

**BOARD OF PARK COMMISSIONERS  
REGULAR MEETING MINUTES  
City Hall, 11<sup>th</sup> Floor  
Park Conference Room  
455 N. Main  
January 28, 2013  
3:00 p.m.**

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

**Absent:** Jerry Warren

**Also Present:** Doug Kupper, Director of Park and Recreation, Elizabeth Harlenske, City Assistant Attorney, Christina Butler, Clerk, Don Harrison, Golf Division Manager, Scott Knebel, Alan King, Don Henry, Charlie Brown, Larry Dennis, Steve Stark, Steve Anthimedes, citizen.

**PUBLIC AGENDA**

**None.**

**REGULAR AGENDA**

**Item 1: Approval of Minutes**

**Motion by Claycomb, second by Allen, IT WAS UNANIMOUSLY VOTED TO approve the minutes of the December 17, 2012, Board of Park Commissioners Regular Meeting (6-0).**

**Item 2A. Downtown Master Plan Update (Scott Knebel)**

Frye stated he had wanted to re-visit the Downtown Master Plan due to Mr. Steve Anthimedes' request as it pertains to this plan so he had invited Scott Knebel to give an update to the Board.

Knebel stated he was with the Metropolitan Planning Department working on the Downtown Master Plan which is an overall vision of the plan for public and private use. This plan is a vision plan of what is possible downtown with a large number of developments using public and private partnerships. These include public parking lot improvements, parking improvements, and streetscape improvements to capitalize on private investments. He shared information regarding the market based development opportunities: 1500 new housing units and offices – has not had new development; additional hotel rooms – successful development; and additional retailers – successful.

Brown asked about the hotel numbers.

Knebel stated that 117 rooms had been added. He reviewed the green spaces plan and noted they had reviewed 22 projects that the plan thinks could maximize return on private investments. He stated the Douglas Corridor project has received federal funding to help with the project. He stated that the library was in the preliminary stages of development; water fountains at Waterwalk were recently completed; Kennedy Plaza had received improvements; the Block 1 redevelopment project will be completed in the spring with the Ambassador Hotel, parking garage, urban plaza, and fountain; Rotary Plaza had funds donated by the Rotary Club of Wichita; streetscaping on St. Francis was completed, and the Douglas Corridor streetscape design study to improve transit service had received funding for the first phase of development to be constructed in the Summer/Fall of 2013.

Frye asked how far the Douglas streetscape would stretch.

Knebel responded it was suggested to go from McLean to Washington.

Frye asked if there was a committee working on the Kennedy Plaza project.

Knebel responded that City Staff was working on it and it was in the Capital Improvement Plan (CIP).

Frye asked if the public had any questions.

Steve Stark noted that he represented Steve Anthimedes regarding Finlay Ross Park and asked what the process would be or the role of the park in public/private partnerships.

Knebel responded that there were nine (9) sites in the plan that are owned by the City, Sedgwick County or Park Board. He stated there was a concept for the construction of a new convention hotel on the site of the park that would take and re-invest money from making the site available for use to make improvements at Century II and Kennedy Plaza. He noted he had discussions with Anthimedes for the process of public/private partnerships. He noted there is a committee for the City Manager to make recommendations to the City Council or Park Board.

Frye noted that at the October 27, 2012, Park Board retreat, the commissioners took a tour of Finlay Ross Park and agreed that it is underutilized, but they need to hear a concrete plan for what the use of it will be.

Brown noted that the concept the City is proposing is not that far off of what Anthimedes is proposing.

Frye agreed and stated they need to have Anthimedes come back with a more definitive plan.

Kupper stated that City Council has put a policy/procedure in place for downtown development and it is his understanding that the Downtown Development Corporation would come to the Park Board with a plan for the City-owned park property.

Knebel added that once a proposal is submitted there are a number of approvals that have to go through including the Park Board. He noted that the developer, City staff and the Downtown Development Coalition all work together. He also noted that the proposal from Anthimedes is that there would be a public investment for a parking garage.

Brown stated that Anthimedes has a hotel in his plan as well.

Knebel responded that the hotel would be a private investment and the parking garage would be a public investment.

