

District II Advisory Board Minutes

August 6, 2007

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The District II Advisory Board meeting was held at 7:00 p.m. at the Rockwell Branch Library, 5939 E. 9th Street North. CM Schlapp, eight board members, six staff and approximately seven citizens were in attendance. Only those individuals who signed in are listed as guests below.

Members Present

Brian Carduff
Daryl Crotts
Larry Frutiger
Joe Johnson
David Mollhagen
Phil Ryan
Max Weddle
Marty Weeks
Council Member Sue Schlapp

Tim Goodpasture

Aaron Mayes

Staff Present

Officer Bogle, Patrol East – Beat 399
Chief Norman Williams
Brandon Kauffman, Finance
Jay Newton, Finance
Don Kirkland, Water Utilities
Scott Knebel, Planning Department
LaShonda Porter, Neighborhood Assistant

Members Absent

Sarah DeVries

Guests

Listed on the last page.

ORDER OF BUSINESS

CALL TO ORDER

The meeting was called to order at 7:02 p.m. **CM Schlapp** started the meeting by announcing that the Prairie Rose Wranglers have agreed to come to Wichita. She advised that the Prairie Rose Wranglers would be at the Old Town Museum by the end of September. The City of Wichita and the band management are negotiating a lease agreement and nothing has been finalized as of yet. **CM Schlapp** voiced that she was excited about this partnership and looks forward to the future.

APPROVAL OF MINUTES AND AGENDA

The meeting agenda for August 6, 2007 was approved. (**Carduff:Crotts, 8-0**)

The meeting minutes for July 2, 2007 were approved as submitted. (**Frutiger:Crotts, 8-0**)

PUBLIC AGENDA

Scheduled items

Cynthia Gardner, Aquatic Safety Advocate, provided information on aquatic safety. **Gardner** advised that some aquatic safety facts included: 1) it takes between 15 to 20 seconds for a drowning to happen; 2) in 2004 there were 3,308 unintentional fatal drowning in the U.S.; and 3) drowning is the 4th leading cause of death in Kansas for children ages 0-14, per the Center for Health & Environmental Statistics.

Gardner advised that her goal was to bring the City of Wichita codes for lifeguards and aquatic safety to the highest standards available. **Gardner** would like to implement procedures that would require 50% of the life guards on deck to have three or more years experience, lifeguards be at least 18 years of age, create an independent aquatic safety regulatory agency and put technology measures in place such as electronic alert devices at every stand, pool owned cell phones and/or underwater cameras.

Gardner also provided information on three deaths that occurred in Wichita that were related to drowning and expressed her concern with this issue. **Gardner** expressed that lifeguards need to be paid more and that they should be seen as professional and paid accordingly. She then opened the floor to questions.

Crotts wanted to know why the YMCA and Ellis & Associates decided to dissolve their relationship. **Gardner** advised that it was due to the YMCA not wanting to follow the standards set by Ellis & Associates.

Mollhagen wanted clarification on the number of lifeguards Gardner would like to be available with 3 years of experience. **Gardner** expressed that it would be 50% of the lifeguards on duty at the swimming pool.

Frutigier asked Gardner what she wanted the Board to do with the information she provided. **Gardner** informed the Board that the presentation was informational and she wanted them to be aware of the concerns.

CM Schlapp thanked **Gardner** for bringing this information forward.

Action Taken: Received and filed.

Off-Agenda Items

Gerta Semberger, 425 N. Dellrose, expressed concern with the new dog ordinance. **Semberger** was concerned with the ordinance being breed specific and wanted to know if the City could go after the owners of the dogs and not the breed. **CM Schlapp** thanked Mrs. Semberger for bringing her concerns forward and explained that the city has seen a ponderous issue with a specific breed which leads to the reason for going after the breed. **CM Schlapp** advised that 25% of the complaints that are received by Animal Services deals with a specific breed. **Jay Newton** from Finance also voiced that over 40% of the calls received by Police that are related to dogs, deal with a specific breed as well.

