	(Consumption on Premises)
Charlie D. Nguyen	Phong Dinh Café*	527 East Central
Damon P. Jones	Taco Tico Operations Inc.*	1303 North Tyler
Damon P. Jones	Taco Tico Operations Inc.*	1230 South Rock Road
Damon P. Jones	Taco Tico Operations Inc.*	929 North Broadway
Damon P. Jones	Taco Tico Operations Inc.*	603 East 47th

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion--carried

Brewer moved that the licenses be subject to Staff review and approval. Motion carried 6 to 0, (Gray absent).

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PRELIM. ESTS.

PRELIMINARY ESTIMATES:

- a. 2007 Sanitary Sewer Reconstruction, Phase 8 (various locations north of Harry, west of Hydraulic) (468-84390/620485/667603) Traffic to be maintained during construction using flagpersons and barricades. (District I, IV, VI) - \$308,000.00
- b. Water Distribution System to serve South Broadway Gardens Addition (Mead Street from 55th to 57th Street South & 57th Street South from Mead to Washington) (448-90222/735332/636189/470005/777580) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$121,900.00
- c. Water Distribution System to serve South Broadway Gardens Addition (east of Broadway, south of 55th Street South) (448-90235/735337/470010) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$24,639.99
- d. Water Main Replacement for Main and Market, from Harry to Mt. Vernon to serve Anderson First Addition (west of Broadway, south of Harry) (448-90283/636185/777576) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$725,000.00
- e. Herrington from the south line of Harry to the south line of Willow Creek East Addition; Sally from the west line of Herrington to the west line of Willow Creek East Addition; Funston from the east line of Herrington to the east line of Willow Creek East Addition; Lynnrae from the west line of Herrington to the south line of Willow Creek East Addition to serve Willow Creek East Addition (south of Harry, east of Greenwich) (472-84535/766138/490156) Does not affect existing traffic. (District II) - \$349,000.00
- f. Water Distribution System to serve Blackstone Addition (north of 13th Street North, east of 151st Street West) (448-90184/735372/470045) Does not affect existing traffic. (District V) - \$85,000.00
- g. The cost of Athenian from the south line of 51st Street North to the south line of Lot 8, Block 2; Athenian Court, from the east line of Athenian through and including the cul-de-sac to serve Valencia Addition (south of 53rd Street North, east of Meridian) (472-84473/766137/490-155) (District VI). – Total Estimated Cost \$197,760.00
- h. The cost of construction of Lateral 39, Main 1 Cowskin Interceptor Sewer to serve Rainbow Lakes West Addition (south of Central, east of 119th Street West). (District V) (468-84168/744180/480-868) – Total Estimated Cost \$184,500.00

Motion--carried

Brewer moved to receive and file. Motion carried 6 to 0, (Gray absent).

PETITION

PETITION TO CONSTRUCT PAVING IMPROVEMENTS IN FONTANA ADDITIONS, NORTH OF 29TH STREET NORTH, EAST OF 119TH STREET WEST. (DISTRICT V)

Agenda Item No. 4a.

On November 21, 2006, the City Council approved a paving petition for Fontana 1st and 2nd Additions. The developer has submitted a new petition that reallocates special assessments within the improvement district to reflect current marketing conditions. The new Petition has been signed by one owner representing 100% of the improvement district.

The project will provide paving improvements within a residential development located north of 29th St. North, east of 119th St. West.

The Petition budget is unchanged.

The project addresses the Efficient Infrastructure goal by providing street paving required for a new residential development.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of the majority of property in the improvement district.

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Motion--
--carried

Brewer moved that the new Petition be approved; the Resolution adopted; and the necessary signatures authorized. Motion carried 6 to 0, (Gray absent).

RESOLUTION NO. 07-492

Resolution of Findings of Advisability and Resolution authorizing constructing pavement on Covington from the north line of 29th St. North to the east line of Lot 30, Block 1, Fontana 2nd Addition; Shefford from the east line of Lot 30, Block 1, to the east line of Covington; Covington Court to and including the cul-de-sac; Fontana Circle to and including the cul-de-sac; Fontana Court to and including the cul-de-sac; and Landon Circle to and including the cul-de-sac, east of 119th St. West, north of 29th St. North, 472-84086, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams and Brewer.

PETITION

PETITIONS TO CONSTRUCT PAVING, DRAINAGE AND WATER IMPROVEMENTS IN STONEBRIDGE SECOND ADDITION, NORTH OF 13TH STREET, WEST OF 159TH STREET EAST. (DISTRICT II)

Agenda Item No. 4b.

The Petitions have been signed by one owner representing 100% of the improvement districts.

The projects will provide paving, drainage and water improvements within a residential development located north of 13th, west of 159th St. East.

The Petitions total \$2,549,000. The funding source is special assessments.

These projects address the Efficient Infrastructure goal by providing public improvements required for new development.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or by owners of the majority of property in the improvement district.

Motion--
--carried

Brewer moved that the Petitions be approved; the Resolutions adopted; and the necessary signatures authorized. Motion carried 6 to 0, (Gray absent).

RESOLUTION NO. 07-487

Resolution of Findings of Advisability and Resolution authorizing improving Storm Water Drain No. 331, north of 13th, west of 159th East, 468-84395, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams and Brewer.

