

**BOARD OF PARK COMMISSIONERS
SPECIAL MEETING MINUTES
City Hall, 11th Floor
Park Conference Room
455 N. Main
September 17, 2012
3:00 p.m.**

Present: Bryan Frye, Andy Solter, Jerry Warren, Tom Roth, Randy Brown, Cindy Claycomb, Ron Allen

Absent: None

Also Present: Doug Kupper, Director of Park and Recreation, Christina Butler, Clerk, Elizabeth Harlenske, Assistant City Attorney, Jan Haberly, Paul Cater, Vera Robl, Beverly Domitrovic, MJ Domitrovic, Debra Miller-Stevens, Kevin Miller, Troy Biggs, Steve Stark, Ron Spangenberg, Steve Anthimedes, Janie Gleason, Citizens.

PUBLIC AGENDA

None.

REGULAR AGENDA

Frye welcomed Mr. Ron Allen to the Board of Park Commissioners. Mr. Allen stated he was a retired physical education teacher and basketball coach from Wichita East High School; he attended the University of Arizona and was a native Wichitan.

Item 1: Approval of Minutes

Motion by Solter, second by Claycomb, IT WAS UNANIMOUSLY VOTED TO approve the minutes of the August 20, 2012, Board of Park Commissioners Regular Meeting (7-0).

Item 2A: Elections for President and Vice-President

Motion by Roth, second by Claycomb, IT WAS UNANIMOUSLY VOTED TO elect Frye for President, Roth for First Vice-President and Claycomb for Second Vice President (7-0).

Item 2B: Lord's Diner Request for Evergreen Recreation Center

Kupper stated that the Lord's Diner had approached the Department of Park and Recreation with an opportunity to serve the hungry in the Evergreen Recreation Center community. He stated this was a worthwhile opportunity to consider and it worked with the PROS plan making the recreation centers resources in their respective neighborhoods. He noted the Lord's Diner was bringing this to the Board of Park Commissioners since the Park Board owns Evergreen Recreation Center and upon approval, they would visit with the District VI District Advisory Board to get their buy-in. He introduced Jan Haberly representing the Lord's Diner.

Haberly (520 N. Broadway) introduced herself as the Director of the Lord's Diner. She stated that the dedicated donors to the Lord's Diner had asked about expanding the mission of the Lord's Diner with mobile dining. She shared the statistics and demographics from the Lord's Diner location at 2825 S. Hillside and noted they felt the Evergreen statistics would resemble those. The numbers reflected that the guests they serve are predominately families with young children.

Claycomb asked her to describe what they would like to do at the Evergreen Recreation Center.

Haberly responded they would like to purchase a mobile truck to deliver boxed hot meals to the site where clients could pick up the meal truck-side Monday through Thursday 4:30-6:30pm. The clients could then take the meals home, eat outside or inside the recreation center.

Brown asked if the Lord's Diner would buy the unit.

Haberly responded yes and they would like to start in spring 2013.

Solter asked if there would be any costs involved.

Kupper responded they did not anticipate any costs to be involved for the City. He stated they would not need to use the kitchen in the recreation center and they would use the clubroom to accommodate the diners.

Roth asked if there would be enough trash receptacles.

Kupper noted there was a trash dumpster on site that may need to be tipped more, but they would have to see how many people take advantage of this offering.

Troy Biggs (12101 Autumn Ridge) introduced himself as a Board Member of the Lord's Diner and stated they felt the mobile truck could go into smaller pockets of hungry. He also noted that the mission would be done with the same compassion and professionalism as is done at the Broadway and Planeview locations.

Brown asked how many staff people would be with the truck.

Haberly responded possibly one staff person and several volunteers.

Solter stated that it seemed like the perfect partnership.

Frye stated that at the time the Lord's Diner was not looking at a lease agreement.

Kupper confirmed and noted they had until spring 2013 to work through the issues. He also noted that if they need a Memorandum of Understanding (MOU), they could do that, but he had not wanted to go too far without getting ideas from the Board of Park Commissioners.

Frye asked about the burden on the parking lot.

Kupper noted they there were over 240 parking spaces available and stated they would have to play by ear and see how it works.

Frye asked if there was public comment and there was none.

Motion by Claycomb, second by Solter, IT WAS UNANIMOUSLY VOTED TO approve staff to work with the Lord's Diner to make this a reality (7-0).

Frye thanked the Lord's Diner for presenting this idea to the Board.

