

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, April 11, 2000
Tuesday, 9:00 A.M.

The City Council met in regular session with Vice Mayor Rogers in the Chair. Council Members Cole, Gale, Lambke, Martz, Pisciotte, Rogers; present. *Mayor Knight absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

The invocation was given by Bishop Gilkey.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved

The minutes of the regular meeting of April 4, 2000, were approved 6 to 0. (Knight absent)

AWARDS AND PRESENTATIONS

SERVICE CITATIONS

Distinguished Service Citations were presented.

PROCLAMATIONS

Proclamations previously approved were presented.

PUBLIC AGENDA

Comments by Linda Gladhart, Kansas Public Health Association - Fluoridation.

Linda Gladhart

Linda Gladhart said a survey by the Kansas Health Institute, conducted by K-State computer phone, interviewed 598 people, of those, 202 persons were from Sedgwick County. The survey showed, in part:

- 64.5 percent of those interviewed agreed that fluoridation was one of the best ways to protect teet.
- 41% indicated their water was fluoridated.
- 75% supported fluoridation of water.
- 75% supported legislation and an increase in their water bill towards fluoridation.

Responding to a question, Ms. Gladhart said the Kansas Health Institute supports fluoridation on a city-by-city basis.

Council Members Cole and Pisciotte requested copies of the full study.

NEW BUSINESS

SCHELL PARK

SCHELL PARK IMPROVEMENTS. (District VI)

Doug Kupper

Park and Recreation Director reviewed the Item.

Agenda Report No. 00-0366.

Park & Recreation Department staff met with neighborhood residents and soccer enthusiasts and presented a concept plan which reflected the needs of the Neighborhood Area. The consensus was to provide area residents

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with a youth soccer field with irrigation system, two bleacher systems, picnic tables and barbecue grills, as well as other related park and landscaping improvements.

The park currently has existing parking and restroom facilities. An open area allocated for soccer use inadequately drains for extended use and will require some renovation work to establish appropriate turf and playing conditions.

The Park and Recreation Capital Improvement Program allocates \$250,000 in 2001 for Park Facilities Renovation. This funding allocation includes funding for an estimated \$60,000 in capital improvements for Schell Park. Funds are available within the City's 2000/2001 capital improvement budget to fund the improvements. The source of funding is General Obligation bonds.

- Vice Mayor Rogers Vice Mayor Rogers inquired whether anyone wished to be heard.
- Keith Koons Keith Koons said he believed this plan satisfies the youth soccer as well as all neighborhood park needs. An agreement has been made to allow adults to play soccer in the park only during the Cinco de Mayo celebration.
- Wendell Turner Wendell Turner stated that this is an opportunity to use the park in a manner that is supposed to be for neighborhood parks.
- Council Member Cole Council Member Cole said adults have been playing soccer at Ohio and 37th North while another soccer site is being sought.
- Motion -- carried Cole moved that the project be approved and the Resolution be adopted. Motion carried 6 to 0. (Knight absent)

RESOLUTION NO. R-00-156

A Resolution authorizing the issuance of Bonds by the City of Wichita at large for public improvements in Schell Park, presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers. (Knight absent)

- Council Member Pisciotte Council Member Pisciotte inquired regarding the Northeast Soccer Complex progress.
- Doug Kupper Park and Recreation Director said the playing area has been core aerated; soil nutrients are being added, and the area will be over-seeded. The playing area will be ready by June 17, 2000.

C OF C CONTRACT JOINTLY SPONSORED CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT CONTRACT.

- Allen Bell Financial Projects Director reviewed the Item.
- John Rolfe Chamber of Commerce, gave an overview of the Chamber's 1999 accomplishments.

Agenda Report No. 00-0367.

On March 16, 1999, the City Council approved a contract with the Wichita Area Chamber of Commerce to provide economic development services in an amount not to exceed \$180,000. The contract covered economic development activities of the Chamber during 1999.

The contract is a joint economic development effort with the Chamber, the County and City. Under the contract, the Chamber manages the economic development efforts on behalf of the City and County and work with the respective staffs on projects. Under the terms of the contract, the Chamber is required to meet certain goals as contained in the approved business plan. [John Rolfe, Chamber Vice President for Economic Development, will present a report to the City Council on Chamber economic development activities during 1999.]

The City's 2000 operating budget proposed continuing the relationships with the Chamber under a performance-based contract for services. An appropriation of \$180,000 to fund a contract with the Chamber for continued economic development services was approved by the City Council. Staff has negotiated performance requirements for the proposed 2000 contract for services.

The 2000 Economic Development Business Plan has five major areas: Business Development; Research Support; Workforce Development; Air Service; and Community Marketing. City funding is requested for part of the Business Development Activities. These activities focus on the following goals:

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Local Expansion/Retention of Existing Businesses. Provide community support to existing businesses by assisting in eliminating inhibitors to growth and assisting in expansion opportunities to secure 1,500 new or saved jobs in the area.

Business Recruiting. Obtain commitment from new companies to locate a facility in the Wichita area and add 1,500 new jobs in 2000.

Downtown Core Area. Promote and market growth to encourage new and retained investment in Wichita's downtown to increase building occupancy and increase favorable downtown projects.

New Business Development. Work with local service organizations to promote/enhance the creation of new jobs through business start-ups and new business ventures.

Work covered by the 2000 Contract for Services will be carried out by the Chamber's Economic Development Department. City funding supports an additional professional position in the Department, Economic Development Director to assist in the area of recruitment and expansion/retention and perform other activities to meet the performance requirements with the City. Other Chamber staff provide support in the areas of research, workforce development and marketing. Economic development efforts are augmented by a work group consisting of economic development staff from the City, County, State, local non-governmental agencies and utilities.

Funding for the contractual services is budgeted in the amount not to exceed \$180,000. City funding will be used to fund staff costs in the approximate amount of \$83,000, direct economic development expenses of approximately \$89,000, and approximately \$8,000 for economic development marketing expenses.

Vice Mayor Rogers

Vice Mayor Rogers inquired whether anyone wished to be heard and no one appeared.

Motion --
-- carried

Rogers moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Knight absent)

WORLD TRADE

KANSAS WORLD TRADE CENTER ACTIVITIES - APPROVAL OF CONTRACT FOR SERVICES.

Allen Bell

Financial Projects Director reviewed the Item.

Pam Doonan

Kansas World Trade Center, reviewed the 1999 Kansas World Trade Center activities.

Agenda Report No. 00-0368.

On April 6, 1999, the City Council approved a contract for economic development services from the Kansas World Trade Center ("KWTC"), in an amount not to exceed \$50,000. The contract covered activities of the KWTC during 1999. Ms. Pamela Doonan, President of the KWTC will present a report to the City Council on KWTC activities during 1999.

On August 10, 1999, the City Council adopted the City's 2000 operating budget which included an appropriation of \$50,000 to fund a contract with the KWTC for services in 2000. The Sedgwick County Commission appropriated the same amount in its 2000 operating budget. City and County staff have been working KWTC Staff to negotiate terms for the proposed performance-based contracts for services. The County Commission recently approved the County contract with KWTC and the City contract is presented at this time for approval.

The mission of the KWTC is to promote the expansion of export activities of businesses in Kansas by providing specialized assistance and research to companies wishing to expand their access to the global marketplace, or to enter it for the first time. In addition to providing consulting and targeted services and targeted research for companies that are actively seeking international trade opportunities, the KWTC also conducts promotional campaigns, seminars, trade missions and presentations aimed at creating awareness of such opportunities, both on the part of Kansas businesses and overseas companies. Under the contract for services with the City, KWTC will provide economic development services to companies striving to increase international trade activity, including consulting and research services, translations, trade seminars and conferences.

An additional sum is being requested to assist in the funding of a foreign trade mission later this year.

Payment for the contractual services will not exceed \$60,000 in 2000 and will be funded from the Economic Development Trust Fund.

Vice Mayor Rogers

Vice Mayor Rogers inquired whether anyone wished to be heard and no one appeared.

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Motion -- Rogers moved that the Contract for World Trade Center services be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Knight absent)
-- carried

*Mayor Knight present and in the Chair.

COMMUNITY GARDEN COMMUNITY GARDENING.

Misty Bruckner City Manager's Office reviewed the Item.

Agenda Report No. 00-0369.

The Great Plains Earth Institute and the Community Gardening Coalition provide support to citizens interested in establishing community gardens. The Coalition has several community gardens established in the City of Wichita and is working to have more sites identified and developed. Community Gardens have proven to be effective tools in addressing many community goals, such as: bringing neighbors together for positive collective activities; providing an educational and productive projects for area youth; providing opportunities for elderly individuals wanting active pastimes; development of community garden coalitions, and growing produce for needy citizens to consume or sell.

In addition to these benefits, community gardens provide for a productive use of vacant properties and a means to place such properties into productive use.

