

**BOARD OF PARK COMMISSIONERS
REGULAR MEETING
City Council Board Room
1st Floor, City Hall
Monday, March 14, 2005
3:30 p.m.**

Present: Bob Aldrich, June Bailey, Colleen Craig*, Glen Dey

Absent: Dennis Brunner, Janet Miller

Also Present: Mike North - Law Department; Doug Kupper and Maryann Crockett (staff)

President Bailey called the meeting to order at approximately 3:30 p.m.

PUBLIC AGENDA

The following individuals spoke:

- Rosemary Weber, GreenWay Alliance – inquired about the status of the funds being held by the Kansas Department of Wildlife and Parks (KDWP) for construction of the skate park, pending resolution of replacement of land sold at Planeview Park. She asked if and how that situation had been mediated.

Director Kupper explained that the City had received the \$200,000 grant and that bids for construction of the skate park were currently being sought. He said that the KDWP accepted the twelve-acre parcel south of Cessna Street in Planeview as replacement land. He added that plans were in place to construct a parking lot and children's play area at the park.

Director Kupper added that replacement land for the 4.6 acres at South Linwood Park consisted of the Old Linwood School site and Leon Robinson Park. Responding to a follow-up question on net gain or loss of acreage, he stated that the City lost 4.6 acres of parkland, but gained approximately 14 acres.

- Marsha Mendenhall – commented on the need for a summer diving program at City pools. She said she would be presenting a proposal to the Park and Recreation Department in the near future for a program that would increase interest and participation in the sport.

REGULAR AGENDA

The minutes of the January 10, 2005, Regular Meeting were reviewed and approved as submitted.

1. **Naming of Park Areas – Linwood and Planeview.** President Bailey explained that several suggestions had been submitted for naming both the Old Linwood School site and the new park area in Planeview as follows: Stearman; George Williams; Jay Hunter; Rogers Savage and Lulu. She asked if the audience had further suggestions.

The following individuals spoke:

- Carol Schlicher, GreenWay Alliance/Project Beauty – suggested that the Planeview area be named after Sylvia H. Hartley, who she explained had been a member of the medical auxiliary and Project Beauty and had been instrumental in development of the Gypsum Creek greenway.
- Kathy Miller – suggested the name Celebration Park.

It was the general consensus of the Board that the suggestions would be discussed and voted on at the April 11, 2005 meeting.

2. **Sale of Cell Tower Easement – MacDonald Golf Course.**

On motion by Dey, second by Aldrich, IT WAS VOTED UNANIMOUSLY to defer this item until the April 11, 2005 meeting.

3. **Discussion of the Park Strategic Master Plan.** Director Kupper explained that developing a strategic master plan for future park development could cost thousands of dollars for a park system the size of Wichita. He said he felt the best way to accomplish that activity was to build funding for the project into the Capital Improvement Program (CIP). He said currently funds were programmed into the 2007 CIP for a regional park study to attempt to focus on where future land acquisitions should occur in the county for the development of regional parks.

Responding to a question from President Bailey, Director Kupper reported that the last master plan was the “Parks and Pathways” (Park and Open Space Master Plan) done by the Wichita-Sedgwick County Metropolitan Area Planning Department in 1996. Rosemary Weber asked how the strategic master plan being discussed differed by the Parks and Pathways Plan. Director Kupper commented that there would be more citizen input on park development and amenities. He said specific community needs would be addressed. He added that the plan would probably be updated every 3-5 years.

Aldrich said the City had many diverse neighborhoods and commented on the need to get citizen input and feedback on park development. President Bailey agreed and added that a strategic master plan was needed to plan the future of the park system. Director Kupper commented that it would take a tremendous amount of staff time to accomplish a project of this type in-house; and although he did not believe in bringing in consultants on every project, he felt that an “all encompassing” project such as a park strategic master plan warranted hiring a consultant.

Dey spoke briefly about annexation and the disappearing ring of available land as suburbs surround the City. He also quoted from “*The Seven Habits of Highly Effective Park Systems*” which gave the following criteria for measuring park excellence:

- A clear expression of purpose
- An ongoing planning and community involvement process
- Sufficient assets in land, staffing and equipment to meet the system’s goals
- Equitable park access
- User satisfaction

- Safety from crime and physical hazards
- Benefits for the city beyond the boundaries of the parks

He commented on Wichita's "we got the goods" slogan versus Denver's "City in a park", and said he didn't see the Park Department moving in a direction that would attract people to Wichita. Aldrich mentioned that Wichita was way behind in park acreage for the City's population. He added that parks, recreation and green space were listed as priorities in the Visioneering Wichita document.