The Board thanked Mrs. Semberger for bringing her concerns forward.

Action Taken: Received and filed.

STAFF REPORT

3. Community Police Report

Officer Bogle, 399 Beat (Patrol East), reminded everyone that tomorrow was National Night Out. He encouraged everyone to get out and meet and greet with his or her neighbors. He also provided information on the Safe Communities initiative. The Safe Communities initiative focuses on gang

activity and crime. This year will be Safe Communities III and the SCAT team will increase their enforcement on gang activity and crime related to gang activity.

Officer Bogle also discussed the construction in District II. He advised that due to the road closures at Greenwich and Central he has received more calls from that area. Preston Trails HOA generally has three access points but due to the construction they are down to one. Due to this change a lot of residents will need to change their driving patterns and be more cautious in the area. **Officer Bogle** did mention that since this has occurred his beat team has opened a “note project” that will allow them to monitor traffic in the area so that they can better educate the public on the safety needs. **Officer Bogle** recognizes that when school starts next week there will be increased traffic and Officers are prepared to monitor the area at that time to see if something additional needs to occur.

CM Schlapp interjected that this is one of her concerns as well. She also expressed that when she attended a public meeting discussing the construction at Greenwich and Central the school was also an issue for residents. **Officer Bogle** advised that this was a wait and see type issue and they are cognizant of the increased traffic and will take the appropriate steps once schools starts.

Officer Bogle also advised that at Rock Road and Kellogg that no left turns are permitted from any direction and that residents should plan accordingly.

Officer Bogle then provided an update on auto larcenies for the 399 beat, indicating that they have been down by 12% until last month. Auto larcenies are crimes of opportunity and citizens should take precaution to avoid this crime. **Officer Bogle** advised that they are trying to educate the public more on this crime and citizens should always remove any personal belongings from visual site when vehicles are unattended.

Officer Bogle also advised that auto thefts are up. **Officer Bogle** believes that part of this increase is due to the law changing. **Officer Bogle** explained that it use to be illegal for a citizen to leave a car running and unattended; however, that is no longer illegal and thus leading to more thefts.

Crotts voiced that he is seeing an increase in tagging/graffiti in District II. **Officer Bogle** explained that gang activity has also increased thus leading to the additional tagging. He explained that they have a process in place to remove gang tagging expeditiously as this is a way for gangs to communicate. He then requested that citizens report these taggings immediately.

Ryan voiced that he noticed that mailbox theft has tapered off in his neighborhood and wanted to know if Police have noticed the same patterns. **Officer Bogle** advised that they are educating the public more and encouraging citizens to invest in locked mailboxes to help eliminate the problem.

Ryan then wanted to know if the concept of mailbox theft was being done more to steal the identity of others or for stealing checks? **Officer Bogle** stated that it is more about identity theft and that it is really a matter of getting an individuals name, date of birth, and social security number.

Crotts advised that Wilderness Estate has invested in the locked mailboxes and the cost was about \$65 per home; however, it was a good investment for the community.

Chief Williams advised that mailbox theft is also occurring as the predators are looking to get credit card applications from mailboxes. The predators are completing the applications and

changing the address to theirs and then using the credit card once received. This issue is not only in District II but also all over the city.

CM Schlapp voiced that the issue use to be that individuals needed to be careful with what documents that put in the trash, and thus shredding of documents started, now the identity theft is occurring on the front end. **Chief Williams** agreed.

Ryan wanted to know if mail theft was considered a felony. **Chief Williams** advised that it depends, that it could be a misdemeanor.

Crotts wanted to know if the penalties were steep enough to deter individuals from committing such crimes. **Chief Williams** advised that the penalties are steep enough but that it's a matter of prosecuting the individuals. Many institutions do not follow through with prosecution due to the cost involved in such a case. **Chief Williams** also advised that the prosecution of shoplifters is facing the same challenges.

