

District III Advisory Board Minutes
May 5, 2010
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The District III Advisory Board meeting was held at 7 p.m. at the Wichita Water Center at 101 E Pawnee. Nine District Advisory Board members were in attendance; 12 City staff and 72 members of the public were present (14 who did not sign in).

Members Present

Teresa Cook
Judy Dillard
Charlotte Foster
Jim Gulick
Joann Hartig
John Kemp
Roger Smith
Billie Tucker
Bill Ward
Council Member Jim Skelton

Members Absent

DeWayne Kitchen
Brian Nelson

Staff Present

Officer Claudale Cavanaugh, Patrol South
Officer Dave Hinners, Patrol East
Capt. Mark Hahn, Station 22 WFD
Jeremy Menges, Station 22 WFD
Eldon Holle, Station 22 WFD
JD Heitman, Station 22 WFD
Gary Janzen, Public Works Engineering
Jim Armour, Public Works Engineering
John Philbrick, CMO Property Management
Kurt Schroeder, OCI
Harlan Bascombe, OCI
Janet Johnson, Neighborhood Services

Guests

Listed on the last page

ORDER OF BUSINESS

At 7 p.m. **Council Member Skelton** called the meeting to order. The meeting minutes from April 7, 2010, were approved with the correction of adding Sheriff Robert Hinshaw to the guest list, **9-0**.

PUBLIC AGENDA

Scheduled items

No items

Non-Scheduled items

Gay Quisenberry, Southeast Senior Services Director, provided information on a free Elder Abuse workshop and on a free Riverfest event for senior citizens. She also provided literature/material.

Action: Receive and file.

STAFF REPORTS

Community Police Report

Officer Claudale Cavanaugh, Beat 26 Patrol South, reported burglaries are up in the city, especially during daylight hours. She said in two burglaries in the South area, neighbors had actually witnessed the burglaries, but failed to call in. **Officer Cavanaugh** encouraged citizens to call 911 anytime they see anything suspicious in their neighborhoods.

Wichita Fire Department Report

Capt. Mark Hahn, Station 22, reminded everyone that it is illegal to burn with out a permit and he said the Fire Department is not issuing permits on any day when there are 15 mph or higher winds.

Charlotte Foster asked what happens if a fire hydrant isn't work. **Hahn** said WFD is notified daily of any hydrants that aren't working and the Water Department will get them fixed as soon as possible.

Gene Campbell asked if it is okay to have a wienie roast in your back yard; **Hahn** said yes, cooking fires are allowed, citizens just need to use common sense and make sure the fire is out, etc.

Action: Receive and file.

NEW BUSINESS

Linwood Apartments

Kurt Schroeder, Superintendent of the Office of Central Inspection, reported Linwood Apartments, generally located in the area of Hydraulic and Mt. Vernon has been an ongoing concern. Many of the apartments have been broken into and the copper stripped, had fires, trash issues and illegal dumping on the premises. He said the apartments are owned by a company out of Brooklyn, New York, but they have recently hired a new management company that is doing a good job. At present, only about one-third of the apartments are occupied, according to Schroeder. He said the management company is focusing on the apartments that sit along Hydraulic Street – getting them secured and clean up. He said all the vacant and boarded buildings have been required to be registered under the City's Neglected Building Ordinance. **Schroeder** said they are making good progress and he expects that continue as long as the owners provide the management company the funding they need to make the improvements.

Billie Tucker wanted to know if fines are being assessed on the properties. **Schroeder** said they will be if improvements are not made on schedule. He explained that civil fines can eventually be attached to the owner's credit record and ultimately the properties themselves.

Jim Gulick wanted to know how often the inspector is talking to the Management Company; **Harlan Bascombe**, OCI supervisor, said approximately once a week.

Action: Receive and file.

Changes/Revisions to City Ordinance 9.08 Regarding Trees and Shrubs

Justin Combs, Arborist with the Park Department, presented revisions to the ordinance. The ordinance recognizes that the City has the responsibility to maintain trees in the public right of way. The amendments set forth the procedures to be utilized by city staff to prune or remove nuisance trees or branches from trees from private property, and also recognize that the Park and Recreation Department, as opposed to the Park Board, is responsible for the maintenance, pruning and removal of trees in the public right of way.

The amendments also provide for adjoining property owners to prune trees, removal of limbs up to two inches in diameter, and to remove storm damaged and broken limbs within the street right-of-way.

Combs said after previous meetings with the District Advisory Boards, staff went back and made additional changes. The most significant changes included:

- Allowing citizens to trim the lower canopy and suckers off trees in the City right of way – nothing larger than 2 inches in diameter.
- If limbs are broken during a wind or ice storm, citizens can take care of the broken limbs themselves without a permit, but will be responsible for the disposal of the limbs.
- Staff had originally proposed an increase in fines to \$1,000, but there was a lot of resistance to this from the public, so they adjusted it back down to \$250, and included language that would allow the fine to be higher if someone intentionally damaged a City tree.
- In the case of nuisance abatements, notices will be sent to the tenant and the owner. And the nuisance abatement procedure will include an appeal process.