RESOLUTION NO. 07-488

Resolution of Findings of Advisability and Resolution authorizing constructing pavement of Graystone, from the north line of Lot 4, Block D, south and east to the east line of Lot 19, Block F, on Terhune from the west line of Lot 18, Block F, east and north to the north line of Lot 9, Block E, and on Ridgehurst from the north line of Graystone, north to the north line of Lot 5, Block E and on Ridgehurst Ct. from the west line of Ridgehurst, west, south and east to and including the cul-de-sac and that sidewalk be constructed on one side of Graystone, Terhune and Ridgehurst, north of 13th, west of 159th St. East, 472-84591 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be

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adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams and Brewer.

RESOLUTION NO. 07-489

Resolution of Findings of Advisability and Resolution authorizing construction of pavement on Graystone, from the south line of Lot 16, Block A, north to the north line of Lot 2, Block B, on Sundance from the west line of Graystone, west to the west line of the plat, on Sundance, from the north line of Lot 7, Block C, south and east to the west line of Terhune, on Sundance from the east line of Terhune, east to the east line of the plat, Ridgehurst from the south line of Lot 6, Block E, north and east to the west line of Terhune, and on Terhune from the south line of Lot 8, Block E, north to the south line of Lot 23, Block B and that sidewalk be constructed on one side of Graystone, Terhune, Sundance and Ridgehurst, north of 13th, west of 159th St. East, 472-84592, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams and Brewer.

RESOLUTION NO. 07-490

Resolution of Findings of Advisability and Resolution authorizing construction of pavement on Graystone, Summerfield and Terhune from the south line of Lot 3, Block B, north, east and south the south line of Lot 23, Block B, on Sundance from the east line of Graystone, east to the south line of Lot 8, Block C, and on Sundance from the east line of Terhune, east to the east line of the plat and on Terhune Ct. from the west line of Terhune, west to and including the cul-de-sac and that sidewalk be constructed on one side of Graystone, Summerfield, Terhune and Sundance, north of 13th and west of 159th St. east, 472-84593, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams and Brewer.

RESOLUTION NO. 07-491

Resolution of Findings of Advisability and Resolution authorizing constructing pavement on Ridgehurst from the south line of the plat, north to the south line of Graystone and that sidewalk be constructed on one side of Ridgehurst, north of 13th, west of 159th St. East, 472-84594, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams and Brewer.

STREET CLOSURE MAIN STREET, ELM TO CENTRAL. (DISTRICT VI)

Agenda Item No. 5a.

The State of Kansas is requesting the closure of Main Street in front of the Sedgwick County courthouse on September 10th for September Preparedness Day 2007 in Kansas. There will be a 9:00 am news conference with Governor Sebelius, Major General Bunting and others in front of the Sedgwick County courthouse. The street area will be used to park and showcase numerous state and local vehicles that are used during emergency events.

Sedgwick County will be responsible for the installation of the necessary traffic control signs and barricades and notification of affected businesses.

During the closure Main Street traffic will be signed to go west on Murdock toward Waco or east on Murdock toward Broadway. Local Main Street traffic will be allowed from Murdock to Elm.

This event addresses the enhancement of the Quality of Life.

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Motion--carried

Brewer moved that the street closure be approved. Motion carried 6 to 0, (Gray absent).

GOZONES

CONTRACT WITH INTER-FAITH MINISTRIES GOZONES. (DISTRICT VI)

Agenda Item No. 6a.

The Park and Recreation Department offers an after school program for children 6-15 years of age at each of its 10 Recreation Centers. The program operates 5 days a week, from 3:30 pm to 5:30 pm. These program activities include intramural sports, game room activities, arts and crafts, active games, quite games and some club activities. The after school program is an opportunity for area youth to interact socially and recreate in a safe and positive atmosphere.

The Park and Recreation Department is continuously striving to find ways to enhance and improve the existing programs. These additional enhancements are being considered to make the after school program more attractive and beneficial to the participants. Research has shown that an after school program must have multiple components, beyond just recreational activities. A successful after school program must provide educational components, nutritional snacks, homework rooms, club activities and technology opportunities.

The Park and Recreation Department proposes collaboration with GoZones, an agency affiliated with Interfaith Ministries. This collaboration would create an 11-month GoZones site at the Orchard Recreation Center (September 1, 2007 through July 31, 2008). The collaboration would improve the existing after school program by creating a homework room, club activities (band, chess model rockets, etc.) and offering tutoring opportunities. GoZones would provide 65% of the funding to hire 2 additional staff for 30 hours per week. The City would fund the remaining 35% difference. GoZones and Inter-Faith Ministries have secured grant funding through the AmeriCorp agency. AmeriCorp requires a 65/35 match.

There is no additional impact to the City budget. The Park and Recreation Department's budget includes funding for this contract.

Quality of life is impacted as the Park and Recreation Department offers an improved, multi-faceted program to more area youth. Additionally, economic vitality and affordability is impacted as the department utilizes outside funding to employ two additional staff to supervise a home work room, develop special interest clubs and provide limited tutoring sessions at 35% of the total cost.

The Law Department has reviewed and approved the contract as to form.

Motion--
--carried

Brewer moved that the contract be approved and the necessary signatures authorized. Motion carried 6 to 0, (Gray absent).