President Bailey asked if anyone from the public wished to comment on the issue. The following individuals spoke:

- John Stevens, Schweiter East Neighborhood Association – mentioned getting more lighting into parks, which he believed would result in less park vandalism.
- Elizabeth Bishop – commented on the concept of creating green spaces or "wedges" between cities to serve as park space, which would require cooperation between cities on a regional basis.
- Elena Ingle – mentioned the houses that were demolished due to flooding in her area. She said although there was no formal park, the neighborhood has established a walk way through the area. She asked that the Park Board consider establishing a small "pocket park" for the neighborhood.

On motion by Aldrich, second by Dey, IT WAS VOTED UNANIMOUSLY to direct staff to obtain a cost estimate to determine the feasibility of moving forward with hiring a consultant to complete a park strategic master plan.

4. **Public Review of Charter Ordinance #125.** Director Kupper clarified the item by stating that the City Council had requested that the Board review the "Proposed Administrative Regulation – Process for implementing the provisions of Charter Ordinance #125", not the actual ordinance itself.

On motion by Aldrich, second by Craig, IT WAS VOTED UNANIMOUSLY to set aside the directive issued by the City Council and allow public comment on both the proposed revision to Charter Ordinance #125, as well as public comment on the proposed Administrative Regulation – Process for implementing the provisions of Charter Ordinance #125.

President Bailey gave a brief background and statement on how the issue of revising Charter Ordinance #125 originally came about as follows:

"I know for many people this is a very sensitive topic, me included. The **current** role of the Park Board is as an advisory board to over see parks and recreation issues and make sure that we are thinking not only about what it best for today but what is best in the future for all residents and all parks in Wichita. We serve as a voice for the public, even if we are appointed to represent districts by Councilpersons. The Board members are passionate about parks and understand the need for parks and green space in our community.

I want to explain to everyone here today what brought us to this time and place as it relates to Charter Ordinance #125.

Back in April of 2003, you might remember that the City council voted to sell three acres of Planeview Park. This transaction **was not** brought before this Board as a sale of parkland. According to staff, (after the sale) they didn't have too, since it was owned by the City of Wichita. Legally, the City of Wichita and not the Park Board owned the land.

After that sale and the outcry of citizens about what happened and not wanting to see it repeated, the Park Board met with the City Council in a workshop to discuss ways that this would never happen again.

We, the Park Board were charged or asked by the City Council to look at Charter Ordinance #125 and redraft it to what "we felt" would be best for parks and to protect park land in the future.

To that point, the Board has been responding to the suggestion from the City Council to address what is best for parks and for the park system. It took us some time in executive session, many discussions and 5 drafts before we returned with our draft to the City Council workshop.

- In general, we asked that parkland that had been used or listed as a park for 25 years or longer be permanently designated as a park. Meaning, it would have to come to the Park Board for approval in the future if it was ever to be considered for sale or exchange, even if the land was owned by the City of Wichita. In other words disposed of.
- Other land that was being used as a park would also need our recommendation approval for the City to dispose of it as well. In reality, we wanted to be sure that more eyes were watching the sale of our parkland. At the time when we presented our draft... it appears that a change in the "spirit or need" for the change in Charter Ordinance #125 had changed from the City Council's viewpoint.

After our workshop meeting that day the Council asked the Law Department to draft a change to the ordinance and bring it back to them.

- It gave the City Council total control over any land that is not owned by the Park Board.
- Our only role would be to hear the reasons for the sale, but it didn't give approval control as we have now, on the property after 1990 to us, it took it away.
- We would only hear disposition request and the "Supreme" authority for approval would be that of the City Council on all land except that which is owned legally by the Park Board.

Several Council members asked that the ordinance be discussed by the Park Board and opened up for public comment at the next Park Board Meeting.

So that is why we are here today.

We are only human and are not always going to make decisions that everyone likes. But we do what we feel is the best for our park system for the citizens of Wichita and for the present and the future.