Item 2C: Steve Anthimedes Presentation for Parcel Development Involving Finlay Ross Park

Kupper introduced Steve Anthimedes who owns the Century Plaza Building property adjacent to Finlay Ross Park.

Anthimedes (219 E. Douglas) stated that he has owned the building for 19 years and none of the tenants have parking spaces. He noted that the City owns the south side of the building and Finlay Ross Park is on the west side of the building. He stated that the area of Main Street and Douglas is the heart of Wichita and he is trying to improve the area. He would like a parking lot created and stated he would build it or the City could do it. He noted that Century Plaza has an interest in the park as well and if something happens in the park, he has to approve it in addition to the City. He stated if he were to own the park, he would change things in his building by adding a club and restaurant, but there is a lack of parking. He stated that homeless people use the park as a dumping place and his employees clean it up after every weekend. He noted that they occupy the first and second floors of the building and the remaining eight useable floors remain empty. He introduced Steve Stark, his lawyer.

Steve Stark (301 N. Main) stated that Mr. Anthimedes contacted him the previous week to tell him about the project. He stated that Mr. Anthimedes took him to the basement to see what was going on and showed there was a lack of parking. He stated that Finlay Ross Park was deeded to the Park Board subject to a lease by Urban Renewal with the then owner of the Century Plaza Building until 2027 and that what happens to the park has a direct bearing on Steve's plans and what he can do to the building. He stated the building has a nice waterwall, but it is sub-grade for most of its length and is mostly concrete. He noted that this particular park does not serve a lot of function therefore it could be more beneficial if it were a parking lot and possibly had public access parking. He requested that the Park Board entertain the thought to terminate the public use.

Ron Spangenberg (121 N. Mead) introduced himself as the architect for Mr. Anthimedes' project and stated that there are plans to restore the original façade. He distributed drawings of several options and showed what the parking lot could look like. He noted that having something other than a parking lot would be best, possibly retail businesses or a hotel. He also stated there was a chance for a hotel entry that could serve as an entry to the parking structure. He stated that Anthimedes' idea is to have an area that could be used as a club or have an overhead bridge that would connect into ball rooms. He stated that this project would a way to make the building a dynamic part of Wichita's future.

Solter asked about the first level plan.

Spangenberg responded that there were several ways to finish it and a lot of flexibility in the design. He suggested three level parking.

Solter noted that he had a hard time losing visible park space. He asked what Anthimedes would do if the Park Board denied the request.

Spangenberg stated they would have to consider the economics of creating a smaller parking area.

Brown asked if they had talked to others regarding other uses of the park. He asked if the Riverfest used the area.

Anthimedes stated people do not want to use it because there is not handicap accessibility. He noted it is primarily used daily by the homeless and that he has two employees that clean it up on a daily basis.

Brown asked if there was green space.

Kupper stated there were a few trees and most are in planters.

Anthimedes stated he would like to make it a show place with fountains to make it the most beautiful place in town. He also noted he has been working on the basement club area for 2-3 years.

Brown stated he was hesitant to give up open space, but did not want to say no immediately. He stated he would like to look at the area prior to making a decision.

Solter agreed.

Anthimedes stated he would like to open a Grecian style dining restaurant and was willing to spend the resources. Developers for the downtown area for Main and Douglas have pictures of the park and how it could become a part of the hotel. He also noted he would like to have the parking adjoining the basement and become something like a convention center.

Brown stated he would like to be walked through the area in question.

Solter stated he liked the concept idea and asked which district this would affect.

Kupper responded that it was in District I.

Claycomb asked about the 2027 lease.

Spangenberg responded that the lawyer he corresponded with there was a deed from Urban Renewal to the Park Board and the previous owner of the Century Plaza Building which stated the west wall was to be a party wall (shared wall), but the building to the west is no longer there. The Park Board gave the building owner the opportunity to have access to the park through a 1970 covenant.

Kupper stated the leased space is approximately 19-20 feet.

Solter asked if there were any other legal ties to the land.

Kupper responded he would have to look into that further, but he thought it was all Urban Renewal funds. He also noted that the party wall led to a lease of the 12x16 space.

Claycomb noted that the lease would go away in 2027 and the Park Board would remain the owners of the land.

Brown suggested looking at the land.

Kupper suggested the Board of Park Commissioners try to look at the land prior to the next meeting in October.

Frye suggested visiting the area together and tying it in with the retreat in October.

Claycomb asked if they intended to keep the sub-grade.

Spangenberg responded they need to be able to have an entryway and possibly an elevator.