Chief Williams also provided statistics on the crime levels in both District II and citywide. As of July 2007 major crimes are down by 1%. Major crimes would include crimes such as homicides, rape, robbery, aggravated assaults, burglary, larceny, and auto theft. **Chief Williams** advised that crime has been decreasing in District II over the last 6 years. **Chief Williams** also provided statistics on the number homicides that have occurred in District II, to date, five homicides have occurred and 84% of the homicides have been cleared.

Chief Williams also informed the Board that 641 gang members have been arrested this year, 113 guns have been recovered from gang members, and 35 gang members have been or will be charged federally, which means that will do at least 85% of their sentence. **Chief Williams** also advised that gang members that were arrested back in the 90's are now being released and are coming back to the neighborhoods to re-establish themselves, leading to additional deaths in the city. The Police are actively working these cases.

Fran Kottler, 830 N. Woodlawn wanted to know how many active gangs were there in Wichita. **Chief Williams** advised that there were sixty-two different sets and four to five gangs.

Crotts wanted to know if MS13 was a known gang in the area? **Chief Williams** advised that last year they saw graffiti for the MS13 gang but nothing this year.

Mollhagen wanted to know on average how long are the sentences. **Chief Williams** advised that it depends upon the crime and the circumstances.

Chief Williams then thanked CM Schlapp, the Board, and the community for their support of the Police Department and their efforts. **Chief Williams** expressed the importance of public safety and the need for safe and secure communities.

The Board thanked Officer Bogle and Chief Williams for their presentation.

Action Taken: Received and filed.

NEW BUSINESS

4. City of Wichita 2008-2009 Proposed Budget

Brandon Kauffman & Jay Newton, Finance Department, presented information on the 2008-2009 proposed budget by playing a video describing the highlights of the budget and how the dollars will be utilized in the coming year. After the video was played Kauffman opened the floor to questions.

Frutigier wanted to know how much did the budget increase from last year percentage wise. **Newton** advised that the budget increased from \$475M to \$495M approximately.

Crotts stated that last year it was projected that there would be a 3% increase but it was actually 6%, where did the excess dollars go? **Newton** advised that most of it went to public safety salary and wages.

Crotts also noted that during the presentation it was stated that since 1986 the Council pledged to reduce property taxes, he wanted to know what they were referring to. **Newton** advised that sales tax have been offsetting property taxes, which gives Council the ability to not raise taxes each year.

Weddle wanted to know why the fluctuation in landfill post closure maintenance. **Newton** explained that by law there has to be contingency dollars in this fund and that each year you will see a fluctuation from actual vs. budgeted. The budgeted represents the actual we expect to spend and the balance of the fund are the contingency dollars we must have available by law.

Weddle also wanted to understand how the Century II expansion was being funded. **Newton** explained that that has not been decided and that when Council approves the CIP they are not approving projects but the total dollars.

CM Schlapp then expressed that one of the difficult things with the budget process is it is difficult for Council to make changes to the budget as they only have a short window to review the information presented to them. **CM Schlapp** has recommended that they get involved in the budget process in the beginning stages. She is recommending that staff begin to look at the budget with Council at a minimum on a monthly basis beginning this month so that they can prepare for the 2009 budget. Additionally, CM Schlapp would like to meet with staff to discuss and work through the building of the budget instead of being presented with a document already put together.

CM Schlapp also informed the Board that Council has begun to have weekly meetings (individually) with the City Manager, as this allows them to understand what's going on.

CM Schlapp also advised that Council has also requested to see the CIP broken down by district and this has helped the process. Additionally, CM Schlapp feels that a different approach should be taken in regards to the CIP. She would like for projects to be prioritized and then dollars reviewed, as we should not try to divide the dollars first, but determine what is needed and prioritize those projects and then allocate dollars accordingly.

CM Schlapp also thanked the Finance Department for being generous with their time and helping Council understand the budget information but would like to see this occur at the beginning of the process instead.