With that in mind, I would ask that when it comes to speaking on Charter Ordinance #125 changes that you not address your views on our past decisions regarding park use, **but state your opinion on how we arrived at the decision making process to protect our current and future parkland.**

As I see it, we have three options:

1. Leave the ordinance alone and let it stand as it does now...
2. Support the draft the Park Board came up with... giving more control of the sale of land to the Park Board or
3. Support the change that the Law Department arrived at in the City Council draft.

We do want to hear from the community, their thoughts and ideas around parks and recreation. We welcome those comments. I also hope that you will be just as interested in helping us develop a Strategic Park Plan that covers all Parks and Recreation facilities, which incorporates planning with neighborhood input and national best practices, for current and next generations.”

Debra Foster, GreenWay Alliance, requested a copy of draft #5 of the ordinance proposed by the Park Board. There was brief discussion regarding whether draft #5 was a public document. Rosalie Bradley, Wichita Independent Neighborhoods (WIN), commented that if the draft had been discussed in a City Council workshop, it was a public document. Director Kupper stated that a copy of the draft would be provided if possible.

President Bailey asked if anyone from the public wished to comment on the issue. The following individuals spoke:

- John Stevens, Schweiter East Neighborhood Association – said he didn’t understand the need for the different classes of property. He said the citizens own the parks, if they pay taxes or own property. He suggested creating a “P Class Zoning” to cover parkland. He also mentioned that he felt this ordinance issue had been “kept quiet”.
- Nancy Boewe – said she personally felt that the Park Board should be the caretakers of parkland. She mentioned loss of parkland at Planeview and Linwood Parks.
- Elena Ingle – said she seconded what John and Nancy said.
- Marsha Mendenhall – also said she seconded what John and Nancy said.
- John Andrade – said he was disturbed by what was going on. He suggested the City Council work together with the Park Board for children and senior citizens.
- Rosalie Bradley, Vice President, Wichita Independent Neighborhoods (WIN) – read the following statement:

“What is a park? A green space, a playground for kids and adults, a bench for sitting among the flowers, watching nature, a wooded area with rotting trees, a riverbank where you can walk, watch the ducks or just throw a stone into the water.

What is a park? It is public land for public use. It includes all these uses and more.

So what is the definition of a park? We may not be able to put into “legalese” terms but we all know one when we see it. That makes it definable.

The WIN Board and its membership consider parks and parkland essential to our community, our neighborhoods and to our quality of life. Neighborhoods have had our share of heartburn over the years regarding parks and parkland.

Before you today is a proposal to rewrite Charter Ordinance #125 that determines who will control the fate of our parkland. Like in a courtroom, the City Council possesses the final judgment but unlike in the courtroom, the Council has not always sought nor listened to the jury that being the public and the appointed Board or caretakers of the parkland.

I am here to propose:

1. We define parkland. All parks must have land. Parkland needs to be dedicated to park uses. Once we begin using land for parks or proposed park uses it needs to be identified as parkland for park uses. This could be by a zoning classification or by ordinance that declares land to be parkland and it is identified by its legal location. If done correctly, old and new parkland would be protected no matter who has title to the land.
2. There has to be a procedure and a process that identifies land for park use. It must permit the community at large to have input. It must be an open process with proper notification and a procedure for open debate. This process would be required before the City “converts to other uses, permanently alters, disposes of, encumbers, or transfers any property used or designated for park or recreation purposes.”
3. The process would require that any parkland must have the approval of the Park Board before any of the above actions can be taken. When the action goes to the City Council, if the Council does not agree with the action of the Park Board then it must have a super majority of the Council to pass.
4. We need to develop and formulate a plan for our parks and parkland. We need some cohesiveness. We need a road map. We need to look at the big picture and how it will impact our community in 2 years, 5 years, and 25 or 30 years from now. Currently it seems we are on the same track but all are riding a different train going to different locations.

Dr. Dey made a statement recently that we need to focus on the future of our parks and parkland and not just concentrate on Charter Ordinance #125. We must keep our eye on the real issue – parkland.

I believe the proposed ordinance does not serve the community well nor does the current ordinance meet the community’s standards for protecting parkland. I do not believe the community has had the opportunity to weigh in on this very important decision. I do hope we can work together, the citizens, staff, and Park Board and City Council members to improve and elevate our parks to a higher standard than current. We must protect and preserve our parkland for the public’s use and for the public good. Thank you.”

