

**BOARD OF PARK COMMISSIONERS
REGULAR MEETING
Park and Recreation Department
455 N. Main St, Wichita, KS
Tuesday August 14, 2006
3:30 p.m.**

Present: Dennis Brunner, Glen Dey, Doug Leeper, Janet Miller, Andy Solter, Mick Tranbarger, Nalini Johnson

Also Present: Mr. Doug Kupper, Director of Parks and Recreation; Mr. Larry Hoetmer, Architect, Park and Recreation Department; Mr. Scott Wadle, Planning Department; President Chinh Nguyen and Members of the Wichita Vietnamese Community Association Group; Ken Miller and Kirk Miller, Ken Miller Engineering.

President Miller called the meeting to order at 3:33 p.m.

PUBLIC AGENDA

President Miller asked if there were any public agenda items. No items.

AGENDA SUMMARY FROM REGULAR PARK BORAD MEETING

Item 1. Approval of Meeting Minutes from August 3 and July 17.

President Miller suggested to the board that, since they were given the Aug 3 Special Meeting Minutes at today's meeting, the Board wait to approve the minutes until all members were able to read and make any changes. The Board was informed by Mr. Kupper that the minutes from the July 17 meeting were still being transcribed and would be ready at the next meeting. All Board members agreed and the delay of approval for the minutes was approved.

Item 2. Move Item's 6 and 7 to the Beginning of the Agenda

Ms. Miller made the motion to move agenda item 6 up to the first item of discussion. Mr. Leeper then requested that they also move item 7 up to follow item 6 since each of these agenda topics involved individuals waiting to speak. Mr. Leeper made the motion to move item 7 up to follow agenda item 6. These items were voted on and approved to become the first two agenda items.

Item 3. Add a Memorial in Honor of South Vietnamese and American Soldiers to Veteran's Park.

Debbie Nguyen, City of Wichita employee, acted as a translator for the Vietnamese Community Association in support of adding a memorial to Veteran's Park honoring both South Vietnamese and

American soldiers who fought in the Vietnam War. Ms. Nguyen related that the Vietnamese group has the approval from the Vietnamese community to build the memorial. Mr. Kupper asked Mr. C. Nguyen from the Vietnamese Community Association what his ideas and plans were and why they felt that they were important to Veteran's Park. Mr. Q. Nguyen, Architect for the Vietnamese Community Association, spoke and said that they chose Veteran's Park because it is a memorial; it is there to honor fallen soldiers and is easy to visit by the public. He said that in the future they would like to hold a yearly memorial ceremony at the park. Mr. Q. Nguyen showed the Board two proposed designs of the memorial. Mr. Kupper said that the space available at the park would ultimately decide the design of the memorial. Mr. Q. Nguyen commented that they are willing to work with any amount of space they are given and he added that the scale of the layout has not yet been determined. Mr. Solter asked if the Vietnamese group had a preferred design to which Mr. Q. Nguyen replied that they preferred the first picture he showed of the larger memorial. President Miller looked at the design and asked if the large poles in the picture were flagpoles to which Mr. Q. Nguyen replied that they were and that the flags flown would be from South Vietnam, America, and Kansas.

Ms. Johnson looked at the design and asked what the item was in the center of the memorial. Mr. Q. Nguyen responded that it was a large bowl to be used for burning incense during the memorial ceremonies. Mr. Kupper asked if the bowl could be removed after each event to which Mr. Q. Nguyen replied that it would be cemented in. Mr. Q. Nguyen said that their preferred design was the first one, which was also more expensive to build. Ms. Johnson asked what type of material they were planning to use for the foundation and structure. She was then informed that they would like to use concrete. Ms. Miller asked if this memorial would recognize all soldiers from both North and South Vietnam. Mr. Q. Nguyen replied that it would only honor those soldiers from the South. She replied that the question seemed self explanatory, but that she had to ask for the record. She then asked where the money would come from to maintain the memorial after it was built. Mr. Kupper commented that whoever donates the money for the memorial is responsible for the upkeep and maintenance of the structure and that the City of Wichita is only responsible for the grounds maintenance. He went on to say that the City also takes care of graffiti if it occurs, but that any cracks in the cement or the replacement of flags would be the responsibility of the Vietnamese Community Association

Mr. Leeper spoke and said that he feels there needed to be a rule ensuring the pot for the incense is cemented down and that the flags are secured to the poles so they can prevent against theft. Ms. Nguyen then asked the Board if there had been any damage to the other memorials in the past to which Mr. Kupper replied that there had been vandalism before. Ms. Miller asked if the flag poles could be equipped with cords that were on the inside of the pole so that they are not accessible to the public. Mr. Kupper said that was a good idea and that they needed to add a prerequisite that stated that those types of poles be installed.