The Board thanked Brandon and Jay for their presentation.

Action Taken: Received and filed.

5. Water is Life and Infrastructure Makes it Happen Campaign

Don Kirkland, Water Utilities provided information on Wichita's water utilities. He discussed the essential to the Water is Life campaign, providing details on the infrastructure, the city service, and the different departments that work within the water utilities division.

Kirkland explained that the goal of the Water department is to provide water for all purposes to the citizens and in order to do this we must take a look at our infrastructure, as the infrastructure in Wichita is over 100 years old.

Kirkland then went on to point out the specifics for each of the departments that fall within the Water division:

Wichita Water Utilities

- Served 500,000 customers
- 24/7 Operation
- 348 Employees
- 5 Treatment Plants
- 4,000 Miles of Water & Sewer Pipes

Wichita Water Treatment

- 22,877 billion gallons of water produced in 2006

Wichita Water Utilities Sewage Treatment

- 40 million gallons/day of wastewater treated per day
- 128,000 customer accounts
- 52 lift stations
- 4 sewage treatment plants

Wichita Sewer Maintenance

- 14,235 hours spent flushing sewers
- Knifed and cleaned 2.5 million feet of sewers
- Reduced sewer backups by 56% from 1997 to 2007
- Maintained 2,088 miles of sewer and 12,500 manholes

Wichita Water Distribution

- Maintains over 2,244 miles of water lines
- Replaces/relocates/maintains meters, mains and 12,076 hydrants
- Manages the Backflow Prevention Program to protect public health

Kirkland then advised that the infrastructure would be critical in the continued success of the Water division. He explained how the replacement and maintenance of the infrastructure would be needed to insure safe and adequate water and sewer service. The Water division is looking to insure quality water is provided for Wichita's future.

The next 10 years will take reinvestments to accomplish this goal.

Water would need to invest up to \$345,415,000

Sewer would need to invest up to \$200,000,000

These investments would require short and long range planning.

Mollhagen wanted to know if residents received an additional assessment with mains were replaced and what process was used to determine when a main needed to be replaced? **Kirkland** advised that the residents are only charged one assessment and that maintenance is handled through the utility cost. Additionally age, water pressures and the number of breaks in a main dictates when a main is replaced.

Frutigier wanted to know if the Water Utilities Department had any projections on water usage for the next 5-20 years. **Kirkland** advised that they have a master plan that is updated every 5 years that addresses the water usage needs.

Frutigier also wanted to know if the city had a level pay plan. **Kirkland** acknowledged that the city did not have such a plan and that the city opted to not have such a plan, as this is a mechanism that prompts citizens to be more conservative with their water consumption.

With no further discussion, the **Board** thanked Kirkland for his presentation.

Action Taken: Received and filed.

6. DER2007-05

Scott Knebel, Planning Department provided information on the proposed amendments to the unified zoning code pertaining to wireless communication facilities. The proposed amendments to the unified zoning code address:

1. The eligibility of properties for administrative approval of towers. In order to be administratively approved, a tower would have to be located on a designated property. The properties proposed to be designated as eligible for administrative approval will be designated on a map entitled "Properties Eligible for an Administrative Permit for a Wireless Communication Facility."
2. Adjustments to the height and setback criteria for administratively approved towers are proposed. Taller towers could be approved administratively in NO, Neighborhood Office; GO, General Office; NR, Neighborhood Retail; and LC, Limited Commercial zoning districts. Administratively approved towers would be required to comply with a setback requirement from low-density properties equal to one foot of setback per foot of tower height.
3. Presently, the Unified Zoning Code permits the construction of a new tower if it is less expensive than co-locating on an existing tower. The proposed amendments eliminate this "economic feasibility" test, meaning that a new tower need not be approved simply because it is less expensive than locating on an existing tower.
4. The proposed amendments include technical clarifications regarding the applicability of the regulations to all wireless communication facilities regardless of a property's zoning.
5. The proposed amendments include updates to the aircraft warning light regulations to comply with changes in Federal regulations.

