

**FINAL**  
**CITY COUNCIL**  
**CITY OF WICHITA**  
**KANSAS**

City Council Meeting  
09:00 a.m. October 2, 2007

City Council Chambers  
455 North Main

**ORDER OF BUSINESS**

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the September 25, 2007 regular meeting

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**AWARDS AND PROCLAMATIONS**

- **Proclamations:**
  - Fire Prevention Week
  - Community Planning Month
  - Friends of the Library Week
- **Recognition and Tribute-Chief Larry Garcia's 50 years of service.**

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**PUBLIC AGENDA**

NOTICE: No action will be taken relative to items on this agenda other than referral for information. Requests to appear will be placed on a "first-come, first-served" basis. This portion of the meeting is limited to thirty minutes and shall be subject to a limitation of five minutes for each presentation with no extension of time permitted. No speaker shall be allowed to appear more frequently than once every fourth meeting. Members of the public desiring to present matters to the Council on the public agenda must submit a request in writing to the office of the city manager prior to twelve noon on the Tuesday preceding the council meeting. Matter pertaining to personnel, litigation and violations of laws and ordinances are excluded from the agenda. Rules of decorum as provided in this code will be observed.

1. **Jane Mosteller-Safety concerns regarding the second new "no left turn signs" from 31st Street South on South Gold.**

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CONSENT AGENDA

2. Report of the Board of Bids and Contracts Dated October 1, 2007

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

3. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2007</u>	<u>(Consumption off Premises)</u>
Kim H. Nia	B & H Fast Trips	2746 South Seneca
		<u>(Consumption on Premises)</u>
Damon P Jones	Taco Tico #4809	1230 South Rock Road
<u>New Operator</u>	<u>2007</u>	<u>(Consumption off Premises)</u>
Mi Hee Park	Quick Pick	3733 North Arkansas Avenue
		<u>(Consumption on Premises)</u>
Jack Oxler	Ralph Wulz Riverside Tennis	551 Nims Center*

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

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

4. Preliminary Estimates:

- a. Lateral 406 Four Mile Creek Sewer to serve Fawn Grove at Sunset Lakes Addition (south of Kellogg, west of Greenwich) (468-84383/744242/480930) Does not affect existing traffic. (District II) - \$110,000.00
- b. Stormwater Drain #326 to serve Edgewater Addition (north of K-96, west of Hoover) (468-84353/751451/485342) Does not affect existing traffic. (District VI) - \$1,450,000.00
- c. Blackstone from the north line of 13th Street North, north to the south line of Lot 1, Block B; Price from Obsidian to the west line of Blackstone; Obsidian and Obsidian Court from the north line of Lot 4, Block D, west to and including the cul-de-sac; Price from the east line of Blackstone, east to the east line of the plat; Blackstone Court (Lots 1 through 8, Block A) from the east line of Blackstone east to and including the cul-de-sac; Blackstone Court (Lots 1 through 14, Block C) from the west line of Blackstone west to and including the cul-de-sac; Sidewalk on Blackstone, Price and Obsidian to serve Blackstone Addition (north of 13th Street North, east of 151st Street West) (472-84397/766151/490169) Does not affect existing traffic. (District V) - \$542,000.00
- d. East-West Alley 310' south of Harry Street from Woodlawn Avenue to Mission Street to serve Lincoln Hills 2nd Addition (south of Harry, east of Woodlawn) (472-84022/765945/490058) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$86,350.00
- e. Two-Lane Asphalt Mat on 143rd Street East from the north line of 21st Street North to the north line of 24th Street North to serve Krug North, Krug North 2nd and East Side Community Church 2nd Additions (143rd Street East north of 21st Street North). (472-83979/766115/490-132) (District II).

RECOMMENDED ACTION: Receive and file.

5. Petitions for Public Improvements:

- a. Water Distribution System to serve part of Lot 1, Block 1, Wesley Medical Center fifth Addition, north of Central, east of Hillside. (District I)
- b. Paving and Water Improvements along Lorraine, between 26th and 27th Streets North. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt resolutions.

6. Consideration of Street Closures/Uses.

- a. **29<sup>th</sup> Street North, east of Broadway. (District VI)**

RECOMMENDED ACTION: Approve street closure.

7. Agreements/Contracts:

- a. Agreement for Waterman, Arkansas River to Washington Improvements. (District I)-Supplemental
- b. Century II Catering and Concession Agreement.
- c. Easement Encroachment Agreement for a Drainage Easement located at 1215 North Shore Boulevard, south of 13th Street, east of Ridge Road. (District V)
- d. City of Wichita Employees' Deferred Compensation Plan Amendments to Great-West Agreements for Recordkeeping and Communication Services.

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

8. Change Order:

- a. Kellogg-Rock Interchange. (District II)

RECOMMENDED ACTION: Approve the Change Orders and authorize the necessary signatures.

9. Repair or Removal of Dangerous & Unsafe Structures. (Districts I, IV & VI)

<u>Property Address</u>	<u>Council District</u>
a. 910 North Ohio	I
b. 212 North Madison	I
c. 515 North Poplar	I
d. 1248 North Green	I
e. 1711 North Volutsia	I
f. 1807 East 24th St. North	I
g. 300 South Elizabeth	IV
h. 1139 North Fairview	VI

RECOMMENDED ACTION: Adopt the resolutions to schedule a hearing and place these matters on the agenda for a Hearing before the Governing Body on November 20, 2007 at 9:30 a.m. or as soon thereafter.