- Harry Gregory – he mentioned that he has lived in Kansas City, where the Park Board has full authority over parkland. He said once land has been designated as parkland, it should not be sold or disposed for any reason until the Park Board has discussed it.

- Kathy Dittmer, Riverside Citizens Association (RCA) – stated that she was speaking on behalf of the RCA. She commented on the need for a long-term plan for parkland. She stated that the Park Department and Park Board should be stewards of parkland, open space, linear parks, the bicycle path, and creeks. She said the Park Department and Park Board should determine what is appropriate use of parkland and develop guidelines for its use. She briefly mentioned using parkland for police and fire stations. She said the City Council should create a special zoning for parkland. She added that the volunteer citizen Park Board members should have no vested interest or political ambition and have the best interest of the park system as their main concern. She concluded by recommending that if park land is sold or given away, that such action require a super majority of the City Council, with all transactions discussed by the Park Board in an open, public hearing.
- Carol Schlicher, GreenWay Alliance and Project Beauty – stated that parkland belongs to the people of the community and should be free of political pressure and non-park development. She said parkland should not be treated like vacant property to be developed for public utilities or public schools. She said people need to know that parks are protected or people will not purchase homes adjacent to parks, provide park clean up efforts, or donate land and other amenities for parks. She said parkland should be treasured for the future and that the City should be increasing the number of acres of parkland in Wichita, like Kansas City and Tulsa, because parkland is a quality of life issue. She said she felt the Park Board should be in charge of public parkland and green space and that they should exercise control over the acquisition and management of parkland.
- Debra Foster, GreenWay Alliance – commented that the City Council has proven repeatedly that parkland needs to be protected. She said the changes to Charter Ordinance #125 as proposed were a step backward as far as park protection and preservation of parkland was concerned. She said she felt the Park Board should be given the authority for the long-term protection and preservation of parkland for the future.
- Pat Rogers – said she strongly felt that the Park Board provided the needed checks and balances to determine what happens to parkland.
- Carol Cumberland, GreenWay Alliance – suggested that Charter Ordinance #125 stay as currently written prior to the proposed ordinance amendment.
- Charlotte Foster, President, Fabrique Neighborhood Association – said she felt that parks needed to be under the jurisdiction of the Park Board, as well as park paths and rails-to trails.
- Carlos Contreras, President, El Pueblo Neighborhood Association – spoke specifically about park usage, in particular Woodland Park, which he said has a lot of green space but that the land was not being used because there was nothing to attract people to the park, like fountains and benches. He said he agreed with the idea of defining what is appropriate use of parkland with the Park Board acting as the checks and balances to receive community input so that the community could decide what will happen to the park in their neighborhood. There was brief mention of a lead-base paint issue on certain playground equipment at Woodland Park. Director Kupper explained that the City's Health Department would be testing the equipment and that it had already been removed from the park.

- John Andrade - suggested that the issue be put on a public ballot.

President Bailey read the following letter from Park Board Member Janet Miller.

“I am unable to attend today’s meeting because of work obligations which require my attendance. However, I would like to share my thoughts on the subject of Charter Ordinance #125.

The mission and purpose of the Wichita Park Board is to promote, protect and preserve parkland for current and future generations of Wichita. Parkland is important to the health, well-being, economic prosperity, and the quality of life in a community. The recent Visioneering Wichita plan, which was developed with the input of thousands of area citizens, documents the high value Wichitans place on parkland and their collective interest in more – not less – parkland now and in the future.

For all these reasons, I do not support the proposed changes to Charter Ordinance #125. These changes eliminate the Park Board’s authority over 500 acres of parkland and all future acquired parkland. Elimination of this authority opens up the possibility of the sale, disposition, and change of use of any or all of these precious acres of parkland.

As Wichita continues to grow, the pressure to use parkland and our limited open green space for public, commercial, and other non-park development will continue to grow. City Council members will feel this pressure more than most as all sorts of demands are placed on them by campaign contributors, developers, city-services, and non—profits to give up parkland for various non-park uses. While some may believe that City Council members would resist this pressure and never knowingly sell or dispose of parkland, the effort to change Charter Ordinance #125 at this particular time indicates a desire by some to do just exactly that.