Brown noted that any revisions/updates done to the building would have to be Americans with Disabilities Act (ADA) compliant.

Anthimedes stated he would like to have stairs for access and could have statues and/or fountains to the east. He also noted they have a stage and would like to have shows as well.

Claycomb asked Anthimedes if he intended to have a hotel.

Anthimedes responded yes and stated the parking lot becomes very important because they need the

larger space for more people. He noted they would like to have a short- and long-stay style hotel. Spangenberg showed different options for a short- and long-term hotel.

Brown asked about when the building was built.

Kupper responded 1928.

Anthimedes noted that they still had the hand operated elevator.

Frye asked about the south side of the building and if they had worked on that.

Anthimedes stated they waited to find out what the Park Board thought about the idea.

Frye asked if there were any public comments or questions and there were none.

Frye stated this corner was highly targeted for development with three parties involved: public, private and the City. He noted that all three parties would have to come to the table.

Motion by Frye, second by Claycomb, IT WAS UNANIMOUSLY VOTED for staff to give approximate value of the land and proceed with procuring all necessary information for the Park Board to consider the proposal (7-0).

Frye stated he was not a proponent of selling land, but if the Board could get a better footprint for public and private use, he may consider it. He encouraged the Park Board to take a field trip to look at the area. He asked if Anthimedes had discussed this project with the Wichita Downtown Development Corporation (WDDC).

Spangenberg asked if he and Anthimedes should initiate contact with the WDDC.

Frye stated they should make sure the WDDC is on board with the plan.

Anthimedes stated he is on the WDDC board and they are aware of the plan.

Frye stated they wanted to do what is right for their constituents.

Anthimedes stated he did not want to see the building get torn down.

Harlenske asked if it would be brought back to the board in October.

Frye stated he wanted to give staff time to gather information.

Item 2D: Tri S Coalition (Schweiter, Schweiter East, Sunnyside) Request to Change Schweiter Park Hours

Janie Gleason (623 S. Volutsia), President of the neighborhood association, requested a change to the open hours of the park to sunrise to sundown. She stated that beginning several months ago, several residents had called about use of the basketball courts and drug transactions taking place near the courts. Councilwoman Lavonta Williams had visited the park on a Sunday and she experienced unwanted behavior. Some residents have chosen to move out of the area due to the noise and traffic. The neighborhood association has had meetings with the neighborhood police and Councilwoman Lavonta Williams.

Frye asked Gleason to point out the different neighborhood associations' area on a map.

Gleason showed that Kellogg to Lincoln (north of the park) is considered the Sunnyside area. She pointed out the Schweiter and Schweiter East neighborhoods as well. She stated that the north side of the park is on Lorraine Avenue and the south side of the park is where playground equipment is located and there has been an increase in noise.

Brown stated he liked how the three neighborhood associations came together. He asked how long the Tri S had been together.

Gleason responded that the Tri S was newly formed and had only been together for four months. She noted that the Sunnyside Association had been together for 18 years.

Brown stated that Schweiter East Neighborhood Association had been together since 1999.

Kupper noted that the park currently closed at midnight similar to most other parks.

Frye asked if there were lights on the tennis and basketball courts at Schweiter Park. He also asked how they addressed the Sunset Park situation.

Kupper stated there were lights on the tennis and basketball courts. He then stated that they turned off the lights at Sunset Park.

Allen asked how they could change the culture for Schweiter Park. He noted that if the people are in a routine there, they are already accustomed to staying late at the park.

Gleason stated she was not sure how they could change that culture.

Kupper stated the police would have to help enforce the new park hours.

Gleason stated when the park was remodeled the neighborhood did not realize how much it would affect the area.

Brown stated that they want people to use the parks and asked if it was more a matter of law enforcement.

Frye stated the police asked for the park hours to change at Sunset Park due to the illegal activity there.

Kupper stated the police asked for the change because they could not sit in the park and watch for the illegal activity.

Allen asked if the bad activity was coming from the basketball courts.

Gleason stated some of it was coming from the basketball courts, but also the playground and the gazebo. She stated that the neighbors really want to change the hours and they have worked with the community police person.

Debra Miller-Stevens (3125 E. Boston) stated that there was activity in the park during the daylight hours, but adults are supervising. She stated the more concerning issues happen after dark.

Brown asked if the park was screened from the neighborhood.

Miller-Stevens responded that there is fencing on the north and south side of the park and the complaints are coming from the north. She also noted that on the west corner at Lorraine and Lincoln streets, cars park on both sides of the street for football and soccer practices and there is a fear of

children getting hit by vehicles.