10. Renewal of Air Quality Program Grants.

RECOMMENDED ACTION: Approve renewal of the grants contract and authorize the necessary signatures.

11. Senior Management Report, August 2007.

RECOMMENDED ACTION: Receive and file.

12. Minutes of Advisory Boards/Commissions

Board of Park Commissioners, June 18, 2007  
Wichita Employees Retirement Board, July 12, 2007  
District II Advisory Board, August 1, 2007  
Wichita Employees Retirement Board, August 2, 2007

RECOMMENDED ACTION: Receive and file.

13. Second Reading Ordinances: (First Read September 25, 2007)

- a. SUB 2007-39 - Plat of Rennick Commercial Addition located on the northwest corner of 45th Street North and Hoover Road. (District VI)

An ordinance changing the zoning classifications or districts of certain lands located in the city of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended.

- b. SUB 2007-62 - Plat of Willow Place Second Addition located on the south side of 45th Street North and west of Webb Road. (District II)

An ordinance changing the Zoning Classifications or Districts of certain lands located in the city of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section, V-C, as adopted by Section 28.04.010, as amended.

RECOMMENDED ACTION: Adopt the Ordinances.

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UNFINISHED BUSINESS

14. Repair or Removal of Dangerous and Unsafe Structures, 631 W. 47th Street South. (District IV)

RECOMMENDED ACTION: Take appropriate action based on the testimony received at the hearing. Any extension of time granted to repair the structure should be conditioned on the following: (1) Taxes are paid within ten days of hearing, (2) the structure is maintained secure as of October 2, 2007 and is kept secured during renovation; and (3) the premise kept clean and free of debris as of October 2, 2007, and will be so maintained during renovation.

15. Repair or Removal of Dangerous and Unsafe Structures, 512 East Central. (District VI)

RECOMMENDED ACTION: Take appropriate action based on the testimony received at the hearing. Any extension of time granted to repair the structure should be conditioned on the following: (1) The pending special assessment is paid within 30 days; (2) the structure is maintained secure as of October 2, 2007 and is kept secured during renovation; and (3) the premise kept clean and free of debris as of October 2, 2007, and will be so maintained during renovation.

16. Repair or Removal of Dangerous and Unsafe Structures, 1442 North Green. (District I)

RECOMMENDED ACTION: Take appropriate action based on the testimony received at the hearing. Any extension of time granted to repair the structure should be conditioned on the following: (1) 2006 specials are paid within 30 days; (2) the structure is maintained secure as of October 2, 2007 and is kept secured during renovation; and (3) the premise kept clean and free of debris as of October 2, 2007, and will be so maintained during renovation.

17. Repair or Removal of Dangerous and Unsafe Structures, 1641 North Pennsylvania. (District I)

RECOMMENDED ACTION: Take appropriate action based on the testimony received at the hearing. Any extension of time granted to repair the structure should be conditioned on the following: (1) Taxes are paid within ten days of the hearing, (2) the 2006 specials are paid within 30 days; (3) the structure is maintained secure as of October 2, 2007 and is kept secured during renovation; and (4) the premise kept clean and free of debris as of October 2, 2007, and will be so maintained during renovation.

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NEW BUSINESS

18. Approval of Economic Development Incentives Agreement for ZTM, Inc. (District III)

ZTM is planning an expansion of its manufacturing facility to include acquisition of new manufacturing equipment in the amount of \$2,000,000.

RECOMMENDED ACTION: Approve the proposed forgivable loan economic development incentive agreement for ZTM, Inc., and approve first reading of the home rule ordinance.

19. 2008 Health Program Working Rates.

The City uses a Health Insurance Advisory Committee (HIAC) to monitor health insurance programs for employees, and recommend new/renewal programs or changes in health coverage and cost, as required.

RECOMMENDED ACTION: Accept the recommendation of the Health Insurance Advisory Committee and approve the 2008 working rates for the Premium PPO Plan and the voluntary Select PPO Plan.

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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.

\* Consent Items

20. \*SUB 2007-55-Plat of Nguyen Addition located on the south side of Harry and east of Webb Road. (District II)

RECOMMENDED ACTION: Approve the document and plat, authorize the necessary signatures, and approve first reading of the Ordinance.

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HOUSING AGENDA

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

\* Consent Items

21. Housing Authority Board Member Appointment.

RECOMMENDED ACTION: Appoint Allan Murdock to the Housing Authority Board and authorize him to be sworn in and assume his appointment upon approval of this action.

22. Public Hearing-Five-Year and Year 2008 Annual Agency Plans.

RECOMMENDED ACTION: Conduct the Public Hearing, close the Hearing, adopt the Resolution and authorize the necessary signatures relative to required certifications for the submission of the Wichita Housing Authority Five-Year and Year 2008 Annual Agency Plans.

23. \*Board Resolution Approving 2007 Project Based Budget.

RECOMMENDED ACTION: Adopt the resolution approving the Project Based Budget and authorize the necessary signatures for submittal to HUD.

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CITY COUNCIL

24. Board Appointments.

RECOMMENDED ACTION: Approve the appointments.

Adjournment

\*\*\*Workshop to follow in the City Council Chambers\*\*\*