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FOX RIDGE

AGREEMENT FOR STAKING AND CONSTRUCTION ENGINEERING IN FOX RIDGE ADDITION, NORTH OF 29TH STREET NORTH, WEST OF TYLER. (DISTRICT V)- SUPPLEMENTAL.

Agenda Item No. 6b.

The City Council approved the paving improvements in Fox Ridge Addition on November 7, 2006. On March 27, 2007 the City approved an Agreement with MKEC Engineering Consultants, Inc. (MKEC) to design the improvements. The Design Agreement with MKEC requires MKEC to provide construction engineering and staking services if requested by the City.

The proposed Supplemental Agreement between the City and MKEC provides for staking and construction engineering the improvements. Due to the current workload created by previous projects, City crews are not available to perform the staking and construction engineering for this project.

Payment to MKEC will be on a lump sum basis of \$23,250 and will be paid by special assessments.

This Supplemental Agreement addresses the Efficient Infrastructure goal by providing the engineering services needed for the construction of paving improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Supplemental Agreement has been approved as to form by the Law Department.

Motion--
--carried

Brewer moved that the Supplemental Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0, (Gray absent).

PROP. ACQUIS.

ACQUISITION OF 836 SOUTH ELYPCO FOR THE DRY CREEK BASIN PROJECT. (DISTRICT III)

Agenda Item No. 7a.

On June 13, 2006, City Council approved a creek channel improvement project to improve stormwater channel conveyance intended to reduce flooding. Five properties, all residential, were identified as being at or below a certain elevation and are required for acquisition. Property owners and or occupants will be relocated using project funds for reasonable housing and replacement housing costs. One such property is 436 S. Elypc. It is a 1950, 990 square feet, single-family ranch style house.

The appraised value of \$46,000, or \$46.46 per square foot was offered to the owner. The owner has agreed to sell the subject property for \$53,000, or 15% above the appraised offer. The seller had acquired the property in 2006 and has provided a copy of his appraisal in the amount of \$53,000. We have reviewed the appraisal and it is reasonable. In addition, the tenant is eligible for up to \$5,000 in relocation and moving costs. The City will work with the tenant regarding moving and other applicable relocation expenses. The improvements will be razed and the site maintained as open space.

\$68,500 is requested budget for the acquisition. \$53,000 towards the purchase price, \$5,000 for replacement housing and moving expense and \$10,500 for closing costs, insurance and demolition. The funding source is the Storm Water Utility.

The acquisition of this parcel is necessary to ensure efficient infrastructure and flood control in this area.

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The Law Department has approved the contract as to form.

Motion--
--carried

Brewer moved that the budget expenditure and Real Estate Purchase Contract be approved and the necessary signatures authorized. Motion carried 6 to 0, (Gray absent).

PROP. ACQUIS.

PARTIAL ACQUISITION OF 4200 SOUTH WEST STREET FOR MAIN 22 SANITARY SEWER PROJECT. (DISTRICT IV)

Agenda Item No. 7b.

On August 15, 2006, City Council approved a sanitary sewer main project to serve an area along MacArthur, between a half-mile east of West Street and the Wichita-Valley Center Flood Control Ditch. It is necessary to acquire sanitary sewer easements through five parcels of land. This particular parcel is vacant and zoned Limited Industrial.

The proposed acquisition area consists of a total of 62,297 square feet over four parcels. A total of 208,464 square feet of temporary construction easements that is required. The easement areas range between ten feet wide and 50 feet wide. All of the easements run adjacent to property lines and do not impact any major improvements. Where there is an existing fence, the construction contractor will provide temporary fences during construction and replace the existing fence upon completion of the project. The mature tree row will be removed to the extent it has to be. The landowner agreed to accept the appraised value of \$35,505, or \$.40 psf.

\$35,705 is the requested budget for the acquisition of this parcel. This amount includes the \$35,505 purchase price and \$200 for document recording costs. The funding source is Sewer Utility and assessments to the improvement district.

This project addresses the efficient infrastructure goal by improving and expanding sanitary sewer services to an area within the community experiencing growth.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Brewer moved that the agreement and budget be approved and the necessary signatures authorized. Motion carried 6 to 0, (Gray absent).

BOARDS/COMMISS.

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Wichita Historic Preservation Board, July 9, 2007
District Advisory Board I, January 8, 2007
District Advisory Board I, February 5, 2007
District Advisory Board I, March 5, 2007
District Advisory Board I, April 2, 2007
District Advisory Board I, June 4, 2007
District Advisory Board I, July 23, 2007
District Advisory Board VI, July 2, 2007

Motion--carried

Brewer moved to receive and file. Motion carried 6 to 0, (Gray absent).

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BOND SALE

GENERAL OBLIGATION SALES TAX BOND SALE.

Agenda Item No. 9.

The City is planning to offer for sale one series of general obligation sales tax bonds in an amount not to exceed \$40,500,000 to provide financing for freeway capital improvements. The public sale of the bonds is scheduled for 10:30 a.m. C.T. on September 18, 2007, at which time sealed bids will be opened and the City Council will award the sale of bonds and notes to the bidder whose proposed interest rates result in the lowest overall cost to the City. A resolution declaring it necessary to issue general obligation sales tax bonds was adopted by the City Council on July 17, 2007, and as required, this resolution was published twice and the 30-day protest period has been satisfied.

