

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting  
February 6, 2001, 9:00 A.M.

City Hall  
455 North Main

ORDER OF BUSINESS

- Call to Order
  - Invocation – Mark Brown, Native American
  - Pledge of Allegiance
  - Approve the minutes of the previous meeting
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AWARDS AND PRESENTATIONS

- Distinguished Service Citations
  - Proclamations
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PUBLIC AGENDA

1. Ronald Malholmes – HeartSpring.  
The Speaker has asked to be withdrawn from the Agenda.
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UNFINISHED BUSINESS

2. VAC2000-00060 - Vacate Portion of Platted 25-Foot Utility Easement Located at the Southwest Corner of Central and Cedar Downs Circle. (District V)

(Continued from January 23, 2001)

Staff Recommendation: Disapprove.  
MAPC Recommendation: Approve.

RECOMMENDED ACTION: Approve the Vacation Order; authorize  
the necessary signatures.

3. [Waiver of Fees in Lieu of Assessment.](#)

Continued from the January 23, 2001, City Council meeting.

RECOMMENDED ACTION: Deny the request for waiver.

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NEW BUSINESS

4. Chamber of Commerce Report - Economic Development Activities.

(This Item was removed from the Agenda)

5. [Municipalization \(Electric\) Feasibility Study.](#)

Recommendations from the engineering firm and legal counsel have been received and are presented to the City Council for appropriate action.

RECOMMENDED ACTION: Receive and file; refer the Study and direct the City Manager and the Electric Utility Task Force to review the report and make recommendations to the City Council within 30-days.

6. Resolutions of Support for Tax Credits:

a) [Mark E. Cox, Incorporated.](#) (District IV)

b) [Ross Parkway Apartments, LLC.](#) (District II)

The Kansas Department of Commerce and Housing requires a public hearing and submittal of a Resolution from the governing body indicating approval for low-income housing tax credits.

RECOMMENDED ACTION: Adopt the Resolutions and letters of support; authorize the necessary signatures.

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CITY COUNCIL AGENDA

7. Approval of Council Member Martz's and Spouse's Travel to Tlalnepantla, Mexico, for an Official Visit February 19-24, 2001.

RECOMMENDED ACTION: Approve the travel expenditures.

8. Approval of Mayor and Council Member Pisciotte's Travel to NLC Board of Directors Meeting in Detroit, MI, July 19-21, 2001.

RECOMMENDED ACTION: Approve the travel expenditures.

9. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

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CONSENT AGENDA

10. Report of the Board of Bids and Contracts Dated February 5, 2001.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts; authorize the necessary signatures.

11. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2001</u>	<u>(Consumption on Premises)</u>
Vongduane Sengseevong	Pho Vientiane Oriental Rest.*	3141 South Hillside, Suite #105
<u>New Operator</u>	<u>2001</u>	<u>(Consumption off Premises)</u>
P.D. Bairrington	Phillips 66 #57708	7990 East Central
P.D. Bairrington	Coastal #37303	3810 North Woodlawn

(Item 11 continued)

P.D. Bairrington	Coastal #39102	7101 East Lincoln
P.D. Bairrington	Coastal #39112	10723 West Highway 54
P.D. Bairrington	Coastal #39114	8008 East 21 <sup>st</sup> Street
P.D. Bairrington	Coastal #39157	1925 West 21 <sup>st</sup> Street
P.D. Bairrington	Coastal #39189	8330 East Kellogg

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

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

12. Subdivision Plans and Specifications.

- a) Central Avenue from 100 438 West of C.L. of Woodchuck to 141 175 East of C.L. of Winterset - Central and Ridge Road. (87 N-0128-01 472-83057/706805/200271) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 05/19/1998.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., March 2, 2001.