Ms. Johnson asked the board if they felt that skateboarding would be encouraged at the memorial. Mr. Kupper informed her that the City guards against that at all of the memorials. He went on to question Mr. Lee how long it would take them to raise the funds to begin building the memorial. Mr. Lee informed the Board that they already had the money and that they are ready to begin building immediately.

Ms. Miller returned the discussion to the Board by asking them what they felt they needed to vote on today. Mr. Kupper told her that the first step would be to have the Vietnamese Community Association finish their design and then send the proposal to the City Council for approval. He said he would like to see the concept of the memorial either approved or disapproved with the stipulation

that the Vietnamese Community Association submits the final layout to him for design approval, before they begin building. Dr. Dey asked what exactly it was that the Design Council would be approving when it is presented to them. Mr. Kupper replied that he did not know but that they could possibly be voting on the type of material to be used.

Motion:

Mr. Leeper made the motion to accept the memorial on the condition that the final layout and design be bought back to Mr. Kupper for final review of size, scope and color. Mr. Solter seconded the motion. The Board approved the motion 7-0.

Item 4. Approval of Arkansas River/Gypsum Creek Bike Path

Mr. Ken Miller from Ken Miller Engineering spoke to the board concerning the Arkansas River/Gypsum Creek Bike Path. He said that about 1 year ago his organization received a bike path project from the City of Wichita, which has gained approval by the Kansas Department of Transportation (KDOT) for alignment of the bike path. He provided the Board with handouts on the path's trail. He said that the goal was to look at the alignment and right of way constraints and that in its current alignment we would have cost overruns. He said his team went through five different concepts and that the DAB approved the final concept. He then held up a map that showed two paths: the first path was outlined in blue and was the recommended route and the other path was outlined in green and was the alternate devised path. The blue path's projected route takes it under the interstate and under Hydraulic St. Mr. Kupper asked if the Park Department was responsible for designing the park space to which Mr. Miller replied no.

Mr. Miller continued to outline the bike path following it on the South side of Chapin but said that if this purposed route is too costly, they will use an alternate route going alongside the junkyard. The path would then cross the bridge on the South side. He added that there will be three rest areas along the route and that the path would run along the turnpike and up to the existing bike path where it will cross onto the bridge through the park and over to the recreation center. Ms. Johnson asked if the new path would have a switchback to which Mr. Miller replied that adding one would be expensive and that their attempt is to use the existing bike path. Mr. Solter asked what the advantage of adding the new path would be. Mr. Miller informed the Board that the alternate routes would continue to escalate costs. Currently the costs were at 80/20, with the City paying 20% and the State paying 80%. He said that they want to put a trail head at both ends, two rest areas, mile markers, new signs and eventually plants trees along the path. President Miller questioned where the trail heads would be located to which Mr. Miller replied that one was at the Plainview Community Center, another at Garvey Park and possibly one at Chapin. Mr. Leeper asked Mr. Miller if he was a cyclist to whom he replied he was not and was only hired by the city to complete the project. Ms. Miller summed up for the Board that the bike path plan would be for 10 years; an 80/20 split and she questioned where the extra money would come from for maintenance. He said that there would be 4.8 miles of additional edging that would have to be completed by maintenance crews. Ms. Miller questioned if the Board would need to ask for more money for maintenance per mile.

Ms. Miller then asked what type of material would be used to create the new path. Mr. Kupper responded that concrete would be preferred. Ms. Miller asked if Mr. Kupper would prefer that concrete be used as opposed to a different substance. Mr. Kupper added that formerly no sub-base was used which caused the asphalt to split. He said that they now use a sub-base along with asphalt, which reduces buckling and heaving. Mr. Kupper went on to inform the Board that the staff was originally opposed to the path

alignment because it was too close to the riverbank. Mr. Kupper went on to explain that due to the landfill, the river bank was ugly and debris was being exposed. Ms. Johnson spoke and said that after looking at the new proposed path, that the green route has good access to residential pathways but that she would like to ensure that the residential areas have plenty of entrances. She added that she would like to see more connections to people along the path so that they do not have to drive to the access points. Mr. Kupper replied that WAMPO could identify new linkages. He said that ultimately the goal is to build a path so that the public can travel 1/3 of the city.