The proceeds from the sale of the General Obligation Sales Tax Bonds, Series 2007 will be used to permanently finance City-at-large Kellogg freeway improvements, including projects within the 135th Street West to Tyler and Woodlawn to K-96 freeway segments. A feasibility study was prepared and approved by the City Council on July 17, 2007, demonstrating that sufficient sales tax revenue will be available to meet bond debt service requirements.

The City of Wichita awards the sale of bonds to the bidder with the lowest true interest cost, or "TIC". Using TIC to calculate the bids accounts for the time value of money. The TIC is the rate that will discount all future cash payments so that the sum of their present value will equal the bond proceeds. Further, using the TIC calculation can potentially result in the City saving money because TIC does not ignore the timing of interest payments.

The Sales Tax Bonds are being issued on a reimbursement basis to finance project costs previously incurred. The Series 2007 Sales Tax Bonds will mature serially over 15 years with principal maturities structured to produce level annual payments of principal and interest. The Series 2007 Sales Tax Bonds will be callable in 2014 with a 1% call premium. The debt service will be paid from the City's portion of funds derived from a one percent (1%) County-wide retailers' sales tax that is dedicated by Ordinance 41-815 to paying the costs of local road, highway and bridge improvements, including right-of-way acquisitions.

This item impacts the Economic Vitality/Affordable Living and Internal Perspectives through the permanent financing of capital improvements and offering the City's debt obligations through competitive sale.

The Law Department has approved the Resolution authorizing the sale of the series of bonds and directing the publication and distribution of the Notice of Bond Sale (prepared by the City's Bond Counsel as required by law).

Motion--

Brewer moved that the resolution authorizing the general obligation bond sale and subsequent pledge of sales tax revenue for the Series 2007 Sales Tax Bonds; approving the distribution to prospective bidders of the Preliminary Official Statement, subject to such minor revisions as may be determined necessary by the Director of Finance and Bond Counsel; finding that such Preliminary Official Statement is in a form "deemed final" for the purpose of the Securities Exchange Commission's Rule 15c2-12(b)(1), subject to revision, amendment and completion in the final Official Statement; and, authorizing publication of the Notice of Sale be adopted. Motion carried 6 to 0, (Gray absent).

--carried

RESOLUTION NO. 07- 485

A Resolution of the City of Wichita, Kansas, authorizing and providing for the public sale of general Obligation Sales Tax Bonds, Series 2007, of the City; and providing for the giving of notice of the public sale, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent). Teas: Fearey, Longwell, Schlapp, Skelton, Williams and Brewer.

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LATTNER GRANT

LATTNER FOUNDATION GRANT-WATER CENTER EDUCATION EXHIBITS. (DISTRICT III)

Agenda Item No.10.

The environmental education component of the Wichita Area Treatment, Education and Remediation (WATER) Center, located at 101 E. Pawnee, addresses water quality resources focusing on public education regarding hydrological processes, groundwater remediation, impacts to public health and the environment, and the inter-relationship between groundwater and the Arkansas River. The facility provides a unique and important educational destination for schools, civic groups, and the general public.

In 2003, a preliminary WATER Center education exhibit development plan was prepared by the firm of Taylor Studios Inc. for the design and construction of the Center's exhibits. The firm provided conceptual exhibit designs through discussions and interaction with local and state educational institutions, staff, and other community organizations and developed projected construction costs that will be used for funding solicitation. This grant would aid in fund the water education exhibits at the WATER Center.

The Environmental Services Department requests authorization to apply for the Forrest C Lattner Foundation grant in the amount of \$25,000. The grant would fund a new hands-on environmental education exhibit at the WATER Center called, "Protecting the Water: The Road Ahead." The educational component has been designed similarly to that of the Great Plains Nature Center. Once exhibits and displays were installed, the Nature Center was able to reach 65,000 visitors per year. The WATER Center's objective is to provide a similarly large number of visitors with an enhanced educational experience on water quality, protection and conservation, pollution prevention, and environmental stewardship.

Enhance Quality of Life by educating citizens on water pollution and conservation concepts to protect the City of Wichita's natural resources.

The Environmental Services Department is requesting Forrest C. Lattner Foundation grant funding of \$25,000. The grant does not require matching funds from the City. If funded, operating costs for the exhibit would come from the existing Environmental Services operating budget.

The Law Department will review and approve documents as to form

Motion--
--carried

Brewer moved that the grant application and the grant award be approved and the necessary signatures authorized. Motion carried 6 to 0, (Gray absent).

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TRISTATE

SERVICES FOR TRISTATE NORTH REMEDIATION PROJECT. (DISTRICT I)

Agenda Item No. 11.

The City is required by an agreement with the Kansas Department of Health and Environment (KDHE) to cleanup identified soil and groundwater contamination sites (also known as source areas) located within the Gilbert-Mosley remediation area. The TriState North site is a source area located within the Gilbert-Mosley remediation area that consists of several properties in the 300 block of S. Commerce. The TriState North site lies within the footprint of the new Downtown Arena's utility corridor. Removal of the source of pollution coming from this site must be initiated in order to accommodate the construction schedule of the new Arena and allow the installation of Arena utilities and the placement of an asphalt parking lot over the site. In recent weeks, Sedgwick County contractors have raised all buildings located on the site in preparation for the Arena utilities and remediation work to be done by the City. The TriState North project is to be a design, build, and operate remediation project similar in scope to the Harcros/TriState Central site remediation project which is now in the construction phase. It has been determined that design-build will be the most beneficial to the City and will allow the project to meet the construction schedule for the new Arena. Therefore, technical services will be needed to design, build, and operate the remediation equipment with the goal to cleanup the specific contamination area to levels approved by KDHE. Additional services will include a work plan, system performance and evaluations, environmental monitoring, and preparation and submittal of site status and closure reports as approved by the City of Wichita and the Kansas Department of Health and Environment.