13. Preliminary Estimates:

- a) Lateral 1, Main 11, Sanitary Sewer No. 23 Sawmill Creek Addition - east of Ridge, north of 45th Street North. (468-83170/743861/480549) Does not affect existing traffic. (District II) - \$284,000
- b) Water distribution system to serve Sawmill Creek Addition - east of Rock, north of 45th Street North. (448-89511/734995/470666) Does not affect existing traffic. (District II) - \$75,000
- c) Water distribution system to serve Sawmill Creek Addition - east of Ridge, north of 45th Street North. (448-89509/734996/470665) Does not affect existing traffic. (District II) - \$162,000
- d) 2001 Planeview sanitary sewer reconstruction Phase 1 Planeview Addition - south of Pawnee, east of Hillside. (468-83193/622231/640339) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$210,000
- e) 2001 sanitary sewer rehabilitation, Phase A - between 21st Street North and Kellogg from West Street to 127th Street East. (468-83192/620300/660425) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II, VI) - \$160,000
- f) War Industries Sewer relief line Phase 3 - south of Harry, east of Oliver. (468-82930/623323/680325) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$5,700,000

(Item 13 continued)

- g) Landscaping of the intersection of Seneca and McCormick - south of Kellogg, west of the River. (472-83266/706803/208258) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$11,750
- h) Landscaping in connection with the widening of Central Avenue from I-235 to West Street - Central, I-235 to West Street. (472-83014/706762/208230) Traffic to be maintained during construction using flagpersons and barricades. (Districts IV, VI) - \$41,740
- i) Lateral 1, Main 1, Northwest Interceptor Sewer Newmarket Square Addition - north of 21st, west of Maize. (468-83188/743862/480550) Does not affect existing traffic. (District V) - \$52,000
- j) Water distribution system to serve Auburn Hills 12th Addition - south of Maple, west of 135th Street West. (448-89515/734994/470664) Does not affect existing traffic. (District V) - \$188,000
- k) Water distribution system to serve Newmarket Square Addition - north of 21st, west of Maize. (448-89525/734997/470667) Does not affect existing traffic. (District V) - \$146,000
- l) Water distribution system to serve Willow Place and Sawmill Creek Additions - along 45th Street North, east of Rock. (448-89493/734992/470662) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$212,000

RECOMMENDED ACTION: Approve and file.

14. [Petition – Water Distribution System to Serve Part of Forest Lakes Addition – North of 29<sup>th</sup> Street North, West of Ridge.](#) (District V)

RECOMMENDED ACTION: Approve the Petition; adopt the Resolution.

15. Minutes of Advisory Boards/Commissions:

Metropolitan Area Planning Commission, 12-7-2000  
District III Advisory Board, 1-2-2001  
Wichita Public Library, 1-16-2001  
Community Services Block Grant (CSBG) Review Committee, 1- 4-2001  
City of Wichita Airport Advisory Board, 12-4-2000

RECOMMENDED ACTION: Receive and file.

16. [Consideration of Street Closures/Uses.](#)

RECOMMENDED ACTION: Approve the street closures/uses.

17. Quarterly Financial Report for the Period Ended December 31, 2000.

RECOMMENDED ACTION: Receive and file.

18. Report on Claims Allowed - December, 2000:

<u>Name of Claimant</u>	<u>Amount</u>
Joel E. Goertz	\$338.00
Athena Simpson	\$284.06
KGS	\$303.44*
DeVaughn W. Brown	\$250.00
Olivia D. Jacobs	\$438.79
Lore Baldrige	\$125.19
Colleen Gunter	\$158.09
SW Bell	\$714.83
Paul & Anita Aspedon	\$100.61
Rene Bauer	\$310.00
Michael Berry	\$200.00

\*Settled for amount less than amount claimed.

RECOMMENDED ACTION: Receive and file.

19. Agreements/Contracts:

- a) Respread assessments: Legacy Park Wilson Estates Addition - south of 21<sup>st</sup> Street North, west of Webb Road and Bradley Fair Second; and Third Additions - south of 21<sup>st</sup> Street North, east of Rock Road. (District II)
- b) Construction and Demolition Landfill – Herzog Environmental, Inc.
- c) ~~Professional Services Amendment – Stinson, Mag and Fizzell.~~
- d) Amendment – Old Town Cinema Development Agreement. (District VI)
- e) Arkansas River Water Quality Study.  
(This Item was removed from the Agenda)
- f) Kansas Department of Wildlife and Parks.
- g) Jabara Airport Hangar Development. \*
- h) Transit Service for Oaklawn Improvement District.
- i) Golf Professional Contracts.