Steve Anthimedes stated that at the last Park Board meeting he and his developer told exactly what they wanted to do. The intent was to find out what they have available to them to use in order to make a proper proposal. He stated he has been working on this for 15-16 years and has been downtown for 45 years. He stated he would like to have a letter of intent so they could proceed.

Claycomb asked Anthimedes if he could not go to the bank without knowing what is available to him.

Anthimedes responded that she was correct. He stated that the way the building is built, the Douglas entrance is almost useless because no one parks in front. He would like to create a new façade to enter the building on the south side, have a banquet hall and a club with restaurant, but he needs 300-500 parking spaces to accommodate these.

Solter noted that the Park Board only owns a small area that is part of the project and would like to see drawings that show what will happen.

Anthimedes responded that the drawings were given to the Park Board in September.

Solter stated the thought the Board could vote if they want to pursue the issue further.

Anthimedes would like to know if the Board is still considering it then they can continue having architects work on it.

Frye stated he sees potential for the area, but noted that procedure has to be followed.

Anthimedes stated that he has an interest in the park as well because he has to agree with the plan. He noted that if this project goes forward, everyone will be happy with it because he knows he will do his best to have the number one project in Wichita.

Frye responded that they have a responsibility to the community and have to follow protocol.

Brown asked what was holding up the project if they all agreed that this is an under-utilized area.

Kupper responded that Anthimedes wanted to hear that the Park Board is willing to look at those types of proposals. If the Park Board says they are willing to pursue it, then they let Anthimedes and Scott Knebel know. Then they can pursue public/private partnerships.

Brown suggested they move forward if there is no obligation.

Frye asked if they had already done that with the downtown plan.

Kupper responded that he did not think it was site specific.

Solter stated he would support approval to move forward.

**Motion by Brown, second by Claycomb, IT WAS UNANIMOUSLY VOTED that since the catalyst site C4 makes sense, Scott Knebel should pursue Anthimedes and others to allow the Downtown Master Plan for Finlay Ross Park (6-0).**

Knebel stated it was fine and they are comfortable with the parking garage, but are concerned with the dollars.

**Item 2B: C & D Landfill Regarding Brooks Landfill (Alan King, Director, PW)**

Kupper stated that Brooks Landfill had been used as a dump site and it helps the City because the City does not have to pay for all trash material. He stated that Crystal PrairieLake is being designed and Public works has been involved in the process. He introduced Alan King the directory of Public Works.

Alan King stated that he along with Don Henry, Assistant Director of Public Works, would discuss the status of the C & D landfill operation to make sure the outcome is a win/win for both sides and citizens. He stated they had been operating C & D and each year about 100 tons of waste is disposed there. He noted that 60-65 tons are from paying public and approximately 40 tons were from the City. He noted that the current arrangement provides that the public pay a tipping fee and the City receives a portion. He stated there was a plan to close the landfill to the public because the existing cell would be filled by 2018. Then after looking at the cost to operate the landfill without the City paying a tipping fee, it was decided to open a new cell instead. They received approval from the KDHE. He noted that the current

contract expires in February. He stated that before they approach City Council, they needed to approach the Park Board. He noted the primary driver behind the decision to continue operating to the public was the projected revenue of \$84.7 million over the span of the new cell. He stated that some of the funds are transferred to the General Fund.

Brown asked why they had wanted to close the landfill.

Kupper stated they wanted to maintain the City's capacity to dump there and to extend the life of the City services to dump out there to save cost.

Henry stated that the Brooks C & D landfill accepts grass and yard waste as well.

Frye asked if the 40,000 tons was an average from the city every year.

Henry responded yes and that would increase if there is a tornado or some type of natural disaster.

Kupper stated that with the creation of Crystal Prairie Lake they have always wanted to soften the look of Brooks and would do that with the topsoil and the overburden on the north and west face using materials mined on the site. He stated if the board would support the new cell, they could use Brooks C & D material for the majority of the softening and could sell the materials mined from there to create revenue. The creation of the new cell on the north face would make it look more park-like. There would also be protection of the old sanitary landfill cap and this material could be placed over it and then park-like assets could be added. They could compact it better to be able to build paths and plant trees. He stated the real benefit would be that this could cost less in the long run and would allow for creating park-like assets. He stated he thought they could get a permit from KDHE.