In accordance with the City of Wichita's Charter Ordinance 111 for Public Improvement Design/Build Projects and in accordance with Administrative Regulation 1.2, Contracting for Professional Services, proposals were mailed to qualified firms on July 27, 2007. Three firms responded on August 10, 2007, Camp, Dresser, & McKee (CDM), Burns and McDonnell, and Aquaterra Environmental Solutions, and a Staff Screening Selection Committee (comprised of City representatives) was convened on August 16, 2007 to review the proposals. The committee selected the firm of Burns and McDonnell.

This project addresses the Efficient Infrastructure goal through the remediation of groundwater and soil contamination in an existing commercial area.

The cost of the project will be funded through the Gilbert and Mosley TIF (Tax Increment Finance District) fund and is not expected to exceed \$500,000 including contingencies. This cost also includes an option to extend technical services and operation and maintenance of the remediation system.

The Law Department has approved the Contract as to form.

Motion--
--carried

Brewer moved that the Contract be approved and the necessary signatures authorized. Motion carried 6 to 0, (Gray absent).

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UNSAFE STRUC. REPAIR OR REMOVAL OF DANGEROUS & UNSAFE STRUCTURES. (DISTRICT I)

Agenda Item No. 12.

On August 6, 2007, the Board of Code Standards and Appeals (BCSA) held a hearing on the following five (5) properties. These properties are considered dangerous and unsafe structures, and are being presented to schedule a condemnation hearing before the Governing Body.

Violation notices have been issued on these structures; however, compliance has not been achieved. Pre-condemnation and formal condemnation letters were issued and the time granted has expired. No action has been taken to repair or remove these properties.

<u>Property Address</u>	<u>Council District</u>
a. 937 North Indiana	I
b. 1014 North Indiana	I
c. 1045 North Mathewson	I
d. 2326 East Mossman	I
e. 1230 North Crestway	I

On January 24, 2006 the City Council adopted five (5) goals for the City of Wichita. These include: Provide a Safe and Secure Community, Promote Economic Vitality and Affordable Living, Ensure Efficient Infrastructure, Enhance Quality of Life, and Support a Dynamic Core Area & Vibrant Neighborhoods. This agenda item impacts the goal indicator to Support a Dynamic Core Area and Vibrant Neighborhoods: Dangerous building condemnation actions, including demolitions, remove blighting and unsafe buildings that are detrimental to Wichita neighborhoods.

These structures have defects that under Ordinance No. 28-251 of the Code of the City of Wichita shall cause them to be deemed as dangerous and unsafe buildings, as required by State Statute for condemnation consideration.

Motion--

Brewer moved that the resolutions to schedule a hearing and place these matters on the agenda for a Hearing before the Governing Body on October 16, 2007 at 9:30 a.m. or as soon thereafter be adopted. Motion carried 6 to 0, (Gray absent).

--carried

Resolution No. 07-480

A Resolution finding that the structure/s legally described as, Lots 17 and 19 on Cherry, now Indiana Ave., Moore's 2nd Addition to the City of Wichita, Sedgwick County, Kansas, known as 937 North Indiana, Wichita, Kansas, is unsafe or dangerous and directing the structures/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Schlapp, Skelton, Longwell, Williams and Brewer.

Resolution No. 07-482

A Resolution finding that the structure/s legally described as, Lot 6 and the north 15 feet Lot 8, Vreelands Addition to the City of Wichita, Sedgwick County, Kansas, known as 1014 North Indiana, Wichita, Kansas, is unsafe or dangerous and directing the structures/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Schlapp, Skelton, Longwell, Williams and Brewer.

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Resolution No. 07-482

A Resolution finding that the structure/s legally described as, Lots 28 and 30 and Allen Ave., now Mathewson Ave., Getto's Addition to the City of Wichita, Sedgwick County, Kansas, known as 1045 N. Mathewson, is unsafe or dangerous and directing the structures/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Schlapp, Skelton, Longwell, Williams and Brewer.

Resolution No. 07-483

A Resolution finding that the structure/s legally described as, Lot 12, Block 1, Parkmore Addition to the City of Wichita, Sedgwick County, Kansas, known as 2326 E. Mossman, Wichita, Kansas, is unsafe or dangerous and directing the structures/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Schlapp, Skelton, Longwell, Williams and Brewer.

Resolution No. 07-484

A Resolution finding that the structure/s legally described as, the north 1 Foot of Lot 35, all of Lots 36 and 37, and the south 0.5 Feet of Lot 38, Block 5, Country Club Heights, Sedgwick County, Kansas to the City of Wichita, Sedgwick County, Kansas, known as 1230 North Crestway, Wichita, Kansas, is unsafe or dangerous and directing the structures/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Schlapp, Skelton, Longwell, Williams and Brewer.