Brown asked if the nighttime problems were associated with the lighted areas.

Miller-Stevens responded yes. She stated the playground is great for the kids and the benches are strategically placed. She also noted that the homeless use the gazebo for sleeping.

Brown asked if there would be something wrong with closing the park at 9pm year-round.

Miller-Stevens stated the only problem is that in the summer it is still light out at 9pm.

Frye asked if there was public comment and there was none.

Brown asked when the park closing time of midnight was enacted.

Kupper responded it was enacted in 1920.

Solter stated they may need to change the park hours due to the changes in time, behavior and violence. He stated he would support the change in hours.

Brown wondered if the hours should change for all of the parks.

Solter stated if they wanted to change the park hours they would have to go to the DABS.

Kupper noted there are many citizens who do not have central air conditioners and need the release. He also noted that changing the closing hour to sunset would be easier than picking a time that would change with daylight savings time or summer and winter hours.

Warren stated he would hate to punish the entire park system by changing the hours. He suggested possibly enacting a 9pm curfew for the park. He noted that there were still some places that may have people playing basketball at all hours. He stated he was in favor of 9pm and enforcing a 1 strike, 2 strike, 3 strike, and then put the neighborhood on notice.

Harlenske noted that you have to assume they will be ticketed and if that were to stand up in court there need to be set times and the hours need to be signed at all four corners of the park so it is clear to all patrons if it different.

Frye brought the issue back to the board and asked if there were any comments or questions.

Allen stated he would agree to a 9pm closing of the park or modification of the park hours.

Frye asked if there was a recommendation from staff.

Kupper responded that the standard closing time is sunset, but they could start a precedent if they wanted to by hours.

Frey stated he would be in favor of sunset.

Kupper stated he was in favor of sunset as well which would be hours like at Naftzger and Sunset parks.

Harlenske suggested waiting for police comment.

Kupper responded that the police had already given their comment.

Harlenske stated there had been sunset discussion regarding the skate park hours and it was decided to close it at 9pm.

Motion by Allen, second by Brown, IT WAS UNANIMOUSLY VOTED TO close the park from 9pm to sunrise (7-0).

Harlenske noted it would be effective upon signage.

Frye asked if it had to go to council.

Kupper responded no.

Item 2E: Tri S Coalition (Schweiter, Schweiter East, Sunnyside) Request to Create New Pocket Park in Sunnyside Neighborhood

Beverly Domitrovic (1219 George Washington Drive) stated the reason the Tri S Coalition was formed was because AARP has money to put into the area for older community living. In October 2011 they formed the coalition and did a mailer for all of the houses in the area. They had a meeting on the previous Saturday and showed the 55 and older Grandparent Park proposal for which the AARP would provide funding.

Kupper showed the area on the map.

Deborah Miller-Stevens stated it has a sidewalk and mature trees. There were several suggestions for changes to the neighborhood for amenities for the older population. She noted that AARP sees exercise and relaxation as two important things for retired persons. One project was bike and walking paths and the neighbors felt the open space would be a good place to put in a park. The AARP grant is providing enough funding for park benches and picnic tables. They would like to look into possibly adding playground equipment in the future.

Solter noted there was a pocket park at Bluff.

Kupper stated it was Longview Park in Scotch and Sirloin's old parking lot.

Miller-Stevens stated this would be a little more acreage although there were concerns about being close to the highway and access to the park. She also stated there were new apartments at the old Sunnyside School.

Allen asked how you would access the park.

Miller-Stevens stated you could drive to the park.

Frye asked about the City's obligations to this area.

Kupper stated the Park Department pays for mowing the area as it is considered Grove and Kellogg Avenue Right of Way (ROW).

Claycomb asked if there would be any other extra costs.

Kupper responded they did not foresee any additional costs and they would have to go to City Council to accept the AARP grant money.

Frye asked if there were other grants to match this one.

Kupper responded there would not be one available with such short notice.

Frye asked if they had to name it a "55 and older" park.

Miller-Stevens responded no.

Motion by Frye, second by Allen, IT WAS UNANIMOUSLY VOTED TO accept the AARP donation and direct staff to create the pocket park (7-0).

Frye asked if there were any public comments and there were none.

Miller-Stevens asked if they could get a letter from the Board of Park Commissioners.

Kupper stated he would get one from the Park and Recreation Community (PARC) Fund and would contact them when it was completed.