Roth asked if this would delay any progress for Crystal Prairie Lake.

Kupper responded no because Brooks C & D creation and the lake creation timelines kind of work together under current mining conditions. He stated that in 8-10 years the far west side of the landfill would be completed.

Frye asked why there was \$1 million funding.

Henry stated they would be working with regulators, contractors, and Kupper's team in Park and Recreation. He stated they were going to propose a new contract to City Council on 2/5/13 to include: the contractor to provide the design; cooperative efforts on the west side; permit modification with KDHE; preparing for the future gas landfill requirements; release a request for proposal (RFP) for a producer to capture the gas; and staging activities for early lake use. Due to the projected revenue this would provide a funding source for the Crystal Prairie Lake for whatever the board deems best. He stated the new contract would be for a five (5) year term with two (2) options to renew for three (3) years.

Frye asked if there were questions or comments from the public. There were none.

Kupper stated they could get the \$1 million whenever it was needed be it for sculpting the beach or the pool house or other amenities.

Frye stated they were looking for an endorsement so Public Works could go to City Council.

Kupper stated that the Park Board owns Brooks. He also thanked King for coming to the Board for approval and endorsements.

Frye stated that it sounded like a win/win all around.

**Motion by Claycomb, second by Brown, IT WAS UNANIMOUSLY VOTED to accept the proposal presented by Public Works for Brooks C & D landfill (6-0).**

**Item 2B: West Millbrook Utility Easement Request (Charlie Brown, PEC)**

Kupper stated that West Millbrook Park between maple and Kellogg on 119th Street was previously a sewage lagoon. The utility department has come forward with a re-routing of sanitary sewers for these homes and it would lower the berms in the park. He stated he thought it was a great concept.

Charlie Brown of Professional Engineering Consultants, P.A., (PEC) stated that the sewer was built in the 1960's and there are berms. There are now three (3) openings and there is evidence of corrosion. He stated they would remove the pipes and the berms. They had walked the site with Park staff and have a route for the new sewer that avoids all existing trees except two (2) that the Park staff wanted to be removed. One of the drainage structures will remain in place, but they will cut some of the pipe out. Two (2) other drainage structures will be removed. He stated they were asking for approval of an easement for the Park Board owned area so the City could have access to the area.

Frye asked if walls would affect any drainage.

Kupper responded no and that they would take cover material for the pipes, level it and place it in to fill. They would get rid of the berms and fill the depression that currently collects stormwater and has become a mosquito issue for the area.

Charlie Brown said they would be able to use the dirt removed to fill in the depression.

Frye asked if there were any questions or comments from the public. There were none.

Kupper stated they are asking for approval from the Park Board to sign the agreement.

**Motion by Frye, second by Solter, IT WAS UNANIMOUSLY VOTED to approve the agreement as proposed (6-0).**

**Item 3A: Special Event Fee Policy (David McGuire)**

Kupper re-visited the concept of the previously approved cost recovery pyramid. He stated that concept had been used for this proposed fee change and noted they were still working on the actual fees. They were proposing a \$50 application fee due to the amount of work involved to review applications. He noted though that this \$50 fee is contrary to the special event community fee which is \$30, however they were willing to reduce theirs to \$30 to be the same.

Claycomb asked if the top level of the pyramid would pay the application fee plus any additional services.

Kupper responded yes. He stated they have put together a list of activities many promoters request that was included in the previous fee structure. The promoter could select from a menu of services they need and pay the set fee (i.e. set fee for per-mile cleaning).

Harlenske asked if this would be in addition to the community event process.

Kupper responded yes clarifying that if the event stays below 250 people, then it does not become a community event.

Claycomb asked Kupper to clarify the difference between a community event and a private event.

Kupper stated that the Park Department felt that anything up to 250 people really does not have an impact on the community as a whole, therefore does not have to go through the community event process. It becomes a community event if they need street closures even with only 100 people due to the community impact of the street closures. It would also be a community event if there are 300 people with no street closures due to the size of the event and the community impact on the park property.

Claycomb asked if there were more fees and another application fee.

Kupper responded yes, but they needed to discuss that further.

Harlenske stated there was a committee looking at combining the application process, but it was difficult because there are so many details that may not matter to the community event.