RIVERSIDE ACRES

SANITARY SEWER TO SERVE LOTS 10 AND 11, RIVERSIDE ACRES ADDITION, NORTH OF 40TH STREET NORTH, EAST OF ARKANSAS. (DISTRICT VI)

Agenda Item No. 13.

On March 6, 2007, the City Council approved a petition to construct a sanitary sewer to serve two residential lots in Riverside Acres Addition, located north of 40th St. North, east of Arkansas. At that time, the project was going to be combined with a larger project to the north that had been approved by the City Council. It has since been determined that it will be more economical to build the Riverside Acres project under a separate construction contract.

The homes in the improvement district are currently served by private septic tank systems.

The project budget is unaffected.

The project will address the Efficient Infrastructure goal by providing sanitary sewer service to existing residential development.

State Statutes provide the City Council the authority to modify the project by resolution.

Motion--carried

Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent).

RESOLUTION NO. 07-486

Resolution of Findings of Advisability and Resolution authorizing construction of Lateral 3, Main 16, Sanitary Sewer #23, east of Arkansas, north of 40th St. North, 468-84334, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams and Brewer.

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WESTLAW

WESTLAW CONTRACT-LEGAL RESEARCH DATA SERVICE.

Agenda Item No. 14.

In 2003, the Law Department migrated from a flat-rate online Westlaw computer research arrangement to a competitive service provided by LexisNexis, because it was not otherwise possible to avoid a 20% fee increase, which could not be handled within the available budget. In 2005, LexisNexis extended flat rate pricing through the end of the present year, but as of December 31, 2007, that pricing will expire. The Law Department requested competitive quotes from both LexisNexis and Westlaw, covering the three-year period from January 1, 2008 through December 31, 2010, subject to annual appropriations. LexisNexis proposed a new monthly rate that would increase from \$1,723 to \$1,944 for 2008, with additional increases in 2009 and 2010. Westlaw proposed a discounted monthly rate of \$1,489.62, with no increase in 2009 and a 2% increase (workable under the City's normal budget standards) for 2010.

Functionally, the two research services have many similarities, and the Law Department's attorneys are experienced with the search methodologies used by both services. The Westlaw pricing was the lower of the two. In addition, Westlaw will provide non-attorney passwords for support staff, and will be able to include some legal materials that LexisNexis formerly provided, but would not be able to provide in the future.

Funds for the Westlaw access would be available within the approved 2008 and projected 2009 budgets, and even with the 2010 increase, would be less than the monthly amount currently charged by LexisNexis. Because it is a multi-year pricing arrangement, the agreement will be subject to annual appropriations.

The subscription agreement will provide online access to current cases, statutes and regulations and other current information on legal developments.

The Westlaw research access will further the provision of Prosecution and Diversion Services addressing the Safe & Secure Community goal, and the performance of Civil Function legal services addressing the Internal Perspective goal.

Motion--

Brewer moved that the West Order Form, and any further documents reasonably necessary to implement the change in computer research accesses be approved and the Mayor authorized to sign and initial appropriately. Motion carried 6 to 0, (Gray absent).

--carried

VILLAGE CHARTER LEASE AGREEMENT WITH VILLAGE CHARTER TOURS.

Agenda Item No. 14a.

The Diamond W Wranglers (formerly the Prairie Rose Wranglers) were formerly located in Benton at the Prairie Rose Chuckwagon Supper. The Prairie Rose Chuckwagon Supper has a successful history of operating as a year-round venue that attracts nearly 50,000 patrons annually. It provides family-friendly entertainment, along with a chuckwagon-style dinner.

The Diamond W Wranglers have partnered with Diamond W Chuckwagon LLC, an entity with the same management as Village Charters, Inc., which will provide the financial backing for the band. Each of the band members will maintain some level of equity ownership in the new venture. When looking for a new venue for the Diamond W Wranglers, Wichita's Old Cowtown Museum surfaced as a leading contender.

The Diamond W Chuckwagon, LLC, will pay the sum of \$2 per guest to Cowtown. Preliminary projections place income potential for the lease of the building at \$64,800. Discounted admissions to Old Cowtown Museum will be offered to all patrons of the "Diamond W." In order to use the Visitor's Center, some modifications will need to be made to the existing structure; including a stage, convection oven, signage and buffet equipment. Projected costs total \$27,000.

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This proposed arrangement will foster the Quality of Life goal of Council, providing quality family entertainment at a venue and under circumstances that are likely to broaden the appeal and attendance at the Cowtown living history museum, itself a central aspect of Wichita's cultural heritage.

The lease agreement has been drafted by the City of Wichita's Legal Department.

Motion--

Brewer moved that the lease agreement between the City of Wichita and the Diamond W Chuckwagon, LLC to allow the Diamond W Wranglers to utilize the Visitor's Center at Old Cowtown Museum be approved. Motion carried 6 to 0, (Gray absent).

--carried

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ AUGUST 21, 2007)

- a. Sidewalk Repair Assessment Program. (Districts I, II, III, & IV)

ORDINANCE NO. 47-557

An ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks in the City of Wichita, Kansas, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams, and Brewer.

- b. Abatement of Dangerous & Unsafe Structures.