Without the current – or a strengthened – Charter Ordinance #125, Wichita parkland is at risk for sale, disposition, or change of use. As Park Board members and protectors of Wichita parkland, we have an obligation to work to prevent that from happening. Thank you.”

Aldrich commented that the whole purpose of the ordinance draft was to protect what was currently perceived as parkland. He said the objective was not to hinder the City Council on economic development issues. He said he felt the Park Board did that with their proposed ordinance draft. He added that future park development should focus more on community needs, stating that Wichita was a very diverse City. He stated that Woodland Park was underutilized for several different reasons and mentioned the need for soccer fields in the area. He concluded by again stating the need for public input on future park development, not just opinions from certain groups or organizations. He also said he did not feel that parks should be sold without Park Board approval or public input.

Dey stated that the ordinance was just part of a larger problem. He said the challenge was to get neighborhood participation in a much larger process, which he felt was more than just the Board’s preference on individual items. He said a long-range master plan was needed to serve as a model for all neighborhoods with City and County Departments working together, not just piece meal. He mentioned a method employed by the City of Baltimore, MD, whereby each City department meets and indicates what they can do to respond to a community need. He said that has not been the history and experience here in Wichita. He referred to the “Parks and Pathways” report commenting that

some neighborhoods and small cities within the County were never contacted for their input. He also added that the study was almost fifteen years old now and that needs and outlooks on park issues had changed drastically. He compared the current situation and lack of overall park planning to “moving around deck chairs on the Titanic.” Aldrich stated that until we respond to community needs, we are just wasting taxpayer’s money.

President Bailey commented that after having been on the Board for almost eight years she has seen a lot; however, many times the Park Board and Park Department’s hands are tied. She mentioned budget cuts and staff cuts, which resulted in issues like twenty-one day mowing rotations. She stated that she did not believe Charter Ordinance #125 was a good ordinance and that revising it might be a place to start; but said she felt in view of the bigger picture, the more important need was development of a park strategic master plan for Wichita first. She added that she did not feel the public has had enough input on the ordinance as proposed and that she did not feel it was a good fix for protecting and defining parkland for the future. She said items such as development of regional parks, location of cell towers, and other issues need to be addressed before the City moves forward with revision of Charter Ordinance #125. She suggested that the Ordinance be left as it currently stands until development of a park strategic master plan.

Aldrich asked about the history of the ordinance and how it came to be worded as it currently was. He also mentioned the need for protection of parkland, but also the need for flexibility for the City Council on economic development issues.

Director Kupper suggested that the Board focus on review and approval of the Proposed Administrative Regulation – Process for implementing the provisions of Charter Ordinance #125.

President Bailey asked the audience if they agreed that Ordinance #125 should remain as currently written. Twenty-eight (28) people agreed that it should remain the same. No one in the audience thought it should be revised as proposed.

On motion by Aldrich, second by Dey, IT WAS VOTED UNANIMOUSLY to recommend that Charter Ordinance #125 not be changed until a park strategic master plan can be created and that review of Charter Ordinance #125 be part of that strategic master plan process.

There was discussion concerning how the proposed administrative regulation provided that any sale of property, whether titled to the City or Park Board, would come back to the Park Board for a public hearing.

President Bailey asked if anyone from the public wished to comment on the proposed administrative regulation. The following individuals spoke:

- John Andrade - suggested that a legal notice be put in the paper on the proposed sale of any parkland.
- Kathy Dittmer – suggested that a super majority be required if the City Council goes against the recommendation of the Park Board on parkland sales.

- Debra Foster – suggested the need for more public input on the entire process and also the need to define parkland.
- Elizabeth Bishop – offered a brief history of how the Park Board was changed from administrative (with budget authority) to advisory to the City Council.

There Board discussed the following items of the proposed administrative regulation. Aldrich asked how item #2 – with regard to submission of a written report to the Park Director. He asked how that would work with a proposal such as the sewer treatment plant at Pawnee Prairie. Director Kupper clarified that currently there was no requirement to consult with him or the Park Board on any proposed plans for development of any park area. He stated that the Director of Water and Sewer brought the Pawnee Prairie Park proposal to his attention and that of the Park Board as an exception to the rule. Aldrich asked if the Park Board could get involved at step #2 of the process.