Several years ago, the City established a program to assist neighborhoods and area residents in the establishment of community gardens. Information was developed and distributed, but the program was slow to start, even though various parcels of land were identified for such garden projects. In cooperation with the Great Plains Earth Institute and the Community Gardening Coalition, the City will become a partner in their Urban Garden effort by supporting various activities, including:

1. Providing a dump truck and driver to be used for hauling dirt and mulch on a designated day to assist with establishing garden sites.
2. Developing maps of vacant City lots available for community garden sites.
3. Making available a grant in the amount of \$1,000 for Community Garden items, such as seeds and tools, for low-income areas.
4. Including information District Advisory Boards newsletter about community gardening.
5. Assisting in the sponsorship of training sessions for neighborhood associations interested in community gardening.
6. Assisting community gardens interested in establishing a booth for selling produce at the Farm and Art Market.
7. Include as part of the Summer of Discovery Program the concept of community gardening concept to youth.
8. Making available fruit trees to (larger) plots in connection where regular care is provided with the reforestation campaign.
9. Scheduling regular Community Education classes on "How to" successful gardening.
10. Sponsoring a "Botanica Day" where the youth and volunteers involved could tour Botanica for free.

Except for the designated grant, there is a minimal cost associated with the projects and can be financed through existing budgets.

Dr. Randy Schofield Dr. Randy Schofield said the idea is simple, yet powerful, and is neighbors coming together. Dr. Schofield said he is excited to partner with the City in this effort.

Marie Corpe-Gaddert Marie Corpe-Gaddert, Vista volunteer, spoke of some of the community gardens, including:

- Sprouts Learning Garden
50 children meeting after school
- Immanuel Community Garden
Produce is shared with 24 families and
There is an Outreach Program
- Donna's House
Aids Crisis Center where there are health issues and concerns.
- Midtown Garden
Led to a neighborhood cleanup project.

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Askia Torre' Askia Torre' Vista volunteer, spoke regarding the Pierson's Farm and said the project plans are very positive.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard.

Bob Connor Bob Connor said he would be glad to provide modest resources of labor or funds.

Motion -- carried Lambke moved that support of the community gardening program be approved. Motion carried 7 to 0.

PROPERTY DISP.

PROPOSED DISPOSITION OF KINGSBURY PROPERTY.

Chris Cherches City Manager reviewed the Item.

Agenda Report No. 00-0400.

In 1987, the City acquired a 460-acre tract of land to the north and west of the Brooks Landfill site. The cost for acquisition of this site was \$728,640, exclusive of principal and interest costs. The City Council has since determined that this land, generally known as the Kingsbury tract, will not be used for landfill expansion or buffer as originally planned. The City Council later (1997) designated this land for public purposes and directed the Park Board to report back to the City Council on additional recommendations on how the land can continue to be applied to such use.

The City subsequently received a development proposal for the property and in November, 1999, the City Council approved the designation of Kingsbury Communities, Inc. as the preferred developer of this tract of land and authorized Staff to issue a request for proposals from developers.

A Request for Proposals was mailed to over 200 builders, developers, brokers, and investors. Two proposals were received. A comparison of the proposals is provided below:

Proposer	<u>Kingsbury Communities</u>	<u>Ritchie Corporation/ Booth & Schellenberg Development</u>
Price/Acre	\$2,505 \$2,500	
Timing	20% down, balance over 4 years	Cash at closing
Final Use	Residential w/golf course	Mixed use - commercial/multifamily/residential
Interim Use	Sand removal	Sand removal
Project Start	Closure of Brooks	2-3 years
Timing	Ten years unless demand warrants an earlier start	10 years
Contingencies	Conditional use permit for sand Indemnification from Brooks Environmental issues Water rights must be obtained from the State Access must be available through Brooks site	City to provide access from K-96/Hoover or K-96/West Indemnification from Brooks environmental issues All zoning and permits must be available City to develop park infrastructure City to bring utilities to site
Other		Will deed south lake to City for park. Sand will be pumped under K-96 to existing plant.

The Kingsbury Community plan calls for a residential development incorporating a golf course with most of the development planned to the west part of the site.

The Ritchie proposal envisions two large lakes along the east part of the parcel, one of 80-acres on the south and one of approximately 130 acres to the north. There will be approximately 17 acres of commercial at the northeast

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corner of Hoover and K-96, 19 acres of multifamily on the east side of Hoover at the half-mile point, and about 164 acres of single family development around the northern lake.

In reviewing these proposals, the Kansas Department of Health and Environment was contacted to comment on proposed development of this site. KDHE indicates potential problems with development depending upon how the sand extraction operations would be conducted.

Prior to final acceptance of either proposal, the City will want to negotiate final terms and conditions with the selected developer for the sale and development of this site. Issues of contamination and protection against ground water pollution, master plan for development, interim and future development phases, timeframes/development schedules for each segment of the master plan, continual monitoring of the site, along with other issues important to the site development.

Alternatives: Options to the sale of this property for private development include:

- 1) Leaving the site as open space for future park development.
- 2) Developing the site as an industrial park site, with interim use as a wood waste disposal area.
- 3) Partnering with a vendor to develop the site as a sand extraction site as in interim use and later selling the site for desired planned-use development.
- 4) Leasing the site for sand extraction but not sell the site at this time.
- 5) Selling the property to the preferred developer with specific guaranteed time frames for development.

Kingsbury Communities has offered \$2,505 per acre for the site. This amount would be paid in five equal payments of 20% each with the first payment being made at the time of closing of the sale. The joint venture of Ritchie Corporation and Booth & Schellenberg Development has offered \$2,500 per acre payable at closing.

The proposal from Kingsbury Communities is financially superior to the one from the joint venture of Ritchie Corporation and Booth & Schellenberg Development. While the discounted net present value of the selling price is slightly less (\$189,992 less at a 7% discount rate), the joint venture of Ritchie Corporation and Booth & Schellenberg Development requires "The City of Wichita shall at their expense be responsible to bring public street and utilities to the Kingsbury site." The cost of providing this infrastructure have not been identified at this time, and cannot be known until the improvements are designed. However, such improvements are expected to exceed the \$189,992 figure.

The final selling price is subject to a survey of the property to determine the actual acreage to be sold. Based on 460 acres, the offer from Kingsbury Communities would be for a total selling price of \$1,152,300 and a net present value of the payments of \$960,008 (discounted at 7% per year).

From the standpoint of value, the partnership option might have more income potential for the City and till provide the flexibility to market the site at a later date for a planned-use development. Selling the site would place the land back on the tax rolls which may, or may not be significant, depending upon when actual development of the real estate occurs.

The City Attorney has issued a written opinion that opines that the City is able to sell this property if approved by a simple majority vote of the governing body. Such action is not dependent upon Park Board approval.

Council Member Cole

Council Member Cole said she was excited about additional lakes in the area and a potential for quality development.

Mayor Knight

Mayor Knight said the City owns the land and Brooks Landfill will be closing soon. These will provide considerable resources for the community. The City might want to keep control of the Kingsbury site. The site might be made available for sand extraction for future City lakes.

There may be a way to use part of the land for development and part for parks. The City Manager also has had vision for use of the property.

Mayor Knight said he would say to keep the property and work out arrangements for disposition of the sand.

Council Member Lambke

Council Member Lambke agreed that the City should not act too hastily. A mistake could be made by moving too fast.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Tim Austin

Austin-Miller, agreed that it might be best to defer the Item and have dialogue regarding future use.

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Earl Powell

Earl Powell Community Investments said he did not see one of the proposals listed.

Motion --
-- carried

Knight moved that this Item be referred to the Park Board for consideration of future needs and possibilities and then be returned to City Council. Motion carried 7 to 0.

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ADDENDUM ITEM 7a
VICE MAYOR

ELECTION OF VICE MAYOR

The City Council proceeded to vote, by ballot, for Vice Mayor.

On the first ballot, there were six votes for Council Member Lambke and one vote for Council Member Cole.

Council Member Lambke

Council Member Lambke promised to "do no harm."

The Oath of Office will be administered to Council Member Lambke at the April 18, 2000 City Council meeting.

APPOINTMENTS

BOARD/COMMISSION APPOINTMENTS.

Motion --
--carried

Lambke appointed Stephanie Schroeder to the Police and Fire Retirement Board and moved that the appointment be approved. Motion carried 7 to 0.

Motion --
-- carried

Rogers appointed Dwight Jones to the Wichita Employees' Retirement Board and moved that the appointment be approved. Motion carried 7 to 0.

Motion --
-- carried

Cole appointed Veronica Casado to District Advisory Board for District VI and moved that the appointment be approved. Motion carried 7 to 0.

Motion -- carried

Martz reappointed Ron Marnell to MAPC and moved that the appointment be approved. Motion carried 7 to 0.

Motion --
-- carried

Knight reappointed Larry Fleming to the Airport Board and moved that the appointment be approved. Motion carried 7 to 0.

APPOINTMENTS

APPOINTMENT TO SOLID WASTE COMMITTEE.