ORDINANCE NO. 47-558

An ordinance making a special assessment to pay for the removal of certain structures, being dangerous and unsafe buildings which have been declared a nuisance (building emergency board-up) under the provision of Sections 18.16.010 to 18.16.090 of the Code of the City of Wichita, Kansas, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams, and Brewer.

ORDINANCE NO. 47-559

An ordinance making a special assessment to pay for the removal of certain structures, being dangerous and unsafe buildings which have been declared a nuisance (building condemnation-demolition) under the revision of Sections 18.16.010 to 18.16.090 of the Code of the City of Wichita, Kansas, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams, and Brewer.

- c. Nuisance Abatement Assessments.

ORDINANCE NO. 47-561

An ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams, and Brewer.

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ORDINANCE NO. 47-562

An ordinance making a special assessment to pay for the cost of abating certain public health nuisances (lot clean up) under the provision of Section 7.40.050 of the code of the city of Wichita, Kansas. Be it ordained by the governing body of the City of Wichita, Kansas, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams, and Brewer.

- d. Amendment to Title 18-Adoption of 2006 International Existing Building Code, Chapter 18.45, to replace the City of Wichita Existing Buildings Rehabilitation and Change of Use Code Chapter 18.44.

ORDINANCE NO. 47-565

An ordinance adopting the 2006 International Existing Building Code and City of Wichita amendments there to as chapter 18.45 of the code of the City of Wichita, Kansas, and repealing chapter 18.44, of the code of the City of Wichita, Kansas, all pertaining to building codes, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams, and Brewer.

- e. ZON2007-13 – Zone change from “SF-5” Single-family Residential to “TF-3” Two-family Residential for duplex development; generally located west of Florence and south of Second Street. (District IV)

ORDINANCE NO. 47-566

An ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by section 28.04.010, as amended, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams, and Brewer.

- f. DR2005-21: Proposed Amendments to the Unified Zoning Code Pertaining to McConnell Air Force Base Airport Overlay Districts and Anti-Terrorism/Force Protection Overlay Districts. (Districts II and III)

ORDINANCE NO. 47-567

An ordinance amending Section III-C.5 of the Wichita-Sedgwick County Unified Zoning Code (April 19, 2001 Edition), as adopted by reference in City of Wichita code Sec. 28.04.010 by Ordinance No. 44-975 and Section III-C.9 and Section V-I.2.0. of the Wichita-Sedgwick County Unified Zoning Code (April 19, 2001 Edition) as adopted by reference in City of Wichita Code Sec. 28.04.010 by Ordinance No. 47-347 pertaining to the recommendations from the McConnell Air Force Base joint land use study, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams, and Brewer.

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- g. SUB 2007-43-Plat of Kansas State Bank Addition located east of Maize Road and north of Kellogg. (District V)

ORDINANCE NO. 47-568

An ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0, (Gray absent). Yeas: Fearey, Longwell, Schlapp, Skelton, Williams, and Brewer.

PLANNING AGENDA

Motion--
--carried

Brewer moved that Planning Consent items 16-18 be approved in accordance with the recommended action shown thereon. Motion carried 6 to 0, (Gray absent).

ZON2005-28

ZON2005-28 – CORRECTIVE ORDINANCE FOR ZONE CHANGE TO “LC” LIMITED COMMERCIAL AND AMENDMENT TO PROTECTIVE OVERLAY #11 ON PROPERTY ZONED “GO” GENERAL OFFICE. GENERALLY LOCATED NORTH OF MAPLE AND WEST OF 135TH STREET WEST. (DISTRICT V)

Agenda Item No. 16.

MAPC Recommendations: Approved, vote (10-0).
MAPD Staff Recommendations: Approved.
DAB Recommendations: Not applicable.

On August 16, 2005, Wichita City Council approved the zone change from “GO” General Office to “LC” Limited Commercial and amended PO #11. The MAPC and Wichita City Council action intended to rezone a tract that included Lot 2 plus the west 48 feet of Lot 1, Riverside Health System Addition as displayed on the visual materials attached to the case. The original legal description omitted the west 48 feet of Lot 1, and this corrective ordinance adds it to the legal description. A previous case, ZON2003-26 associated with CON2003016, was intended to shift the same 48-foot strip from PO #1 (associated with the remaining portion of Lot 1) to PO #11 (associated with Lot 2).

By this action, the west 48 feet of Lot 1, Riverside Health System Addition, will be perfected in its LC zoning and be subject to the PO #11 provisions associated with ZON2005-28. Adherence to the conditions of CON2005-16 will not be required for uses permitted by right in the LC district, subject to the use limitations of PO #11. The remainder of Lot 1, Riverside Health System Addition, will be governed by the provisions of PO #1 as adjusted (SZC-0717).

Promote Economic Vitality.

The ordinance has been reviewed and approved as to form by the Law Department.

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Motion-- Brewer moved to concur with the findings of the MAPC and approve the corrective action; place the ordinance establishing the zone change to "LC" Limited Commercial and amending P-0 #11 for first reading. Motion carried 6 to 0, (Gray absent).
--carried

ORDINANCE

An ordinance changing the zoning classifications or districts of certain lands located in the city of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended; and repealing the original of Ordinances Nos. 45-755 and 46-653, introduced and under the rules laid over.

