

**CITY COUNCIL PROCEEDINGS
NOVEMBER 25, 2008**

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, November 25, 2008
Tuesday, 09:30 AM

The City Council met in regular session with Carl Brewer, Sue Schlapp, Lavonta Williams, Paul Gray, Jeff Longwell, Jim Skelton, and Sharon Fearey.

Staff Members Present: Scott Moore Interim City Manager, Gary Rebenstorf Director of Law, and Karen Sublett City Clerk.

Mayor Brewer called the meeting to order at 9:35 a.m.

Approve the minutes of the regular meeting on November 18, 2008.

MOTION:

Mayor Brewer moved to approve the minutes of the regular meeting on November 18, 2008.
Motion carried 7 to 0.

V. **CONSENT PLANNING AGENDA (ITEMS 1 THROUGH 3)**

MOTION:

Mayor Brewer moved to approve Consent Planning Agenda Items 1 through 3 in accordance with the recommended actions shown thereon.
Motion carried 7 to 0.

1. ***ZON2008-00039 – ZONE CHANGE FROM SF-5 SINGLE-FAMILY RESIDENTIAL (“SF-5”) TO NR NEIGHBORHOOD RETAIL (“NR”); GENERALLY LOCATED MIDWAY BETWEEN GREENWICH AND WEBB ROADS, ON THE NORTH SIDE OF HARRY STREET. (DISTRICT II)**

Attachment: [ZON2008-39 DAB Minutes](#)

Attachment: [ZON08-39 Excerpt of October 9th](#)

Attachment: [Agenda Report No. V-1 and Ordinance No. 48-123 ZON8-39](#)

2. ***DED 2008-10-DEDICATION OF A SIDEWALK AND UTILITY EASEMENT AND DED 2008-11-DEDICATION OF ABUTTER’S ACCESS RIGHTS (ACCESS CONTROL) LOCATED SOUTH OF 29TH STREET NORTH AND WEST OF BROADWAY. (DISTRICT VI)**

Attachment: [Utility Easement](#)

Attachment: [Partial Dedication](#)

Attachment: [Agenda Report No. V-2 DED 2008-10 & 11](#)

3. ***VAC2008-00032-REQUEST TO VACATE A PORTION OF A PLATTED SETBACK; GENERALLY LOCATED MIDWAY BETWEEN PAWNEE AND HARRY STREETS, EAST OF 127TH STREET EAST, (DISTRICT II)**

Attachment: [Agenda Report No. V-3 VAC2008-32 AGENDA](#)

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IX. **CONSENT AIRPORT AGENDA (ITEMS 1 & 2)**

MOTION:

Mayor Brewer moved to approve Consent Airport Agenda Items 1 and 2 in accordance with the recommended actions shown thereon.

Motion carried 7 to 0.

1. ***WICHITA MID-CONTINENT AIRPORT - TERMINAL APRON RECONSTRUCTION, PHASE I - CHANGE ORDER.**

Attachment: [Agenda Report No. IX-1 Terminal Apron, Phase I CO1](#)

Attachment: [Apron I CO1 Cornejo](#)

2. ***MID-CONTINENT DRIVE REHABILITATION AND BRIDGE REHABILITATION OVER HARRY STREET AND CROSSFIELD ROAD.**

Attachment: [Agenda Report No. IX-2 Bridge & Mid-Continent Dr Rehab SU JO](#)

Attachment: [Bridge Rehab 09 PEC Design](#)

X. **COUNCIL MEMBER AGENDA**

1. **APPOINTMENT OF MUNICIPAL JUDGE NOMINATING COMMISSION.**

Attachment: [Agenda Item No. X-1](#)

MOTION:

Vice-Mayor Schlapp moved to defer this item until next week.

Motion carried 7 to 0.

XI. **COUNCIL MEMBER APPOINTMENTS**

Council Member Gray requested that Michael Ackerman be appointed to DAB IV.

MOTION:

Mayor Brewer moved to approve the appointment.

Motion carried 7 to 0.

XII. **CONSENT AGENDA (ITEMS 1 THROUGH 14A)**

MOTION:

Mayor Brewer moved to approve Consent Agenda Items 1 through 14a in accordance with the recommended actions shown thereon.

Motion carried 7 to 0.

1. **REPORT OF BOARD OF BIDS AND CONTRACTS DATED NOVEMBER 24, 2008.**
(SEE ATTACHED)

Attachment: [List of Board of Bids and Contracts November 24, 2008](#)

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2. **APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:**

<u>Renewal</u>	<u>2008</u>	(Consumption off Premises)
Clinton E. Davidson	Checkers K15	1915 East Pawnee Street
Michael Olderbak	Kabredlo's Inc.	2601 West L Street, Suite A

<u>Renewal</u>	<u>2008</u>	(Consumption on Premises)
Richard J Renollet	Wichita State University dba Rhatigan Student Center*	1845 N. Fairmount, Box 56
Wayne R Larson	United Golf of Wichita Inc. dba Sierra Hills Golf Club*	13420 East Pawnee