No appointments were made.

PROCLAMATIONS

PROCLAMATIONS.

There were no proclamations considered.

CONSENT AGENDA

Knight moved that the Consent Agenda be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED APRIL 10, 2000.

Bids were opened April 7, 2000, pursuant to advertisements published on:

WICHITA MID-CONTINENT AIRPORT/ENGINEERING DIVISION:

Air Carrier Apron East Reconstruction, Wichita Mid-Continent Airport, (459199/500702, 500703). Wichita Airport Authority project approval date: March 15, 1999.

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Ritchie Paving inc. - \$1,720,739.07*

*This bid will be recommended to City Council subject to FAA concurrence.

Knight moved that the contract be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Rehabilitation of 2642 North Piatt. (127803)

Baker Drywall & Construction - \$34,872.40 (Total net bid)

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Bathtub Replacement and Bathroom Modifications at Various Sites. (127803)

Arambula Construction Co. - \$15,000.00 (Group I/Lump sum total)
\$15,000.00 (Group II/Lump sum total)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Furnace & Air Conditioning Replacement. (792310)

Wichita Air Conditioning Inc. - \$9,320.00 (Group I/total net bid)
Professional Air Conditioning Service Inc. - \$2,390.06 (Group II/total net bid)
Comfort System - \$8,046.00 (Group III/total net bid)

PARK & RECREATION DEPARTMENT/CENTURY II DIVISION/ Electric Scissors Lift. (178012)

Rental Service Corporation - \$19,200.00 (Total net bid)

PUBLIC WORKS DEPARTMENT/MAINTENANCE DIVISION: Traffic Loop Detector Sealant. (130849)

Mid American Signal, Inc. - \$14.58 (Alternate bid/cost of liter*)
*Minimum order: 576 liters - 10% discount

FIRE DEPARTMENT/VEHICLE & BUILDING MAINTENANCE DIVISION: Slip-in Pumps and Tank Units. (070136)

Hays Fire Equipment – Award an additional two each at the same unit cost of \$9,455 each for total net bid of \$18,910.00

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

PRELIMINARY ESTS.

PRELIMINARY ESTIMATES:

- a) 2000 contract maintenance CIMP area concrete reconstruction - various locations. (/131516/) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (Districts I, III, and VI) - \$295,554.00
- b) Holyoke from the north line of 25th Street North to the south line of 26th Street North to serve College Crest Addition - south of 29th Street North, east of Hillside. (472-83079/765571/490682) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 03/02/1999. (District I) - \$100,000.00
- c) Holyoke from the north line of 26th Street North to the south line of 27th Street North to serve College Crest Addition - south of 29th Street North, east of Hillside. (472-83121/765590/490701) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 06/15/1999. (District I) - \$88,800.00

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- d) Bebe and Irving from the north line of Walker to the west line of Anna to serve West 54 Industrial and Pearl May Jones Additions - south of Kellogg, west of West Street. (472-83129/765594/490705) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 07/13/1999. (District IV) - \$300,000.00
- e) Landscaping 13th Street North in connection with paving from approximately 600 feet east of Rock Road to the east City Limits - 13th Street North, east of Rock Road. (472-83028/706770/208231) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 04/20/1999. (District II) - \$1,065,000.00
- f) A 16-inch water line in South Broadway from 37th Street South to Patterson - Broadway, south of 31st Street South. (448-89372/633702/759149) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 01/26/1999. (District III) - \$201,738.12
- g) Lateral 438, Southwest Interceptor Sewer to serve Unplatted Tracts - north of Central, west of 119th Street West. (468-83030/743815/480503) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 10/12/1999. (District V) - \$42,400.00
- h) Maple Dunes Courts adjacent to Lots 9 through 17, Block 4 to serve Maple Dunes Addition - north of Maple, east of 135th Street West. (472-82831/765616/490727) Does not affect existing traffic. City Council approval date: 07/01/1997. (District V) - \$55,000.00
- i) Lateral 421, Southwest Interceptor Sewer to serve Huntington Place Sixth Addition - south of 13th, west of Maize. (468-82942/743800/480488) Does not affect existing traffic. City Council approval date: 12/22/1998. (District V) - \$9,123.00
- j) Water distribution system to serve Regency Lakes Addition - north of 21st Street North, west of Greenwich Road. (448-89132/734955/470625) Does not affect existing traffic. City Council approval date: 04/15/1997. (District II) - \$109,000.00

Motion -- carried

Knight moved that the Preliminary Estimates be approved and filed. Motion carried 7 to 0.

DEEDS/DEDICATIONS: DEEDS, EASEMENTS AND DEDICATIONS:

- a) Drainage easement dated February 17, 2000 from Rev. Gene Hughes, 20th Century Baptist Church, Inc., NKA Colonial Heights Baptist Church, Inc., for a tract of land in Lot 1, Block 1, Brentwood Village Addition, Wichita, Sedgwick County, Kansas (Private Project - OCA #607861) (No cost to City).
- b) Drainage easement dated February 24, 2000 from Stephen G. Miller, President, Brentwood Development, Inc., for a tract of land in Lot 31, Block 1, Brentwood Village Addition, Wichita, Sedgwick County, Kansas (Private Project - OCA #607861) (No cost to City).
- c) Utility easement dated March 23, 2000 from V.S. Property, LLC, a Kansas Limited Liability Company, for a tract of land in Lot 1, Block 1, Woodlawn Place 2nd Addition to Wichita, Sedgwick County, Kansas (Private Project - OCA #607861) (No cost to City).

Motion -- carried

Knight moved that the documents be received and filed. Motion carried 7 to 0

D) AUBURN HILLS RIGHT-OF-WAY DEDICATION. (District V)

Agenda Report No. 00-0370.

In 1996, the City Council approved a public/private partnership that has resulted in a new municipal golf course and the creation of approximately 800 new residential units in an area south of Maple, west of 119th Street West. The private development company donated approximately 200 acres for the golf course site. The golf course is nearing completion and work has begun on a clubhouse/community center.

Right-of-way dedications have been prepared to finalize the boundary between the public golf course and residential areas. One of the tracts will become the site for a privately maintained community pool that will be available to residents of the Auburn Hills Community. The attached map illustrates the affected tracts.

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The properties are being transferred at no cost to the City. Funds are available in the Auburn Hills account (OCA 696047) to pay for County filing fees.

Motion --
-- carried

Knight moved that the transfer of property in the Auburn Hills 8th Addition and the Auburn Hills Commercial 2nd Addition be approved and the necessary signatures be authorized. Motion carried 7 to 0.

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Board of Park Commissioners, 3-13-2000
Board of Health, 3-13-2000
Board of Code Standards and Appeals, 3-06-2000
Deferred Compensation on Board Of Trustees, 3-09-2000
Police and Fire Retirement System, 2-23-2000
Wichita Public Library, 3-21-2000
MAPC, 1-27-2000

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

STREET CLOSURES

CONSIDERATION OF STREET CLOSURES/USES.

There were no street closures considered.

SW INTERCEPTOR

SUPPLEMENTAL AGREEMENT FOR LATERAL 88, MAIN 1, SOUTHWEST INTERCEPTOR SEWER ALONG BROADWAY, NORTH OF MACARTHUR. (District III)

Agenda Report No. 00-0372.

On August 10, 1999 the City entered into an Agreement with Savoy, Ruggles & Bohm, P.A. (SRB) to design Lateral 88, Main 1, Southwest Interceptor Sewer. Engineering staff requested that SRB also extend the design of the sanitary sewer system to serve an additional tract of land.

The proposed Supplemental Agreement between the City and SRB provides for engineering services for the extension of the sanitary sewer.

Payment to SRB for the Supplemental Agreement will be made on a lump sum basis of \$440, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

LIBRARY

MAIN LIBRARY COMPUTER LAB CONTRACT. (District I)

Agenda Report No. 00-0373.

The Wichita Public Library has been awarded a Grant from the Gates Library Initiative Grant. The grant provides for computers, furniture and related items for the branch libraries. However, the Grant does not provide for site preparation work at the Main Library to construct a computer training lab room. The training lab will be used to teach students from poverty backgrounds to become certified network technicians. It will also be used to teach the general public how to use the internet and other personal computer applications. When not used as a lab it will be used by the public for internet access.

A budget was established in the amount of \$78,000 for the construction of the training lab and other building modifications necessary to accommodate the lab. The Grant portion of the work is required to be completed by June 30, 2000. It is desirable to have the space ready by that date.

In order to quickly complete the lab construction, a Request For Proposal was sent to local contractors and architects, inviting them to submit a Proposal to perform a Design-Build project. Randal Steiner Architects and Sutherland Builders, and Gordon Construction Company and PBA Architects were the two Proposals submitted. Both could complete the project within the established budget, but only the team of Gordon Construction Co. and PBA Architects indicated that they could complete the work by June 30.