VAC2006-00016

**VAC2006-00016-REQUEST TO VACATE A PLATTED ALLEY RIGHT-OF-WAY;
GENERALLY LOCATED BETWEEN DOUGLAS AND FIRST STREET FROM
MATHEWSON TO CLEVELAND AVENUES. (DISTRICT I)**

Agenda Item No. 17.

Staff Recommendation: Approve.

MAPC Recommendation: Approve (unanimously).

The applicant is requesting vacation of the described north to south platted alley. There is a sewer line and manholes in the alley; the sewer line was installed in 1903, but has had recent maintenance on it to update the line. The subject site is located within the Gilbert Mosley Redevelopment District. Westar has equipment in the alley. The applicant owns all the abutting property. The Mathewson and Hoff's Subdivision of the Mathewson Addition was recorded with the Register of Deeds on April 14, 1887. The Pinkham's Subdivision of the Mathewson Addition was recorded with the Register of Deeds on March 5, 1886.

The MAPC voted (10-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing or its Subdivision Committee meeting. No written protests have been filed.

Ensure efficient infrastructure.

A certified copy of the Vacation Order and a dedication of public utility easement by separate instrument will be recorded with the Register of Deeds. The alley will be retained as a utility easement

Motion-- Brewer moved that the Vacation Order be approved and the necessary signatures authorized. Motion carried 6 to 0, (Gray absent).
--carried

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VAC2007-00021

VAC2007-00021-REQUEST TO VACATE A PLATTED SETBACK; GENERALLY LOCATED NORTH OF 13TH STREET NORTH AND EAST OF WOODLAWN BOULEVARD. (DISTRICT II)

Agenda Item No. 18.

Staff Recommendation: Approve.

MAPC Recommendation: Approve (unanimously).

The applicant is requesting vacation of the platted 30-foot front yard setback, located on Lot 1, Block 7, McEwen 6th Addition. The Unified Zoning Code's (UZC) minimum front yard setback for the site's "SF-5" zoning is 25 feet. If the setback were not platted, but was the UZC's minimum 25 foot setback, the applicant could apply for an Administrative Adjustment. That would reduce the 25 foot setback by 20%, resulting in a 20 foot setback, which is what the applicant is requesting. There is a platted side yard setback that will not be affected by the vacation request. There are no utilities or easements that will be affected by the vacation request. The McEwen 6th Addition was recorded with the Register of Deeds on October 11, 1958.

The MAPC voted (13-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing or its Subdivision Committee meeting. No written protests have been filed.

Ensure efficient infrastructure.

A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion--
--carried

Brewer moved that the Vacation Order be approved and the necessary signatures authorized.
Motion carried 6 to 0, (Gray absent).

AIRPORT AGENDA

TAXIWAYS

COLONEL JAMES JABARA AIRPORT TAXIWAYS F AND G, RUNWAY MARKINGS.

Agenda Item No.19.

On July 24, 2007 the Wichita Airport Authority awarded the construction bid submitted by Lafarge North America to construct Taxiway G, the extension of Taxiway F plus remark the runway at Colonel James Jabara Airport.

During construction, resident engineering and construction-related services are necessary in order to comply with Federal Aviation Administration requirements. A supplemental agreement with Professional Engineering Consultants has been prepared to authorize the necessary construction-related services.

The cost of the construction-related services is a not-to-exceed amount of \$151,773.53. Funding is expected from AIP Federal Grant funds and General Obligation bonds paid for with Airport Revenue.

The Airport's contribution to the economic vitality of Wichita is promoted through construction airfield pavements to serve the aviation community.

The Law Department has approved the Supplemental Agreement as to form. FAA approval is pending.

Motion--
--carried

Brewer moved that the Supplemental Agreement be approved and the necessary signatures authorized.
Motion carried 6 to 0, (Gray absent).

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CITY COUNCIL

BOARD APPTS.

BOARD APPOINTMENTS.

Council Member Skelton Council Member Skelton requested that Billy Tucker be appointed to DAB III.

Council Member Williams Council Member Williams requested that Vicki Churchman be appointed to the Historic Board.

Motion--carried Brewer moved that the appointments be approved. Motion carried 6 to 0, (Gray absent).

RECESS

The Council recessed into the workshop at 9:42 a.m.

(Council Member Gray arrived at 10:10 a.m.)

RECONVENED

The City Council reconvened back into the regular meeting at 12:10 p.m.

RECESS

EXECUTIVE SESSION

Motion-- Brewer moved that the City Council recess into Executive Session at 12:10 p.m. to consider: consultation with legal counsel on matters privileged in the attorney-client relationship relating to: legal advice and confidential data relating to the financial affairs or trade secrets of a business and that the Council return from Executive Session no earlier than 12:25 p.m. and reconvene in the 10th floor of MAPC Conference Room of City Hall. Motion carried 7 to 0.

--carried

Motion--carried

Brewer moved at 12:35 p.m. to extend the Executive Session until 12:45 p.m. Motion carried 7 to 0.

RECONVENED

The City Council reconvened at 12:45 p.m.

Mayor Brewer

Mayor Brewer stated that no action was taken.

Motion--carried

Brewer moved to close the Executive Session. Motion carried 7 to 0.

Motion--carried

Brewer moved to adjourn the regular meeting. Motion carried 7 to 0.

ADJOURNMENT

The meeting was adjourned at 12:46 p.m.