RECOMMENDED ACTION: Approve the Agreements/Contracts; authorize

the necessary signatures; \*adopt the Resolution.

20. Property Insurance.

RECOMMENDED ACTION: Approve purchase.

21. Design Services Agreements:

- a) Supplemental – water distribution system – 21<sup>st</sup> Street North and 143<sup>rd</sup> Street East. (District II)
- b) Newmarket Square – north of 21<sup>st</sup> Street, west of Maize Road. (District V)
- c) Supplemental – 25<sup>th</sup> Street North from I-235 to West Street. (District VI)
- d) Supplemental – Woodchuck from Learjet Way to Kellogg Drive. (District V)
- e) Cedar View Second Addition – north of Lincoln, east of Greenwich. (District II)

RECOMMENDED ACTION: Approve the Agreements/Contracts;  
authorize the necessary signatures.

22. 2000 Year-End Budget Adjustments - Water and Sewer Utilities.

RECOMMENDED ACTION: Approve the budget adjustment.

23. Proposed 2001 Contracted Street Maintenance Program.

RECOMMENDED ACTION: Approve the programs; authorize  
budget transfers.

24. Northwest Sewage Treatment Plant and Improvements to Basins 1, 2 and 3. (District V)

RECOMMENDED ACTION: Approve the expenditures.

25. Installation of Water Main in Arkansas from 29<sup>th</sup> to 37<sup>th</sup> Streets North. (District VI)

RECOMMENDED ACTION: Approve the project expenditures; authorize  
the Notice of Intent to Publish; adopt the  
Resolution.

26. Extension of Letter of Intent for Industrial Revenue Bonds – Goldsmith's, Inc. (District II)

RECOMMENDED ACTION: Approve the extension.

27. Purchase Option – Associated Company, Inc. (District VI)

RECOMMENDED ACTION: Adopt the Resolution.

28. Declaration for Participation in Firefighters Fund for 2001.

RECOMMENDED ACTION: Approve the Declaration and authorize the necessary signatures.

29. Amendment to Restrictive Covenant for Brush Creek Third Addition – South of 37<sup>th</sup> Street North, East of Woodlawn. (District I)

RECOMMENDED ACTION: Approve the Amendment; authorize necessary signatures.

30. Assignment of Lease for Antenna Site at McDonald Golf Course. (District I)

RECOMMENDED ACTION: Approve the assignment; authorize necessary signatures.

31. Narcotic Seizure Accounts.

RECOMMENDED ACTION: Adopt the budget; authorize the necessary signatures.

32. Information Technology Equipment – Mini City Halls.

RECOMMENDED ACTION: Approve the purchase.

32A. 2001 Community Services Block Grant Application.

RECOMMENDED ACTION: Approve the Application; authorize the necessary signatures.

33. Paving Projects Assessment.

Proposed Assessment Rolls have been prepared for 24 paving projects, and it is necessary to set a public hearing date. Informal hearing with City personnel will be held February 26, 2001.

RECOMMENDED ACTION: Set the hearing date for March 20, 2001

34. Property Acquisition by Eminent Domain:

- a) [Tract](#) required for the 21<sup>st</sup> Street North at Arkansas Avenue pavement improvement project. (District VI)
- b) [Tracts](#) required for the West Kellogg Improvement Project. (District V)

RECOMMENDED ACTION: Approve the acquisition; adopt the Resolutions; place the Ordinances on first reading.

35. Property Acquisition:

- a) [Part](#) of 453 North Hillside for the Hillside/Central Intersection Project. (District I)

RECOMMENDED ACTION: Approve the budgets and Contracts; authorize the necessary signatures.

36. Resolutions Ordering Public Hearings:

- a) [24th Street](#) North, between Payne and Salina. (District VI)
- b) [24th Street](#) North, between Hood and Payne.

RECOMMENDED ACTION: Adopt the Resolutions setting the public hearing for March 6, 2001.

37. Second Reading Ordinances: (First read January 23, 2001)

- a) Parking Amendments.