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The Staff Screening & Selection Committee evaluated both Proposals, and recommended that the Design-Build project be awarded to Gordon Construction Company and PBA Architects.

Funds in the amount of \$78,000 are budgeted in the Enhanced Building Maintenance Budget.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CENTURY II

CENTURY II STAGEHOUSE ROOF CONTRACT. (District I)

Agenda Report No. 00-0374.

The Century II Stage House Roof, which is at the center (peak) of the building, covers approximately 12,000 square feet. This section has deteriorated to the point that it must be replaced. Due to the difficulty of hauling materials and equipment to this part of the building, a Request For Proposal was sent to local roofing Contractors. The Contractors were invited to consider the project and offer Proposals to install a durable and economical roof.

Three Contractors responded. Of these, two were well within the project budget. Both offered roofs which promise to perform for many years. RoofWorks proposed two options; a 10 year guarantee EPDM rubber roof for \$56,855 or an EPDM roof that is 1/3 thicker and carries a 15-year warranty for \$59,190. In addition, a warranty rider is available that will increase the roof to withstand 120 mile per hour winds as opposed to the standard warranty of 50 miles per hour. This rider will cost an additional \$798.00, bringing the project total to \$59,988.00. The next-lowest cost proposal was \$67,247.00 for a 10-year guaranteed roof submitted by Buckley Roofing Company, Inc.. The third proposal was in the amount of \$146,600.00 for a 20-year guaranteed roof submitted by Roof Mechanics, Inc.. The Staff Screening & Selection Committee reviewed the Proposals and selected 15-year option offered by RoofWorks, Inc.

The 2000 Convention and Tourism budget has \$100,000 budgeted for this work. The project expenditure for the roof was approved by Council on November 16, 1999.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

HUGO WALL SCHOOL

HUGO WALL SCHOOL CONTRACT AMENDMENT.

Agenda Report No. 00-0375.

The City of Wichita is a Grant Recipient/ Program Administrator for the Job Training Partnership Act (JTPA) in Service Delivery Area (SDA) IV which comprises the counties of Butler, Cowley, Sumner, Harper, Kingman and Sedgwick. The Private Industry Council (PIC) of SDA IV provides policy guidance for the use of JTPA funds in this area. At its August 3, 1999 meeting the Council approved a three party contract between the City of Wichita, the PIC, and the Hugo Wall School of Urban and Public Affairs, Wichita State University. Under the contract the Hugo Wall School provides oversight and consulting services for JTPA related activities. The PIC has approved expanding the scope of this contract.

The contract amendment before the Council would increase the current contact's scope of services to include specific activities necessary in the transition from JTPA to the Workforce Investment Act (WIA) by the July 1, 2000 WIA implementation date. These additional activities include assistance in the creation of boards and other structures required by WIA and assistance in the development of a local plan for WIA activities.

The amendment increases by \$7,710 the amount available under the contract. The amended maximum contract amount is \$26,710. JTPA funds are used to pay for contract services.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

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DESIGN SERVICES

DESIGN SERVICES AGREEMENT FOR WATER DISTRIBUTION SYSTEM – MCLEAN FROM PAWNEE TO 31ST STREET SOUTH. (Districts III and IV)

Agenda Report No. 00-0376.

On August 10, 1999, the City Council authorized the Staff Screening and Selection Committee to select design engineers for the 2000 Water Program. On March 2, 2000, the Staff Screening and Selection Committee selected consulting firms to perform the design engineering for the CIP projects.

Mid-Kansas Engineering Consultants, Inc. (MKEC) was selected to design a 20" water main in McLean from Pawnee to 31st Street South.

Payment will be made on a lump sum basis of \$11,000. The funding source is Water Utility Funds.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

DESIGN SERVICES AGREEMENT FOR ANGEL ACRES – WEST OF MERIDIAN, NORTH OF 47TH STREET SOUTH. (District IV)

Agenda Report No. 00-0377.

The City Council approved the Angel Acres plat on November 2, 1999.

The proposed Agreement between the City and Professional Engineering Consultants, P.A. (PEC) provides for the design of bond financed improvements in Angel Acres. Per Administrative Regulation 7a, staff recommends the selection of PEC because PEC provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$41,700, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN CONTRACT

DESIGN CONTRACTS-TWO-WAY CONVERSION FOR MID-TOWN STREETS. (District VI)

Agenda Report No. 00-0378.

On August 10, 1999, the City Council authorized the Staff Screening and Selection Committee to select design engineers for the 2000 Arterials Program. On February 22, 2000, the Staff Screening and Selection Committee selected Baughman Company, P.A. to design the two-way conversion of Mid-Town Streets (Topeka, Central to 17th; Emporia, Central to 17th; St. Francis, Central to 17th).

The project is included in the 2000-2009 Capital Improvement Program.

Payment will be made on a lump sum basis of \$40,000. The funding source is General Obligation Bonds.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

LIBRARY

LIBRARY NEH GRANT APPROVAL.

Agenda Report No. 00-0379.

Mr. Earl Covert contributed funds in the amount of \$497,124 to the Wichita Public Library, through a trust set up to provide for his dependents, and on their death, the trust balance to the Library for the purchase of library books.

The Wichita Public Library Foundation is currently participating in a multi-year matching grant program with the National Endowment for the Humanities. All funds obtained under this grant are required to be used to purchase additional books for the Wichita Public Libraries. If the Covert Trust funds were committed to the Foundation,

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they could be leveraged by grant money to a net \$ 662,832 for new acquisitions. The Library Board approved this plan on January 18, 2000.

National Endowment for the Humanities staff has committed to approve the grant based on a transfer to the Foundation. NEH asks only that the City's commitment for transfer funding to fulfill the grant match be irrevocable. This request also meets the restrictions placed on the City by the trust document. No funds will be transferred to NEH; the funds from the Trust will be spent directly by the Library Foundation for library books here.

No budgeted funds will be expended.

The City Law Department has approved the temporary transfer of public funds to a private entity, as it is a mere pass-through for ultimate public benefit. The transfer is also approved under the gift exception to the Budget Law.

Motion --
--carried

Knight moved that the letter pledging the Covert Trust funds for use as matching funds on the NEH grant be approved and the necessary signatures be authorized. Motion carried 7 to 0.

HOUSING

CRIME FREE MULTIPLE HOUSING PROGRAM GRANT.

Agenda Report No. 00-0380.

The "Crime Free Multi-Housing Program" originating in 1992 in Mesa, Arizona, focuses on crime problems associated with apartment complexes and multiple family dwellings. Under this program, it is believed that if tenants take ownership and pride in the complex, the atmosphere of the facility will change and ultimately deter crime. Since its inception, this program has been implemented in 43 states, two Canadian Provinces, and 1700 cities.

The cities that are incorporating this program have seen up to 90% less calls at high profile apartment properties, and a 20% drop in calls at the more affluent communities. It is believed that by adopting this program, the City of Wichita could capture similar successes, and significantly reduce the number of calls at apartment communities involved. In order to combat crime, this program will take a multi-step approach, focusing on: facility manager training; implementing "Crime Prevention Through Environmental Design (CPTED); and community/ program integration.

The Crime Free Multi-Housing Program grant from Allstate would provide up to \$5000 to fund the program in Wichita. If received, the funds will cover the preliminary costs of the program to include signs, stickers, and other materials for classes (i.e. notebooks, paper, printing, certificates, and nametags). No local match is required.

Motion --
-- carried

Knight moved that the grant application, budget and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

SIM PARK DRIVE

MUSEUM DISTRICT BOULEVARD PROJECT. (District VI)

Agenda Report No. 00-0381.

Bid documents were completed in 1996 for the reconstruction of Sim Park Drive, and the project (CA-9231) is funded for construction in 2000 and 2001 in the 2000-2009 adopted CIP. The project provides for a gateway intersection into the Museum District at the present Stackman Drive connection to the Central-Seneca curve, and a new divided boulevard with a landscaped median terminating in a traffic circle near Cowtown and Botanica on Sim Park Boulevard. The project is to establish an identity for the Museum District, and to provide a prominent entrance to all museums in the district. A significant feature of the design is an intermittent series of limestone walls flanking the boulevard, which provide opportunities for identification of each museum through inscribed lettering and public art icons depicting the uniqueness of each facility. The site for the proposed American Overseas Student Historical Society (AOSHS) Museum is part of this district.

Since the completion of the plans and specifications for the Museum Boulevard, a number of events have occurred necessitating revisions to the plans. Among these, the proposed entry drive into the Indian Center from the Stackman-Central intersection has been abandoned due to the high cost of creating this new entry through the existing hill, the Art Museum has embarked on the design of a major expansion (which includes vehicular circulation changes directly affecting the boulevard), Cowtown has continued to make improvements and further refined their plans to relocate their main entrance to the east, and Botanica is currently exploring future expansion

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plans including an evaluation of the best location for the main entrance into their facility. In addition, various infrastructure changes by the Water Department have been completed or are being planned which affect the project.