Claycomb stated she did not want to have duplicate fees.

Kupper agreed. He stated they had a fee structure established that no one liked because they could not understand that an event that takes away park use by the public becomes a community event. So they were trying to get rid of that point and use the cost recovery pyramid instead. He noted they do not have too many non-profits that have invitation only activities.

Claycomb noted she felt there was no distinction between the 3<sup>rd</sup> and 4<sup>th</sup> tier of the pyramid.

Kupper said they would have to look at it again and have to figure out who benefits from the event noting there has to be a distinction between charitable and non-profit events. He stated the question needed to be asked "What do the taxpayers get for providing the property?"

Brown stated there seems to be reasonable user fees.

Kupper asked for input for discussion on the difference between the 3<sup>rd</sup> and 4<sup>th</sup> tier.

Brown stated he thought there should be a distinction for those that have corporate sponsors and those that do not.

Frye stated the City requires a certificate of insurance due to being a commercial enterprise and asked if they could use the certificate of insurance to determine the non-profit status.

Kupper stated they have to ask if the event is really a community based project and should the citizens be considered for providing a service. Then this has to apply that thinking to the pyramid.

Harlenske noted that it does not matter what you charge, but you have to charge everyone and the City Manager has to approve it as well.

Kupper stated this was their first attempt to refine the fees and they would continue to work on it.

### **Item 3B: Southlakes**

Kupper stated the developer had acquired land adjacent to Southlakes property and would like to acquire additional land from the City. He reviewed aerial maps and photos of the area.

Solter asked if they had kept from adding amenities to the park.

Kupper responded they had spent money for the sports complex and there is a parking lot for the fishermen on the south side of the lake.

Brown asked if the developer was building duplexes.

Kupper responded yes and stated if the Park Board chose to sell the land, they could add a pathway on the east side of the lake. He stated they could also add a playground on the north side of the lake. He showed four (4) different options and the costs.

Brown asked how realistic a fence would be.

Kupper responded the developer could create public access to the park on his own property and they could work on a controlled public access through the fence line.

Frye asked about the pathway with the lake being so low now and if the pathway would still be ok if the lake rises.

Kupper responded they would look at that closer. He stated the developer could add two (2) more lots if he gets the Park Board land.

Claycomb stated the value of the use of the land would be lost as well if the Park Board chose to sell it. The Sedgwick County tax value was \$176,900 and the City paid \$22,000 per acre for the strip of land.

Frye asked if they presented the Park Board with other options for use of the space.

Kupper responded no.

Brown asked if this strip of land was significant.

Kupper responded it buffered the lake. He stated he did not think the land east of the lake had been annexed as City property.

Solter asked if the Park Board was holding onto the land to hold on to it, or holding on to it for future purpose.

Kupper responded they could have a playground and room for improvements on the south side of the Park. He stated the decision the Park Board had to determine was the value of having the buffer from urban development.

Frye stated that in exchange for the land they could put in a path.

Kupper stated he already has a reserve planned on this real estate and they could request that some of the land to the north be put into park assets such as a playground and parking lot. He stated the Park Board had to decide if they want to sell the land to the developer and if so, a dollar amount that Jon Philbrick would use to negotiate with the developer. Then once they agree to this, they have to decide where the money would be spent.

Solter said it seems the only use of the land is to keep access available for the public. He stated if the Park Board does not need it then get rid of it and if it is not going to be put to good use, it is not of real use to the Board.

Kupper stated he did not agree at all because it is green space.

Solter clarified that he was not saying that he want to get rid of it, but was asking if the Park Board has enough space to build on it.

Brown stated they first needed to decide if they wanted to have the developer proceed.

Kupper stated that fundamentally the developer will build the development with or without the extra Park Board owned land.

Frye noted it could be a public/private partnership.

Brown stated they were in a tough spot because they do not have money to build parks and they could use this opportunity to see what they could get out of it.

Frye stated they need to make sure they set what they have at a high price because it is lake front property.

Solter stated he would like to pursue it and give the developer a list of wants. He added that he liked the idea the developer giving an offer for the cash value of the property.

Claycomb stated she was not in favor of selling the land outright because it would go to the general fund. However they should go for as much as they could get if that was the decision.