An Ordinance amending Sections 11.04.105, 11.04.245, 11.04.316, 11.04.350, 11.04.380, 11.04/385, 11.52.020, and 11.52.055 and creating Section 11.04.271, all pertaining to parking and repealing the originals of Sections 11.04.105, 11.04.245, 11.04.316, 11.04.350, 11.04.380, 11.04/385, 11.52.020, and 11.52.055.

- b) Campaign finance.

An Ordinance pertaining to campaign contributions; amending Section 2.56.030 of the Code of the City of Wichita; and repealing the original of said Section.

- c) Purchase of Transit (Bus) Coaches.

An Ordinance determining the necessity for acquiring new buses for the City of Wichita's Metropolitan Transit authority, together with certain spare parts, proprietary

tools and equipment, and providing that the cost of said acquisition shall be paid by the City of Wichita, Kansas, at large through the issuance of General Obligation Bonds of the City of Wichita, Kansas under the authority of Charter Ordinance No. 143, of the City of Wichita, Kansas.

- d) Z-3303 (Third Addition) - west side of Hoover, north and south of Pawnee. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by the City of Wichita Code Section 28.04.210. Z-3303 (Third Addition)

- e) Z-3303 (Fourth Addition) - north side of K-42 Highway, on the east and west sides of Ridge Road. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by the City of Wichita Code Section 28.04.210. Z-3303 (Fourth Addition)

(Item 37 continued)

- f) Z-3303 (Fifth Addition) - west of Ridge Road, on the north side of K-42 Highway.  
(District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by the City of Wichita Code Section 28.04.210. Z-3303 (Fifth Addition)

- g) Z-3303 (Sixth Addition) - northwest and southeast sides of Tyler Road, on the north side of K-42 Highway. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by the City of Wichita Code Section 28.04.210. Z-3303 (Sixth Addition)

RECOMMENDED ACTION: Adopt the Ordinances.

38. Sidewalk Repair.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

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PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- \*39. VAC2000-00019 – Vacate 12-Foot Utility Easement Located South of Second Street, North and West of Crestway – 237 North Crestway. (District II)

RECOMMENDED ACTION: Approve the Vacation Order;  
authorize the necessary signatures.

- \*40. VAC2000-00056 – Vacate Utility Easements Located North of 29<sup>th</sup> Street North, West of Ridge. (District V)

RECOMMENDED ACTION: Approve the Vacation Order;  
authorize the necessary signatures.

- \*41. [DED2000-36 – Dedication of Utility Easement Located on the Southwest Corner of 21<sup>st</sup> Street North and Webb Road.](#) (District II)

RECOMMENDED ACTION: Accept the Dedication.

- \*42. [DED2000-37 – Dedication of Utility Easement Located on the southwest Corner of 21<sup>st</sup> Street North and Webb Road.](#) (District II)

RECOMMENDED ACTION: Accept the Dedication.

- \*43. [SUB2000-84 – Plat of Downs Country Estates Addition Located on the Northwest Corner of 47<sup>th</sup> Street South and Webb Road.](#)

RECOMMENDED ACTION: Approve the Plat; authorize the necessary signatures.

- \*44. [SUB2000-91 – Plat of Reflection Ridge West Addition Located North of 21<sup>st</sup> Street North on the East Side of Tyler.](#) (District V)

RECOMMENDED ACTION: Approve the documents, Plat, and first reading of ZON2000-00034 Ordinance; adopt the Resolutions.

- \*45. [Street Improvement Agreement for SUB2000-114 Located North of 53<sup>rd</sup> Street North, West of Seneca.](#) (District VI)

RECOMMENDED ACTION: Approve the Agreement; authorize the necessary signatures.

- \*46. [A 00-21 – Annexation of Land Generally Located ¼ Mile East of Webb Road and South of 21<sup>st</sup> Street North.](#) (District II)

RECOMMENDED ACTION: Approve the annexation and first reading of the Ordinance.

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AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion

47. [Supplemental Agreement 1: Airfield Electrical Vault Improvements.](#)

RECOMMENDED ACTION: Approve the Agreement; authorize necessary signatures.

Adjournment