It is planned that the local engineering firm involved in the original design, Professional Engineering Consultants, and the original art consultant on the project, would make the necessary revisions to the plans; and that the project would be bid in early summer so the construction coincides with the Art Museum expansion project. A Design Contract has been prepared.

The project budget is \$2,800,000. The funding source is General Obligation Bonds. Consultant fees and reimbursable expenses for the revisions to the bid documents will be a maximum of \$45,953, and would be paid from the project funds.

Motion --
-- carried

Knight moved that the project and Contract be approved; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-157

A Resolution finding it necessary to make certain improvements to construct a Museum District Boulevard (Project Number 472-83228) and authorizing the issuance of Bonds by the City of Wichita at large, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

PROPERTY ACQ.

ACQUISITION OF 4201 NORTH LINDEN DRIVE. (District II)

Agenda Report No. 00-0382.

Due to the improvements in the area, the property located at 4201 North Linden suffers significant problems with water retention and drainage. A review of FEMA flood maps indicates that the property is in the 100-year flood zone. The property is improved with a 972 square foot, frame residence and several outbuildings on 1.4-acre lot. A variety of possible engineering solutions for the drainage problem have been evaluated. The owner has agreed to sell this property.

The property has been appraised for \$39,200. The owner has agreed to sell to the City for this amount. The cost to construct a possible remedy for the drainage problem is estimated at \$50,000 and it is not certain if the proposed solution will fully correct the problems. Upon acquisition, the house will be demolished and the site maintained as open space.

A budget of \$47,000 is requested. This includes \$39,200 for the acquisition, \$2,800 for closing costs and title insurance, and \$5,000 for demolition. The funding source is Stormwater Utility funds

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

ORDINANCES

SECOND READING ORDINANCES. (FIRST READ APRIL 4, 2000)

a) Sidewalk repair.

ORDINANCE NO. 44-635

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. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

b) SCZ-0796 - northwest corner of 37th Street North and Ridge Road. (District V)

ORDINANCE NO. 44-636

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. SCZ-0796

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c) A 00-05: northwest corner of 37th Street North and Ridge Road, to the City of Wichita, Kansas. (District V)

ORDINANCE NO. 44-637

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A-00-05

c) Industrial District – Wallace.

ORDINANCE NO. 44-638

An Ordinance authorizing the execution of a supplemental contract amendment to a supplemental contract dated June 15, 1999, by and between the City of Wichita, Kansas, and the Wallace Industrial District of Sedgwick County, Kansas, relating to the annexation by said City of any part of such industrial district read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

d) Industrial District – Pawnee

ORDINANCE NO. 44-639

An Ordinance authorizing the execution of a supplemental contract amendment to a supplemental contract dated June 15, 1999, by and between the City of Wichita, Kansas, and the Pawnee Industrial District of Sedgwick County, Kansas, relating to the annexation by said City of any part of such industrial district read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

PLANNING AGENDA

Marvin Krout Director of Planning stated that Items 22-31 could be considered as consensus Items unless the Council desired to withhold other items.

Motion -- carried Knight moved that Planning Agenda Items 22-31 be approved as consensus Items. Motion carried 7 to 0.

V-2167 – REQUEST TO VACATE ACCESS CONTROL LOCATED IN AN AREA NORTH OF SHADE AND EAST OF RIDGE ROAD. (District V)

Agenda Report No. 00-0383.

Staff Recommendation: Approve vacation of access control.

MAPC Recommendation: Approve vacation of access control. (unanimous)

The applicant is requesting to vacate access control as a condition of Z-3199. Z-3199 was approved by the City Council in 1996, subject to the applicant vacating access controls and guaranteeing a left turn lane along Ridge Road to this site. The applicant mistakenly believed these requirements were taken care of, and just found out recently they were not.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to one point of access shall be granted to Ridge Road which matches the location of Brunswick located west of Ridge Road, and a guarantee submitted for left turn bay improvements. No written protests have been filed.

Motion -- Knight moved that the vacation order be approved and the necessary signatures be authorized. Motion carried
-- carried 7 to 0.

V-2215 – REQUEST TO VACATE A PORTION OF A 25-FOOT PLATTED STREET-SIDE BUILDING

CITY COUNCIL PROCEEDINGS

SETBACK LOCATED AT THE NORTHWEST CORNER OF SENECA AND PAWNEE – 2361 SOUTH SENECA. (District IV)

Agenda Report No. 00-0384.

Staff Recommendation: Approve vacation of a portion of a 25-foot platted street-side building setback.
MAPC Recommendation: Approve vacation of a portion of a 25-foot platted street-side building setback.
(unanimous)

The applicant is requesting to vacate 5 feet of a platted 25-foot street-side building setback. The applicant wishes to construct a building for his furniture rental business. The remaining setback along Seneca would be 20 feet and within the guidelines set forth by the Unified Zoning Code for the 'LC' Limited Commercial District.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Motion --
-- carried

Knight moved that the vacation order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

V-2216

V-2216 – REQUEST TO VACATE A FIVE-FOOT ACCESS EASEMENT LOCATED NORTHEAST OF 135TH STREET WEST AND MAPLE STREET. (District V)

Agenda Report No. 00-0385.

Staff Recommendation: Approve vacation of a 5-foot access easement.
MAPC Recommendation: Approve vacation of a 5-foot access easement. (unanimous)

The applicant is requesting to vacate a 5-foot access easement on vacant property as part of a lot split on the Maple Dunes Plat. A substitute access easement was submitted with the application.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to the applicant filing a replacement access easement. No written protests have been filed.

Motion --
-- carried

Knight moved that the vacation order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

V-2217

V-2217 – REQUEST TO VACATE A TEN-FOOT UTILITY EASEMENT LOCATED NORTHEAST OF 135TH STREET WEST AND MAPLE STREET. (District V)

Agenda Report No. 00-0386.

Staff Recommendation: Approve vacation of a 10-foot utility easement.
MAPC Recommendation: Approve vacation of a 10-foot utility easement. (unanimous)

The applicant is requesting to vacate a 10-foot utility easement on vacant property as part of a lot split on the Maple Dunes Plat. A substitute utility easement was submitted with the application.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to the applicant filing a replacement utility easement. No written protests have been filed.

Motion --
-- carried

Knight moved that the vacation order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

V-2218

V-2218 – REQUEST TO VACATE A DEED RESTRICTION LINE LOCATED ON THE WEST SIDE OF ROCK ROAD BETWEEN 21ST STREET NORTH AND 29TH STREET NORTH – 2525 NORTH ROCK ROAD. (District III)

Agenda Report No. 00-0387.

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Staff Recommendation: Approve vacation of a deed restriction.
MAPC Recommendation: Approve vacation of a deed restriction. (unanimous)

The applicant is requesting to vacate a platted deed restriction line for the future development of a church. Required building setbacks per the Unified Zoning Code and 10-foot utility easement will remain in place.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Motion -- Knight moved that the vacation order be approved and the necessary signatures be authorized. Motion carried
-- carried 7 to 0.

V-2220 **V-2220 – REQUEST TO VACATE A PORTION OF A PLATTED UTILITY EASEMENT LOCATED NORTH OF 31ST STREET SOUTH ON THE WEST SIDE OF HILLSIDE.** (District III)

Agenda Report No. 00-0388.

Staff Recommendation: Approve vacation of a portion of a platted utility easement.
MAPC Recommendation: Approve vacation of a portion of a platted utility easement. (unanimous)

The applicant is requesting to vacate 15 feet of an 80-foot platted utility easement. The applicant wishes to develop this site for retail use.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to the applicant verifying the location of the existing sewer manhole center relative to the north property line and the depth of the existing sewer. No written protests have been filed.

Motion -- Knight moved that the vacation order be approved and the necessary signatures be authorized. Motion carried
-- carried 7 to 0.

V-2221 **V-2221 – REQUEST TO VACATE A TWENTY-FOOT SANITARY SEWER EASEMENT LOCATED SOUTH OF KELLOGG AND WEST OF 111TH STREET WEST.** (District V)

Agenda Report No. 00-0389.

Staff Recommendation: Approve vacation of a 20-foot sanitary sewer easement.
MAPC Recommendation: Approve vacation of a 20-foot sanitary sewer easement. (unanimous)

The applicant is requesting to vacate a 20-foot sanitary sewer easement. This easement was platted to cover an existing private sewer in anticipation of connecting to the City public sewer system. Since that time the applicant has decided to retain the sewer line as a private line.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Motion -- Knight moved that the vacation order be approved and the necessary signatures be authorized. Motion carried
-- carried 7 to 0.

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D-2000-02

D-2000-02 – DEDICATION OF A UTILITY EASEMENT LOCATED ON THE SOUTH SIDE OF TENTH STREET, EAST OF SHERIDAN AVENUE. (District VI)

Agenda Report No. 00-0390.

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of associated Lot Split No. SUB 2000-05 and is being dedicated for the purpose of construction and maintenance of public utilities.