<u>New</u>	<u>2008</u>	(Consumption off Premises)
Jaspal Singh Mann	Best Retailers LLC	2950 North Ohio Street
Hisham Mubaidin	Foodmart Midwest LLC	1400 North Market
Smimtiazi Siddique	Sunrise	6327 East 13th Street

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

** Tavern – less than 50% of gross revenues from sale of food.

3. **PRELIMINARY ESTIMATES:**

- a. Preliminary Estimates. (See Attached)

Attachment: [Preliminary Estimates](#)

4. **CONSIDERATION OF STREET CLOSURES/USES.**

- a. **21ST ANNUAL JINGLE BELL RUN/WALK FOR ARTHRITIS SATURDAY, DECEMBER 6, 2008
9:00 AM – 12:00 PM (DISTRICTS I AND VI)**
[Lewis Street, McLean to Water](#)
[McLean Blvd., Lincoln to Douglas](#)

Attachment: [Agenda Report No. XII-4a 21st Annual Jingle Bell RunWalk for Arthritis](#)

5. **AGREEMENTS/CONTRACTS:**

- a. **WILDWOOD PARK IMPROVEMENTS. (DISTRICT IV)**

Attachment: [Contract](#)

Attachment: [Supporting Document](#)

Attachment: [Supporting Document Costs](#)

Attachment: [Agenda Report No. XII-5a Wildwood Park](#)

6. **DESIGN SERVICES AGREEMENTS:**

- a. **HARRY FROM GREENWICH ROAD TO 127TH STREET EAST. (DISTRICT II) -
SUPPLEMENTAL**

Attachment: [Agenda Report No. XII-6a and Agreement Harry, Greenwich to 127th \(CD\)](#)

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- b. **EDGE WATER ADDITION, SOUTH OF 45TH STREET NORTH, WEST OF HOOVER.
(DISTRICT V)**

Attachment: [Agenda Report No. XII-06b Baughman-Edge Water Addn \(CD\)](#)

7. **CHANGE ORDER:**

- a. **2008 STREET MAINTENANCE PROGRAM. (DISTRICT I)**

Attachment: [Agenda Report No. XII-7a CO 08 Street Maint Prog](#)

8. **PROPERTY ACQUISITION:**

- a. **PARTIAL ACQUISITION OF 320 EAST 21ST STREET NORTH FOR THE INTERSECTION
IMPROVEMENT PROJECT AT 21ST AND BROADWAY. (DISTRICT VI)**

Attachment: [Agenda Report No. XII-8a 320 E 21st](#)

Attachment: [320 E. 21st - Map and Contract](#)

9. **MINUTES OF ADVISORY BOARDS/COMMISSIONS**

Wichita Board of Appeals of Plumbers and Gas Fitters, October 1, 2008
Wichita Public Library, October 1, 2008
Wichita Historic Preservation Board, October 13, 2008
Board of Code Standards and Appeals, October 6, 2008
Arts Council, October 9, 2008
District VI Advisory Board, October 6, 2008
District I Advisory Board, October 8, 2008

10. **NOTICE OF INTENT TO USE DEBT FINANCING - MID-CONTINENT DRIVE
REHABILITATION AND BRIDGE REHABILITATION OVER HARRY STREET AND
CROSSFIELD ROAD.**

Attachment: [Agenda Report No. XII-10 and Resolution No. 08-533 Bridge Rehabilitation over Harry Street & Crossfield Road](#)

11. **AUTOMATED METER READING PROGRAM.**

Attachment: [Agenda Report No. XII-11 and Resolution No. 08-534 Automated Meter Reading Program](#)

12. **PARK LIGHTING. (DISTRICT VI)**

Attachment: [Agenda Report No. XII-12 and Resolution No. 08-535 and 08-536 Park Lighting - Tennis Center](#)

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13. **ALICE WALL MEMORIAL PARK IMPROVEMENTS. (DISTRICT IV)**

Attachment: [RFP](#)

Attachment: [Line Item Cost](#)

Attachment: [Map](#)

Attachment: [Diagram](#)

Attachment: [Contract](#)

Attachment: [Agenda Report No. XII-13 Alice Wall Imps](#)

14. **SECOND READING ORDINANCES (NOS. 48-114 TO 48-122)**

a. **SECOND READING ORDINANCES, (FIRST READ NOVEMBER 18, 2008) (SEE ATTACHED)**

Attachment: [Second Reading Ordinances](#)

EXECUTIVE SESSION.

MOTION:

Mayor Brewer moved to recess into Executive Session to consider: consultation with legal counsel on matters privileged in the attorney-client relationship relating to: potential litigation, legal advice, contract negotiations, and matters relating to employer-employee negotiations and that the Council return from Executive Session no earlier than 11:45 a.m. and reconvene in the first floor board room on the first floor of City Hall.

Motion carried 7 to 0.

RECONVENED

The Council reconvened in the First Floor Board Room. Mayor Brewer announced that no action was needed or taken as a result of the Executive Session.

MOTION:

Mayor Brewer moved to close the Executive Session.

Motion carried 7 to 0.

MOTION:

Mayor Brewer moved to adjourn the regular meeting.

Motion carried 7 to 0.

ADJOURNMENT

The meeting was adjourned at 11:50 a.m.

Respectfully submitted,

Karen Sublett, CMC
City Clerk