Dey said he saw no reason why items could not be referred to the Park Director and Park Board at the same time so they can be monitored. Aldrich suggested that land sale items could be reported to the Board under “Director’s Update” on the agenda. He added that he felt the park board members who were absent should have input on the proposed administrative regulation.

On motion by Aldrich, second by Dey, IT WAS VOTED UNANIMOUSLY to defer making a recommendation on the proposed Administrative Regulation (in order to receive input from absent board members) until the April 11, 2005 meeting.

On motion by Aldrich, second by Dey, IT WAS VOTED UNANIMOUSLY to adjourn and take a five-minute break, returning at approximately 5:45 p.m.

*Colleen Craig left the meeting. It was noted for the record that there was no longer a quorum.

5. **Review of Draft Capital Improvement Program (CIP).** Director Kupper reviewed items provided with the agenda which were: 1) 2005-2014 Capital Improvement Program survey questionnaire; 2) 2005-2014 Capital Improvement Program survey results to-date; and 3) copy of the current 2005-2014 Capital Improvement Program for Park and Recreation. Responding to a question from Aldrich, Director Kupper stated that Park and Recreation staff prepared the CIP based on citizen and Park Board input. Aldrich asked if there was an emergency procedure for public safety purposes. Director Kupper explained that funds could be moved within each category. Aldrich referred to issues such as lighting to help reduce vandalism and gang graffiti. Director Kupper admitted that gang activity, gang graffiti and vandalism were a continual problem. He also mentioned that the new playground equipment installed at Orchard Park was vandalized the day it was completed, and that there has also been vandalism on the new structures at Grove Park. Responding to a question, he also explained that the “Other” category under CIP funding could be grant monies, private donations, sponsorships, or Community Development Block Grant funds.

There was brief discussion concerning the following projects and categories: Fairmount Park interactive water fountain; status of the funds earmarked for the indoor tennis center (staff reported that they were currently still in-place; however, that they may be shifted to another project); and regional park development and land acquisition. Aldrich commented that he thought the City should take care of current parkland before it starts to acquire more for future development. Director Kupper

stated that the City had acquired five acres for parkland within the last five years, and that the land had been donated. He also mentioned that there is a deficit of parkland in northeast Wichita. Aldrich suggested setting a goal of acquiring so many acres per year.

6. **Director's Update.** Director Kupper reported briefly on the following items. President Bailey recognized Rosalie Bradley.

- Rosalie Bradley – commented that gang activity is a problem throughout the entire City. She said they had fought this problem once before and that it meant getting the neighborhood and neighbors involved. She added that completion of the bike path through Woodland Park would help.

Dey commented that he had attended a Gang Summit hosted by WPD Community Policing, and stated that he agreed that gang activity was a city-wide issue. There was brief discussion concerning Neighborhood Watches, Park Watches and neighborhoods and the Police working together as a group. Aldrich mentioned providing a sample of a material that removed graffiti from rail cars. There was also discussion of gang activity at Grove Park and status of completion of the Homeland Security Facility. Aldrich said he like the idea of locating community policing substations in and around parks and recreation centers as a deterrent to negative activity. Director Kupper commented that there were plans to locate the police training facility near Grove and complete 27th Street to New York Street.

- Tile at Reflection Square Park – Aldrich commented that several months ago he had reported the tripping hazard of the tile at Reflection Square Park. Director Kupper stated that staff has been working with the artist's and tile manufacturer to resolve the problem. He mentioned the possible use of indoor grade tile as one of the problems.
- Orchard Park Neighborhood Association (OPNA) - Aldrich reported that the new playground equipment was being heavily used at Orchard Park. He stated that the OPNA in conjunction with several other neighborhood associations would be sponsoring a "Party/Picnic in the Park" to formally dedicate the playground and that the City Council and Park Board would be receiving official invitations to the event.
- Ice Storm Damage – President Bailey requested an update, especially on park areas. Director Kupper reported that the contractor was finishing clean up activities. He said once that is completed, staff would focus on repair issues. Responding to a question, he stated that all park facilities and athletic fields would be ready for spring start up.

There being no further business, the meeting adjourned at approximately 6:30 p.m.

June Bailey, President

ATTEST:

Maryann Crockett, Clerk
Recording Secretary