Frye stated that Kupper needed to hear if the Board was open to selling the land.

Kupper stated they might need to have Harlenske get clarification of who has the authority to give approval for negotiating under Charter Ordinance 125 since this is City land and not Park Board land.

**Motion by Brown, second by Frye, IT WAS UNANIMOUSLY VOTED to authorize City staff to open negotiations with Mr. Brand for sale of Park land at Southlakes, but with enhancements to the park property rather than cash money.**

#### **Item 4A: Golf Update (Don Harrison)**

Harrison stated the Golf Division had finished the year end strongly with rounds up and a cash balance over \$1 million. He stated they were in great shape and had started up several projects: Tex Consolver was under demolition for ADA accessible bathrooms; and Clapp will go out for bid mid-February for roof, siding and ADA accessibility. Performance at the courses for January was a little above last year. There were plans to order new golf carts and replace the fleet at MacDonald.

Frye asked if they needed to have another Golf Advisory Committee meeting.

Kupper responded they were waiting for the City Manager to make a decision and he felt this was coming soon.

Frye asked if they should send an email to update the committee.

Kupper responded he would check with Chase Fosse.

Frye stated they may need to keep the committee engaged.

Kupper stated they have put a marketing plan together, there was a survey for pace of play and they were putting a 2013 plan together. He stated they would advertise to fill the Senior Golf Pro positions soon and wanted to have them hired prior to the season starting.

Harrison stated he has had a chance to talk with some committee members in passing. He also stated they were putting in signs this week.

#### **Item 4B: Recreation Update (Larry Dennis)**

Dennis stated he was the Director for Evergreen and McAdams Recreation Centers and discussed the Summer Activity Camps (SAC) at Colvin, Woodard and Evergreen Recreation Centers. He stated that initially they had hours from 11-4 at Evergreen's SAC. They surveyed the parents and found out they needed better hours to meet their needs, so they extended the hours for the camp last summer. They had applied to increase the camp capacity to 125 participants for Summer 2013. They have a variety of activities scheduled as well as homework rooms. They created all fliers in Spanish and English and had a marketing plan developed. He noted there were many partners involved throughout the community with major partners being the Wichita Police Department and Mid American Credit Union. He also stated that the Recreation Division had just been notified they had been awarded the 21<sup>st</sup> Century Learning Grant that would provide funding for the program.

Solter asked about the activities planned and if the kids were asking for new programs.

Dennis stated they try to give the kids and parents ownership in the program. They want to go outside for activities and some request more video games.

Solter asked if there were businesses that would want to start their own recreation activities in the neighborhood recreation centers or if there was programming to challenge the kids or offer career information.

Dennis responded they needed the infrastructure for computers to aid in additional education programming, but they did offer a lunch time speaker series regarding job opportunities that was successful. He noted that Cindy Claycomb was one of the speakers last summer at Evergreen.

Solter stated that early vocational planning could be useful.

Dennis noted that the City Manager also spoke at Evergreen and asked what they wanted to do when they grew up. Dennis realized they need to expose the kids to more occupational options.

#### **Item 5: Issues on the Horizon**

Frye noted that the next Park Board meeting would be on 2/25/13.

Frye noted that Botanica would be recognized by the Chamber in April and that bids would be out for the new center there.

Brown stated that Small Smiles has a questionable reputation and may need to be reconsidered as a partner for the Summer Activity Camp.

Kupper stated that the Park and Recreation Department had a great 2012 and was looking forward to 2013. He stated they had turned a corner and had given money back to the general fund. He stated that the Recreation revenue bar was set at \$1,900,000 and they made \$2,044,000. He thanked the Board for its help with the Recreation Division's strategic planning. He noted that Botanica, Recreation, Golf and Maintenance/Forestry were running high and making it happen.

Frye noted that the Board would have another big challenge in 2013 with the pools and suggested the Board get familiar with the pools.

Kupper stated he would bring that to the Board in February.  
Frye suggested the Board review the proposed Special Event Fee policy.

Kupper stated he was headed to the KRPA Conference in Manhattan, KS.

**Item 6: Adjourn**

There being no further business, the meeting was adjourned at approximately 6:00pm.

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**Bryan Frye, President**

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**Christina Butler, Clerk**