Mr. Larry Ross, 346 N. Bluff, spoke from the audience and said that he would like to see someone with a cycling background on the approval board. He relayed to the Board that the path needs more signs pointing them in the correct directions. He went on to say that when crossing bridges that the railing currently in use is too narrow and dangerous. He also said that he would like the surface of the path to be concrete as it is better and will not wear out.

Ms. Miller asked Mr. Kupper about the difference in cost between asphalt and concrete to which he replied that both have gone up in price but the cost difference would be 20% cheaper for asphalt. He said that asphalt stays alive on highways due to the oil from cars, but on bike paths that oil does not exist and does not have the constant weight. He said that asphalt must be rejuvenated. He also mentioned that concrete has a tendency to crack and shrink and costs more to repair. Mr. Kupper replied that by using more sub-base on the path, the asphalt would last longer.

Ms. Miller noted that she would like to see a new map that outlined optional places for residential connectors. Mr. Miller then asked if the Board could go back to KDOT and request more funding for the project to which Dr. Dey responded that we should aim high in our cost estimate because we can always lower it. Mr. Leeper informed the board that it would be hard for him to vote on this motion without seeing true costs of the difference between the usages of asphalt over concrete. He also suggested that before taking the recommendation to the City Council that they provide a better map of the path. Mr. Hoetmer replied that he felt concrete would be the most beneficial way for the Board to vote. Mr. Scott Wadle said that downtown the path switches from asphalt to concrete and that if we wanted examples that we should look at those two areas.

Motion:

Mr. Andy Solter made the motion to approve the blue route on the map with the exception of Section C, which should shift back to the current path for cost reasons. Turn radiuses to accommodate needs of users should also be examined. The Board requests maintenance funding for the path be approved and that the path be made of concrete except where asphalt is necessary to meet the budget. WAMPO also needs to provide residential access points and grade separations of the path. Dennis Leeper seconded the motion. The Board unanimously approved the motion.

Item 5. Delay of Remaining Agenda Items

Ms. Miller made the motion that, except for the topic of the Park Board Retreat and the Director's Update, the remaining items on the agenda be moved to the next regular meeting. Mr. Dennis Leeper seconded the motion. The Board unanimously approved the motion.

Item 6. Park Board Retreat

Ms. Miller then addressed the topic of the upcoming Park Board Retreat. The Board agreed that the meeting would be held on September 15, 2006 from 9:00 a.m. until 2:00 p.m. The location of the meeting would be determined at a later time.

Item 7. Special Motion to Deny Tax Credits to MPI Kansas Development Adjacent to Grove Park.

Dr. Dey made a motion that was seconded by Mr. Solter to add to the Park Board's agenda a discussion of MPI Kansas LLC's request for tax credits. Upon a vote of the Board, the motion passed unanimously.

Dr. Dey began by saying that he wanted to bring this off-agenda item to the Board concerning MPI Kansas, LLC and their attempts to build houses adjacent to Grove Park. Brunner asked how this item came to the Board and Dey responded that MPI Kansas, LLC had asked them directly.

Dr. Dey outlined the history of this building area as having been an area where homes in the past were bulldozed. Dr. Dey related to the Board that when these homes were destroyed, old chemicals and other such items could have been left in the basements. It is not known what kind of items or what degree of contamination could be there. Dr. Dey went on to say that MPI initially went to the DAB to request additional tax credits and was turned down. Dr. Dey said that the foundations MPI is planning to build the homes on are slabs and he is afraid they are going to crack in extreme temperatures with partial sections of the slabs poured over previous debris-filled basements. Dr. Dey said that MPI is prepared to continue building the houses their way, as a private property, if they are denied tax credits.