Item 2F: Changes to Park Ordinance 9.03

Kupper stated there was a recreational easement from Murdock to the Nims' bridge and the pathway has been there since the 1970's through an urban renewal project. There is a marina apartment complex adjacent to the easement and property ownership goes out to the middle of the Little Arkansas River. Over the years tree roots have ruined the asphalt paving and there were several levels of walking paths with steps. Kupper stated when he started in the Director position, capital investments were made, but the area was not made ADA compliant. While Fearey was in office, the recreational easement was closed and soon became an area for the homeless to sleep under the deck. Kupper stated that this area became an issue about a year ago because his staff forgot about the area due to staff shrinkage and it became a nuisance with overgrown plants. The situation was brought to the department's attention and staff cleaned up the area. He stated that an apartment resident was murdered by a homeless person in 2011 and they were seeking an amendment to Ordinance 9.03 giving the director authority over recreational easements. He stated the department could abandon the easement, but they may never get it back. He stated it is a nice bit of the river because one can walk it to get to Murdock and it is a nice link to the river corridor bike path. He stated he would rather close it to public use for now and when the economy comes back he hopes to have the resources to make improvements to the easement with lighting.

Harlenske stated the amendment also addresses easement consumption of alcoholic beverages with the director's exception as needed.

Motion by Frye, second by Brown, IT WAS UNANIMOUSLY VOTED TO approve the amendment to Ordinance 9.03 (7-0).

Item 3A: Golf Update

Frye stated that the Golf Advisory Committee put together an RFP and brought it back to the City Council workshop to see if the City Council wanted to go forward with the RFP process. City Council advised to proceed with the RFP.

Claycomb asked if all Golf Advisory Committee members were on the Staff Screening Selection Committee (SSSC) with Brown and Frye.

Frye responded yes.

Claycomb asked if the RFP had already gone out.

Frye responded that yes, it was on the street. He also noted that golf rounds are still up and golfers are still playing.

Kupper stated the golf rounds goal established for the year should be met or exceeded by the end of the month if the Golf Division stayed on the current track. The goal was set at 165,000 rounds. He stated the Golf Division would have the rest of the year to make revenue and should be able to make all payments that were obligated for 2012. He also noted that they had deferred buying mowers and equipment and may have to defer again until spring 2013. He stated that \$1.1 million from the General Obligation Funds had been initiated for Clapp improvements.

Warren asked when the \$1 increase would be brought back to City Council.

Frye stated they would probably wait to see what happened through the RFP process and decide at that time.

Item 3B: Recreation Update

Kupper stated that \$1 million in CIP money had been initiated for security systems in several of the recreation centers, more heavily used community facilities and some of the pools. He stated they would also make some recreation centers more environmentally sound and energy efficient by replacing old single paned windows and repairing exterior doors.

Item 3C: Cancel September 22, 2012, Scheduled Regular Meeting and Retreat

Motion by Frye, second by Solter, IT WAS UNANIMOUSLY VOTED TO cancel the 9/22 meeting and retreat (7-0).

Item 3D: Re-schedule October 22, 2012, Regular Meeting to October 20, 2012, Regular Meeting and Retreat

Brown and Claycomb stated they would not be available on October 20 for the meeting and retreat.

It was noted that most of the Board would be available on October 27.

Motion by Frye, second by Warren, IT WAS UNANIMOUSLY VOTED TO cancel the October 22, 2012, meeting and re-schedule the regular meeting in October to October 27, 2012, for the regular meeting and retreat at 9am, location TBD (7-0).

Frye suggested possibly meeting downtown in order to have the Board visit Finlay Ross Park.

Item 4: Updates from the Director and President

None.

Item 5: Issues on the Horizon

Solter stated he had received two calls about restrooms not being available for some City league games.

Kupper responded that all game locations have restrooms that should be open and available during games. He stated he would check to see if the field supervisors are making sure the restrooms are open.

Frye requested that if the Board members had agenda items they would like to focus on at the annual retreat to bring them to the staff prior to the meeting so the topic could be explored and researched. He stated he felt they needed to focus on the PARC fund to help support the goal given to the Marketing Director to supplement what was cut from the budget cuts in the past years. He stated he would like to be pro-active regarding funding.

Claycomb stated she would like to present the bike master plan.

Kupper stated he would talk to Scott Wadle to let him know about the new date.

Frye stated that by that time Century Plaza and the WDDC may have had time to get together.

Item 6: Adjourn

There being no further business, the meeting was adjourned at 5:25pm.

Bryan Frye, President

Christina Butler, Clerk