The Dedication has been reviewed and approved by the Planning Commission.

Motion -- carried

Knight moved that the dedication be received and filed. Motion carried 7 to 0.

D-2000-03

D-2000-03 – DEDICATION OF STREET RIGHT-OF-WAY FOR PROPERTY LOCATED ON THE SOUTH SIDE OF TENTH STREET, EAST OF SHERIDAN. (District VI)

Agenda Report No. 00-0391.

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of an associated Lot Split No. SUB 2000-05 and is being dedicated for additional street right-of-way along Tenth Street.

The Dedication has been reviewed and approved by the Planning Commission.

Motion -- carried

Knight moved that the dedication be received and filed. Motion carried 7 to 0.

D-2000-04

D-2000-04 – DEDICATION OF CONTINGENT STREET RIGHT-OF-WAY FOR PROPERTY LOCATED ON THE SOUTH SIDE OF TENTH STREET, EAST OF SHERIDAN. (District VI)

Agenda Report No. 00-0392.

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of an associated Lot Split No. SUB 2000-05 and is being dedicated for the future extension of Mt. Carmel.

The Dedication has been reviewed and approved by the Planning Commission.

Motion -- carried

Knight moved that the dedication be received and filed. Motion carried 7 to 0.

(Agenda Item No. 32)

S/D 00-16

S/D 00-16 – PLAT OF STONEBOROUGH THIRD ADDITION LOCATED ON THE NORTHWEST CORNER OF 55TH STREET SOUTH AND BROADWAY. (District IV)

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 00-0393.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (13-0)

This plat is zoned GC, General Commercial and municipal services are currently available.

A petition, 100%, has been submitted for drainage improvements. A Certificate of Petitions has also been submitted. In order to assure access between this lot and the adjoining property to the north and west, a cross-lot circulation agreement has been provided.

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This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificate of Petitions and cross-lot circulation agreement will be recorded with the Register of Deeds.

An addition agreement has been submitted and the recommended action has been changed to a plural of documents.

Motion --
-- carried

Knight moved that the documents and plat be approved; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-158

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Drain No. 152 (west of Broadway, north of 55th Street South) Project No. 468-83096 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

(Agenda Item No. 33)
Z-3340 & DP-248

Z-3340 – ZONE CHANGE FROM “SF-6” SINGLE-FAMILY TO “OW” OFFICE WAREHOUSE; “LC” LIMITED COMMERCIAL; “GO” GENERAL OFFICE; “NR” NEIGHBORHOOD RETAIL; AND “MF-29” MULTI-FAMILY RESIDENTIAL; AND DP-248 – CREATION OF THE MEADOW LAND C.U.P. LOCATED ON THE NORTH SIDE OF KELLOGG (U.S. 54) FROM 127TH STREET EAST TO 143RD STREET EAST. (District II)

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 00-0394.

MAPC Recommendation: Approve, subject to platting within one year and conditions. (9-2).
Staff Recommendation: Approve, subject to platting within one year and conditions.

Meadow Land C.U.P. is a request for a large development spanning the area along the north side of Kellogg from 127th Street East to 143rd Street East. The application area extends northward from Kellogg for a depth of three-fourths mile on the western side of K-96 and one-fourth mile on the eastern side of K-96. Three major transportation corridors travel through the application area and are key factors affecting the types of land uses suitable for the area. These transportation corridors are K-96 and the Kansas Turnpike, both of which have exits along the property, and Kellogg (US 54) along the southern edge of the tract.

The proposed layout of Meadow Land capitalizes on major transportation corridors and land use features to define the different uses proposed within the development. The land on the western side of K-96 would be developed as an office-warehouse district, with some additional highway-oriented commercial uses based on proximity to the K-96 and Kansas Turnpike exits. East of K-96, there are three distinct areas. The triangular area between K-96, Kellogg, and Spring Branch Reserve Area is designed for auto-related and highway-oriented commercial uses. It is accessed via a Kellogg frontage road from 143rd Street East. The commercial and office activities along 143rd Street East are seen as a potential location for local-serving retail and service uses for the growing residential population within one to two miles of the site. It is separated from 143rd by a 100-foot landscape buffer, has single family residential to the north, and the creek to the west. Finally, an area for multi-family development is located in the interior of the site, with good access to the large reserve areas. Potentially, there could be walking paths connecting the apartments to local-serving retail and enjoying the natural wooded areas to be retained in the reserve area. Further, it would serve as a buffer to the proposed single family development north of the C.U.P., also owned by the applicant.

General characteristics proposed by the C.U.P. include architectural control of the parcels, with predominately earth-tones, and coordination of lighting fixtures within each land use grouping. Additionally, lighting fixtures would be limited to 24 feet in height, be shielded to direct lighting in a downward direction, and extensive use of backlit canopies and neon or fluorescent tube lighting on buildings would not be permitted. Signage restrictions would limit all free-standing signs to monument signs no more than 20 feet in height, eliminate flashing and moving signs, except for time and temperature or other public service announcements, prohibit signs on the rear of buildings, limit window displays to no more than 25 percent of the window area, and prohibit portable and off-site signs. Heights vary between 35 feet for parcels along 143rd, to 45 feet for three interior “LC” parcels, and the “MF-29” and “OW” parcels, and 60 feet for Parcel 17 and the parcels between K-96, Kellogg, and the creek.

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Nearly 20 percent of the total site area is set aside as a reserve for the Spring Branch Tributary #4 and surrounding natural areas. Additionally, a 100-foot strip is provided along 143rd Street East as a landscape/buffer between the proposed local-serving retail/commercial area and single-family development to the east.

The surrounding area consists of single-family areas and vacant tracts. East of 143rd is a vacant tract at the intersection with Kellogg and Park East Subdivision. North of the application is owned by the applicant and intended for single-family use. Other uses to the north include Bridgefield Addition (single-family) being developed along Central and K-96, a large estate along Central, a church site along 143rd, and Bridgefield II Addition, which has been platted but not developed. Springdale Lakes Subdivision is located south of Kellogg to the southeast of the proposed development. KDOT has a maintenance facility southwest of the subject tract. The area to the west between Kellogg and Douglas is currently vacant and being offered for commercial development. The area north of Douglas and west of 127th, Gilders Gardens, is developed with large lot residential uses. However, the corner at Central and 127th was recently approved as a small commercial C.U.P. Overall, the area is transitioning from agricultural and older suburban residential areas to urban development. The new subdivisions being developed in the vicinity, such as Bridgefield, are at typical residential densities of two to three dwelling units per acre rather than the large lot residential typical in the past.

To date, although there has been a substantial amount of residential development in the vicinity, it has not been accompanied by local serving retail uses such as grocery stores, drug stores, etc.

Because the proposed type of development and transportation access issues differ significantly for the application area on either side of K-96, the areas will be discussed separately.

127th Street East:

The application area west of K-96 is comprised of two development parcels that are separated by a six-acre reserve for the Spring Branch Tributary #4. The area lying north of the reserve is 24.40 acres; the area to the south is 12.25 acres. The applicant has proposed the property be developed as "OW" Office Warehouse district, but with the addition of the following "GC" General Commercial uses: car wash; convenience store; funeral home; hotel/motel, medical offices; recreation, indoor; recreation, outdoor; restaurants; and service station. This mix of commercial uses could be viewed as mostly auto-related commercial uses typically located near major highway interchanges, plus the recreation and funeral home uses. Office warehouse uses would benefit from the large parcels that offer good accessibility to the highway network.

Because the applicant has requested to add those "GC" uses listed previously, the property would need to be zoned "GC", which is listed in the Unified Zoning Code as a more restrictive zoning district than "OW". However, "OW" offers some different site development standards than "GC" that encourage a development pattern more suited for large office/warehouse types of uses. Therefore, the applicant has requested that the property be zoned "OW" plus those "GC" uses specifically listed previously. Site development standards would be per the "OW" district.

143rd Street East

The proposed development east of K-96 differs from that to the west by its scope and the constraints imposed by the transportation network. As originally proposed, the development would have allowed approximately 1,108,000 square feet of commercial floor area and have generated a significant increase in traffic on Kellogg and 143rd. A traffic study was prepared, identifying traffic improvements to accommodate the increased traffic. Subsequent discussions have been held between the applicant, the City, and KDOT to determine a realistic level of development that can be sustained without overloading the transportation network. These discussions have resulted in the applicant agreeing to reduce the intensity of commercial development below that allowed until critical transportation improvements are made to accommodate a full level of commercial development.

Staff recommendations were to restrict development on Parcels 3-9 and 12-23 to no more than 380,000 square feet of maximum gross floor area and traffic generated from Parcels 3-23 to no more than 13,500 trips per day until 143rd, including the bridge over the Turnpike, is widened to four lanes between Kellogg and Central. Another recommendation was that after 143rd is widened to four lanes between Kellogg and Central, development on Parcels 3-9 and 12-23 shall be restricted to no more than 700,000 square feet of maximum gross floor area and traffic generated from Parcels 3-23 shall be limited to no more than 25,000 trips per day.