Dr. Dey then related how the storm water will drain in two places and run off into the park. Pictures were shown of excavated drainage channels. Mr. Solter commented that MPI is indeed moving ahead with building the homes. He asked what the City Inspection Office says about foundation requirements. Dr. Dey related that there is a dilemma because some people have turned MPI down, but no one has actually sat down and decided what to do.

Ms. Miller asked where the storm water drains. Mr. Kupper replied that the water drains into Chisholm Creek from which Dr. Dey commented that there is no way to know what type of toxic chemicals from the bulldozed houses could be running through the park. Mrs. Miller asked what exactly the Park Board could do about the matter. Dr. Dey questioned if indeed MPI was preparing to go to the City Council now. Mr. Scott Wadle informed him that MPI still wanted tax credits and they are going before the City Council to ask, as they make the final decision.

Mr. Leeper then spoke and said that he does indeed see a need to worry about contamination. Dr. Dey recounted the fact that back in the 1940s the housing area was zoned but the houses were bulldozed because there was no neighborhood organization. Ms. Johnson indicated that the City's storm water manual was in the process of being updated and recommended that the Park Board receive a presentation on that topic as soon as possible. Ms. Miller made a comment that the Board could draft a motion related to environmental uncertainties of drainage into the park. Ms. Johnson said that the Park Board did indeed have standing on this issue because the adjacent park is affected by the drainage from the proposed development. Therefore the Park Board became an affected party. She added that there needed to be a broader policy regarding similar matters. Ms. Miller then made the motion to make a recommendation to the City Council. Andy Solter seconded the motion.

Discussion continued on the matter with Ms. Johnson commenting that the drainage coming from the housing development into the park may cause damage. She also asked that since the location was once

condemned if that now changes the zoning right. Mr. Kupper said that, no, the zoning is still in effect until someone applies to change it. Dr. Dey asked if C & D landfills are regulated and Mr. Solter agreed and said that we should request identification of landfill requirements. Ms. Johnson noted that the condition of the land has changed and the old basements are hazards.

Ms. Miller asked what the basis of the motion was to which Ms. Johnson replied that the demolition and old remains from the houses would impact the park property. Mr. Brunner then noted that there could be asbestos or other hazardous chemicals in the area that could be harmful to the potential homeowners.

Motion: Recommend to City Council to Deny Tax Credits to MPI Kansas, LLC

A motion was made by Ms. Johnson and seconded by Dr. Dey to recommend to the City Council that the request by MPI Kansas LLC for tax credits, be denied based on the fact that there are too many environmental factors that could possibly damage Grove Park as a result of the draining of unknown hazardous materials, from the housing development. She further recommended that an environmental study of the area be conducted and that an independent review of the storm water drainage plan be conducted.

The board continued to discuss the motion and voted to add to the original motion so that it included their support of seeing houses built, but not at an environmental risk to the park. Mr. Kupper spoke and said that he feels the motion should be changed to say something about the quality of the neighborhood's adverse impact on the quality of life for park patrons. President Miller stated that she would like to add a preamble to the earlier stated motion.

Amendment to Previous Motion: Add Preamble to Earlier Stated Motion.

The Motion was made by President Miller and seconded by Dr. Dey to amend the prior motion to indicate that the Park Board is not opposed to building additional housing in this area. The board supports residential redevelopment next to the park, but feels that this particular site is not yet ready to be built. The Board feels that the developer needs to do more work on the site before building begins.

The complete amended motion was as follows:

The Park Board is not opposed to building additional housing in this area. While the Board supports residential redevelopment next to the park, it believes this particular site is not yet ready to be built upon. The Board believes the developer needs to do more work on the site before building begins. Therefore, the Board recommends to the City Council that the request by MPI Kansas LLC for tax credits be denied based on the fact that there are too many environmental factors that could possibly damage Grove Park due as a result of the draining of unknown hazardous materials from the housing development. Further, the Board recommends that an environmental study of the area be conducted and that an independent review of the storm water drainage plan be conducted.

Upon a vote of the Board, the motion passed unanimously.

Item 8. Director's Update

Mr Kupper advised the Board that the City Council had approved the purchase of a tennis dome to be placed at Riverside Tennis Center.

There being no further business, the meeting adjourned at approximately 6:13 p.m.

Janet Miller, President

ATTEST:

Myca J. Bunch, P&R Administrative Assistant
Recording Secretary