6. The proposed amendments include technical clarifications regarding the parties responsible for removal of unused towers.

Knebel then opened the discussion for questions.

Crotts wanted to know why we were increasing the tower heights so much. **Knebel** responded that in these districts where towers are placed higher towers are needed.

Johnson confirmed that a tower at 120 feet could be placed in Town East Square. **Knebel** said potential but because it was so close to the base there would be some FAA regulations that they would have to consider.

Crotts voiced his concern with the notification process of 200 feet. He advised that the proposed changes appear to pull the Board out of the process and it does not provide for the opportunity for residents to oppose the tower.

Mollhagen agreed with Crotts comments and advised that the county has a notification range of 1000 feet.

Crotts stated that we should look at this more closely as most citizens that come before the Board have concerns with the notification process and feel that the towers are blight to their neighborhoods.

Mollhagen suggested that the notification range be increased from 200 feet to possibly 1000 feet. **Carduff** agreed and also suggested that maybe the range should be based on the height of the tower and extend the range 5-10 times the height.

Action Taken: Crotts motioned that there be a notification provision providing people in the area to be notified based on the height of the tower, to give those residents the option to protest. **Motion passed 8-0 (Crotts:Carduff)**

7. DR2005-21

Scott Knebel, Planning Department provided information on the proposed amendment to Airport Overlay Districts (AOD) to be more consistent with Federal Land Use Compatibility Guidelines (LUCG), which list compatibility of uses with McConnell Air Force Base (AFB) based on proximity to flight paths and noise contours.

Additionally, when the City Council approved the zoning of properties near the AFB to the AT/FP-O, Anti-Terrorism/Force Protection Overlay District, the issue of a negative connotation being generated by the name of the overlay district was discussed. As a result, the City Council initiated a zoning code text amendment to change the name of the overlay district to AFBP-O, Air Force Base Protection Overlay District.

The proposed amendments would prohibit parking, aviation-related facilities, storage uses, cemeteries and certain agricultural uses in AOD I; residential uses in AOD II; and funeral homes and government services in AOD III. The density of residential uses would be further restricted in AOD III, and the intensity of auditoriums, stadiums, recreation, and community assembly uses would be limited in AOD II and III. The amendments further clarify that existing uses can continue, be rebuilt, and changed to other permitted uses.

Knebel then open the discussion for questions.

Ryan wanted to know is the objective of the amendments to limit the population in the area. **Knebel** responded yes and that is was also to address safety needs.

Johnson wanted to know if the amendments were being done on a voluntary basis. **Knebel** advised that they were.

Action Taken: Board recommended approval. (Carduff:Ryan 8-0)

BOARD AGENDA

8. Updates, Issues, and Reports

Porter provided an update on the DER2007-00004 that was deferred at the July 2nd meeting. **Porter** advised that the case was not brought this month as the Planning Commission referred the item back to the Advanced Plans Subcommittee. The Planning Commission expanded the scope and staff will bring this item back before DAB's once they have completed their research.

Porter also provided an update on the Park at Central and Greenwich. **Porter** advised that staff would not presenting any updated information at this time as much has not change; however, there is design funding included in 2008 CIP and development funding in 2009 CIP.

Porter announced the DAB Orientation that will be held on August 20th and August 27th. **Weddle** confirmed he would be in attendance.

With no further business, the meeting adjourned at 9:23 p.m.

The next DAB II meeting will be **September 10, 2007** at the Rockwell Branch Library.

Respectfully Submitted,

LaShonda Porter, Neighborhood Assistant

Guests

Phil & Fran Kottler	830 N. Woodlawn
Gerta Semberger	425 N. Dellrose
Cynthia Gardner	P.O. Box 782373
Dulcinea Darila	4450 E. Bayley