As previously discussed, the area along 143rd would most likely be composed of a range of local serving commercial uses on property zoned "LC" Limited Commercial, "GO" General Office, and "NR" Neighborhood Retail. The "NR" tracts allow a much smaller range of uses and restrict the size of any one commercial use to less than 8,000 square feet. The "NR" parcels have been placed nearest the single-family development across 143rd, Park East to reduce the intensity of commercial activity to this neighboring area. Additionally, a 100-foot buffer landscape strip is proposed to further separate the remaining retail from Park East. The "LC" tracts cluster into two groups on either side of the Spring Branch Tributary #4. The "LC" to the east is projected to develop with local-serving retail/office uses. The "LC" to the west is more likely to be auto-related retail where there is a specific

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destination attracting customers, such as perhaps vehicle sales and furniture stores. Finally, the area along the northern portion of the application area includes two small parcels of "GO" General Office near the "NR Neighborhood Retail, and two larger parcels for "MF-29" Multi-Family. The parcels could generate up to 659 residential units.

At the MAPC meeting held March 16, 2000, MAPC voted (9-2) to recommend approval of the requested rezoning and creation of DP-248 Meadow Land C.U.P. At the meeting, the applicant requested phasing of the required traffic improvements on Kellogg and 143rd. Staff had not had time to evaluate this request and recommended that the recommendation be made subject to Staff and the applicant discussing and agreeing on traffic improvements phasing prior to the final decision by City Council. MAPC also considered sending this item to the District Advisory Board before taking its vote on the request. The motion to send the matter to the DAB failed (4-11).

There was considerable neighborhood opposition to the proposed C.U.P. Opposition to the proposed changes in use for the area east of K-96 centered on issues with potential traffic congestion, drainage, not wanting commercial development nearby, preferring to shop in other areas than the neighborhood, wanting to restrict commercial use to the 800-foot strip north of Kellogg rather than the full depth of the development, and not wanting multi-family development in the area. Residents reiterated that so far all development in this area along Kellogg is single-family. There were no neighbors present to discuss the area west of K-96, however, at least two neighbors have expressed opposition. These neighbors are concerned with the change in character of the area, the presence of large trucks associated with "OW" uses, and traffic cutting through on Douglas to 127th as a shortcut from western destinations.

A substantial number of protest petitions have been received, although the majority of the protestors are not within the 200-foot radius of the property.

Marvin Krout Director of Planning said there are still some drainage concerns which will be reviewed when the Plat is reviewed.

Council Member Pisciotte Council Member Pisciotte said the DAB will follow this Item to ensure conditions are met.

Motion -- Pisciotte moved that the Council concur with the findings of the MAPC; approve the zone change and C.U.P., subject to the recommended conditions; and the Ordinance be forwarded for first reading when the Plat is -- carried forwarded to the City Council. Motion carried 7 to 0.

(Agenda Item No. 34 and 35 were considered together)

Mayor Knight left the Bench; Vice Mayor Rogers in the Chair.

Z-3359 **Z-3359 – ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL, LOCATED ON THE SOUTHEAST CORNER OF MAPLE AND RIDGE – 7125 WEST MAPLE.** (District V)

Agenda Report No. 00-0395.

MAPC Recommendation: Approve, subject to replatting under the conditions of the voluntarily-offered restrictive covenant and the conditions of a Protective Overlay (9-0).

Staff Recommendation: Approve, subject to replatting under the conditions of the voluntarily-offered restrictive covenant and the conditions of a Protective Overlay.

The applicant requests a zone change from "SF-6" Single Family Residential to "LC" Limited Commercial on a 0.46 acre platted tract located at the southeast corner of Maple and Ridge (7125 West Maple). The site is currently developed with a non-conforming dry cleaning business (Lee's Cleaners). The applicant proposes to combine the subject property with the two lots immediately to the east, the lot immediately to south, and the lot immediately to the southeast to create an approximately 2 acre parcel for a Walgreen's and/or other retail development.

The surrounding area is characterized by a mixture of residential uses, commercial uses, and undeveloped property zoned for commercial uses. Property south and southeast of the site is zoned "SF-6" Single Family Residential and is developed with single family residences; however, both of these properties are in the process of being rezoned to "LC" Limited Commercial and are proposed to be combined with the subject property through replatting. Property to the west is zoned "LC" Limited Commercial and is developed with a Lowe's home improvement center. To the north is a strip commercial center, convenience store, and restaurant on property zoned "LC" Limited Commercial. To the east is undeveloped property zoned "LC" Limited Commercial, which is proposed to be combined with the subject property through replatting.

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To buffer proposed commercial development on the subject property from residences to the south and east, planning staff is recommending that a Protective Overlay be approved to continue the development controls established during the approval of zone changes on the adjacent properties. This Protective Overlay would limit signage, lighting, and building height and require a six foot high masonry wall where adjacent to residentially zoned property.

At the public hearing on March 16, 2000, the MAPC heard from three neighboring residents who protested the request, citing potential problems with traffic, trash, noise, crime, and declining property values. The neighboring residents also presented a written protest of the request representing 67 properties in the area. Since none of the protestors own property within 200 feet of the property proposed for rezoning, a 3/4 majority of the City Council is not required to approve the request.

The MAPC recommended approval (9-0) of the zone change subject to replatting under the conditions of the voluntarily-offered restrictive covenant and the following conditions of a Protective Overlay:

- A. No off-site or portable signs shall be permitted on the property. No building advertising signs shall be permitted along the face of any building facing a property in a residential district.
- B. Light poles shall be of the same color and design and shall have cut-off fixtures which direct light away from nearby residential areas. Light poles shall be limited to a maximum height of 14 feet.
- C. No buildings shall exceed one story in height with a maximum building height of 35 feet.
- D. A 6 foot high masonry wall shall be constructed along any property line where a residential zoning district abuts the property.

Z-3360 – ZONE CHANGE FROM “SF-6” SINGLE-FAMILY RESIDENTIAL TO “LC” LIMITED COMMERCIAL LOCATED SOUTH OF MAPLE AND EAST OF RIDGE – 321 SOUTH SUMMITLAWN.
(District V)

Agenda Report No. 00-0396.

MAPC Recommendation: Approve, subject to replatting under the conditions of the voluntarily-offered covenant and the additional conditions of a (P-O) Protective Overlay. (6-2).

Staff Recommendation: Approve, subject to replatting under the conditions of the voluntarily-offered covenant and the additional conditions of a (P-O) Protective Overlay.

The applicant requests a zone change from “SF-6” Single Family Residential to “LC” Limited Commercial on a 0.51 acre platted tract located at south of Maple and east of Ridge (321 South Summitlawn). The site is currently developed with a single-family residence. The applicant proposes to combine the subject property with the two lots immediately to the north, the lot immediately to west, and the lot immediately to the northwest to create an approximately 2 acre parcel for a Walgreen’s and/or other retail development.

The surrounding area is characterized by a mixture of residential uses, commercial uses, and undeveloped property zoned for commercial uses. Property south and east of the site is zoned “SF-6” Single Family Residential and is developed with single family residences. Property to the west is zoned “SF-6” Single Family Residential and is developed with a single-family residence; however, this property is in the process of being rezoned to “LC” Limited Commercial and is proposed to be combined with the subject property through replatting. To the north is undeveloped property zoned “LC” Limited Commercial that is proposed to be combined with the subject property through replatting. To the northwest is a non-conforming dry cleaners (Lee’s Cleaners) on property zoned “SF-6” Single Family Residential. The non-conforming property is proposed for rezoning to “LC” Limited Commercial and is proposed to be combined with the subject property through replatting.

To buffer proposed commercial development on the subject property from residences to the south and east, planning staff is recommending that a Protective Overlay be approved to continue the development controls established during the approval of zone changes on the adjacent properties. This Protective Overlay would limit signage, lighting, noise, and building height; prohibit certain uses that are less compatible with residential development; and require a six foot high masonry wall where adjacent to residentially zoned property.

At the public hearing on March 16, 2000, the MAPC heard from three neighboring residents who protested the request, citing potential problems with traffic, trash, noise, crime, and declining property values. The neighboring residents also presented a written protest of the request representing 67 properties in the area. 36.83% of the protestors own property within 200 feet of the subject property; thus, a 3/4 majority (6 votes) of the City Council is required to approve the request at this time.

The MAPC recommended approval (6-2) of the zone change subject to replatting under the conditions of the voluntarily-offered restrictive covenant and the following conditions of a Protective Overlay:

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- A. No off-site or portable signs shall be permitted on the property. No building advertising signs shall be permitted along the face of any building facing a property in a residential district.
- B. Light poles shall be of the same color and design and shall have cut-off fixtures which direct light away from nearby residential areas. Light poles shall be limited to a maximum height of 14 feet.
- C. Outdoor speakers and sound amplification systems shall not be permitted within the south 100 feet of the property.
- D. No buildings shall exceed one story in height with a maximum building height of 25 feet.
- E. A 6 foot high masonry wall shall be constructed parallel to the east and south property lines and located 20 feet west and north of the east and south property lines, respectively. A 20 foot landscaped buffer shall be provided adjacent to the east and south property lines on the east and south side of the masonry wall.
- F. The following uses shall not be permitted: adult entertainment establishment; group residence; correctional placement residence; group home; recycling collection station; reverse vending machine; car wash; convenience store; night club; recreation and entertainment; restaurant with drive-in or drive-thru facilities; service station; tavern and drinking establishment; and vehicle repair.

Motion -- Martz moved that Agenda Items 34 and 35 be referred to the District Advisory Board for May 1, 2000, meeting and -- carried returned to City Council on May 2, 2000. Motion carried 6 to 0. (Knight absent)

Mayor Knight present and in the Chair.

(Agenda Item No. 36)
Z-3362

Z-3362 – ZONE CHANGE FROM “LC” LIMITED COMMERCIAL TO “GC” GENERAL COMMERCIAL, GENERALLY LOCATED NORTH OF KELLOGG AND EAST OF GREENWICH – 11824 EAST KELLOGG. (District II)

Marvin Krout Director of Planning reviewed the Item.

Agenda Report No. 00-0397.

MAPC Recommendation: Approve, subject to replatting within 1 year (8-0).
Staff Recommendation: Approve, subject to replatting within 1 year.

The applicant requests a zone change from “LC” Limited Commercial to “GC” General Commercial on a 1.08 acre platted tract located north of Kellogg and east of Greenwich (11824 East Kellogg). The applicant proposes to redevelop the site, which is currently developed with unoccupied single-family residence. The applicant indicates that the likely use of the site will be for outdoor display and sale uses such as the sale of vehicles or manufactured homes.

The surrounding area is on the urban fringe of Wichita along the Kellogg corridor and is characterized by a mixture of vacant commercial land, developed commercial uses, manufactured home parks, and unoccupied single family residences. Property west of the site is zoned “LC” Limited Commercial and “GC” General Commercial and is developed with retail businesses, vehicle sales, and manufactured home sales. Property north of the site is zoned “LC” Limited Commercial and is developed with a non-conforming manufactured home park and unoccupied single family residences. Property east of the site is zoned “LC” Limited Commercial and “GC” General Commercial and is developed with an unoccupied single-family residence, retail businesses, construction storage, and manufactured home sales. Property south of the site is zoned “GC” General Commercial and is undeveloped.

Redevelopment of the site will be subject to the Landscape Ordinance, which will require a landscaped street yard and parking lot screening (unless developed with outdoor display uses) and landscaping along the Kellogg frontage. Screening and landscape buffers along the side and rear yards will not be required since adjacent residential uses are on property zoned “LC” Limited Commercial. Lighting and noise impacts on surrounding properties will be mitigated by the light standards and compatibility noise standards of the Unified Zoning Code.

At the public hearing on March 16, 2000, the MAPC heard from one adjoining property owner who protested the request, citing potential problems with traffic and unsightly development. The MAPC recommended approval (8-0) of the zone change subject to platting within 1-year.

Motion -- Pisciotte moved that having reviewed the record of hearing before the MAPC and in accordance with Policy No. 10 -- carried of the MAPC previously adopted by this Board, and having reviewed the factors contained therein and the factors stated by the MAPC, the recommendation of the MAPC be approved, subject to the recommended condition of platting and the Ordinance be forwarded for first reading when the Plat is forwarded to the City Council.
Motion carried 7 to 0.

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(Agenda Item No. 37)

A 00-03

A 00-03 – RESOLUTION ESTABLISHING A FUTURE PUBLIC HEARING ON THE ANNEXATION OF ELIGIBLE PROPERTIES GENERALLY LOCATED SOUTH OF 45TH STREET NORTH AND WEST OF WEBB ROAD TO THE CITY OF WICHITA, KANSAS. (District II)

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 00-0398.

A resolution establishing a future public hearing date of June 13, 2000 for consideration of a unilateral annexation was approved. The properties proposed for annexation are located south of 45th Street North and west of Webb Road.

This is the third phase of a three-phase annexation. The first phase was officially approved October 22, 1999, and brought 120 acres into the City. The second phase was officially approved January 28, 2000, and brought approximately 26 acres into the City. The subject area of the third phase consists of approximately 12 acres and ten (10) properties (all are unplatted). The land use pattern of the proposed area is solely residential. The entire area is zoned "SF-20" Single Family Residential, which will convert to the "SF-6" Single-Family Residential district upon annexation (unless otherwise requested by the property owners). The entire area proposed for annexation is located within the area identified as "low-density residential" in the Land Use Guide Map in the Wichita-Sedgwick County Comprehensive Plan, and is also within the "new growth" boundary found in the Plan.

The proposed annexation will allow for the continuation of the City's growth in the northeast part of Wichita. Many properties in the annexation area are already served by 2-inch to 4-inch Rural Water District #1 mains located throughout the area, with a 4-inch to 6-inch main located in the Webb Road right-of-way. Currently, the City has a 20-inch main in Webb Road up to a point ½ mile south of 45th Street North, but has no C.I.P. projects to extend this line further north. As for sanitary sewer, all of the properties in the proposed annexation area are currently served by private sewer systems. City sewer lines (8-inch) are located to the west and south, with a 15-inch main located approximately ½ mile southwest of the area proposed for annexation.

To proceed with this annexation, the Council must adopt a resolution establishing a hearing date. Once the hearing date is established, a plan for extension of municipal services to the area will be placed on file in the City Clerk's Office. The Service Extension Plan outlines the City's intention to provide major municipal services to the area.

The total appraised value of the land and improvements proposed for annexation is \$477,220 resulting in an annual City Ad Valorem tax revenue of approximately \$1,727. Major municipal services to be provided to this area upon annexation are street maintenance, ditch cleaning, culvert cleaning, fire protection, police protection, building code enforcement, and health code enforcement. The operating departments currently delivering these services will fund them upon annexation. Major municipal services, such as local street improvements, water and sewer service, may be provided to this area upon request of the property owners. The cost of municipal services requested by the property owners will be distributed among the City at large and the benefiting property owners according to current City policies.

In the absence of an annexation request from a property owner, State law requires the adoption of a resolution by the City Council indicating the City's intent to annex, a description of the property to be annexed, and a notice of the time and place for a public hearing to consider the matter. Copies of the resolution must be sent (via certified mail) to all owners of the properties proposed for annexation within 10 days of adoption. Also, the resolution must be published once in the official City newspaper not less than one week and not more than two weeks prior to the public hearing date. A report stating the plans for the extension of municipal services to the proposed annexation area must also be placed on file for public inspection in the City Clerk's Office.

Motion --
-- carried

Knight moved that the service plan be approved and the Resolution setting the hearing date on June 13, 2000, at 7:00 p.m. at the Heartspring Conference Center, 8700 East 29th Street North be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-155

A Resolution establishing a future public hearing on the annexation of eligible properties described as south of 45th Street North and west of Webb Road .to the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.
A-00-03

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AIRPORT AGENDA

AIRPORT PROJECT

AIR CARRIER APRON EAST RECONSTRUCTION SUPPLEMENTAL AGREEMENT.

Chris Cherches

City Manager reviewed the Item.

Agenda Report No. 00-0399.

On March 7, 2000, the City Council approved the plans and specifications designed by Professional Engineering Consultants and authorized staff to advertise for bids for the Air Carrier Apron Reconstruction project.

During construction, resident engineering and construction related services are necessary in order to comply with Federal requirements. A supplemental agreement has been prepared that authorizes the necessary services.

The total cost of the services is \$184,863. Funding is available within the project budget. The project is being funded with Federal grant and Passenger Facility Charge funds.

The bids were approved for this Item earlier in the meeting on the Consent Agenda Board of Bids Item.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

EXECUTIVE SESSION

Motion --

Knight moved that the City Council recess to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to: legal advice; contract negotiations; personnel matters of non-elected personnel; preliminary discussions relating to the acquisition of real property for public purposes; and confidential data relating the financial affairs or trade secrets of a business; and the City Council return from executive session no later than 12:00 p.m. Motion carried 7 to 0.

-- carried

RECESS

The City Council recessed at 10:55 a.m. and returned a 11:55 a.m.

Vice Mayor Rogers

Vice Mayor Rogers announced that no action was necessary as a result of the executive session.

ADJOURNMENT

The City Council meeting adjourned at 11:55 a.m.

Pat Burnett CMC
City Clerk

LUNCHEON – WICHITA RIVER FESTIVAL.

1:00 P.M. – ENBANC MEETING WITH SEDGWICK COUNTY COMMISSION – COMPREHENSIVE PLAN.