Combs said there is often confusion over the difference between City right of way and City easement so they will be doing an educational flyer and media blitz to educate the public on the difference between the two, as well as the new ordinance changes.

Judy Dillard asked about the time frame for nuisance abatements. **Combs** said if it's after a big event such as a storm, they will give a 10 day extension, but if a tree is deemed to be dangerous, the City will want it taken care of as quickly as possible.

Jim Gulick asked for clarification about downed tree limbs following a storm. **Combs** said if a limb falls off a City tree after a storm, the City will dispose of the limb. However, if the home owner cuts it down, it up to the homeowner to dispose of it. **Combs** explained that anything under 2 inches can easily be cut up, bundled and left for the trash service – if it's larger than that, the homeowner should probably ask the City to take care of it and not try to tackle it themselves.

Billie Tucker said there are some trees in Friendship Park that need to be trimmed and a stump that needs to be removed. **Combs** said that work will be completed in the near future.

One citizen said she recently moved here and there is nothing in her rent lease about the tree ordinance and wanted to know how citizens are supposed to even know these rules exist. **Combs** said the City will be doing some public education on this topic and information can be found on the City's website.

Gene Campbell asked when the Forestry Department is assessing the value of a tree, how do they go about it? **Combs** said they look at the retail value of the same size and type of tree, plus a number of additional factors.

Jim Gulick (Ward) made a motion to recommend approval to the City Council of the ordinance changes.

Action: Motion passed 9-0.

South Broadway Bridge

Jim Armour and Gary Janzen, Public Works Engineering, presented design concepts for the new bridge. The Capital Improvement Program adopted by the City Council includes funding to replace the Broadway Bridge at 34th Street South. The bridge was built in 1938 and has been rehabilitated several times over the years. In August, 2007 the bridge was closed to through traffic for emergency repairs after inspection revealed significant structural problems. Since that time traffic has been limited to two through lanes and limited to lighter loading. A neighborhood meeting was held on March 29, 2010, to discuss preliminary options and to gather information from adjacent property owners. Additional meetings with property owners on either side of Broadway, south of the bridge were held on April 28, 2010, to discuss specific issues related to updated options.

The new bridge will provide a four-lane roadway with 6' wide sidewalk on both sides of the bridge. Staff has developed and analyzed bridge replacement options that consider project cost, right-of-way impact, and estimated length of closure time for through traffic on Broadway. The project budget included in the 2009-2018 Capital Improvement Program is \$8,892,414, which includes \$5,830,000 in GO Bonds and \$3,062, 414 in Federal Funds.

Armour said the City has explored seven options and taken into account three major factors: 1) cost of construction 2) Cost of right of way acquisition and 3) time of closure.

Janzen reviewed the seven options and said the design needs to be completed and bids out by the fall of 2011, or the City could lose the Federal funding.

Joann Hartig asked if Topeka Street, which is now dirt, would be paved as a part of the project; **Janzen** said any new portion would.

Bill Ward wanted to know what would happen if the City simply chose to do nothing to the bridge. **Armour** said eventually it would have to be closed. He said the City could continue to repair it every 2 to 3 years, but each of those would be a 2 to 3 month closure with no notice, which he doesn't think would be appealing to neighboring residents and businesses.

Judy Dillard asked if there are still weight restrictions posted for the bridge; **Armour** said yes.

Prior to the public discussion, **Bill Ward (Hartig)** made a motion to limit comments to 3 minutes per citizen and asked that they only speak once.

Motion passed 9-0.

Lynn Behnke asked if the railroad is going to contribute anything toward the cost of the project; **Council Member Skelton** said no. She then asked why not; **CM Skelton** said the City has no authority over the railroad.

Brandon Campbell wanted to know what time of year the project would start; **Armour** said it would most likely start in the fall of 2011 and take about a year to complete.

Gene Campbell wanted to know when the other meeting with property owners was and why he wasn't included; **Janzen** said that meeting was with the property owners on the South end so City staff could become more familiar with how their operations work. **Armour** said there were a couple of new options developed since the March 29 meeting that would impact the South end property owners and City staff wanted to show those to them prior to the DAB meeting.

Wilma Grise had questions about access; **Janzen** said they would work to make sure businesses are accessible during the construction.

Paul Ott said the drainage by his shop is currently terrible and he thinks the new construction will only make it worse; **Janzen** said the City recognizes drainage is an issue. **Jay Englemeyer** from MKEC said either open ditches or storm sewer will be utilized to address drainage issues. **Ott** said that area is still on septic systems and he just wants to make sure the City and designers consider all the factors when designing the project.

Jennifer O'Neal asked why the City didn't have an option of re-building the bridge in place. **Janzen** said that was the first option shown that would require Broadway to be closed for over a year.

Don Rogers pointed out when the bridge was closed in 2007, traffic was prohibited from using Gold as a detour route. He wanted to know if that would be the same when the bridge is closed this time. **Janzen** said the City received a lot of complaints about the increase traffic on Gold.

Mark Ysidro said in one of the design concepts, the street goes right through his property. He wanted to know when the City will know which option they are going with; **Armour** said that will be two or three months out.

One citizen pointed out that if using one of the West alignment options, it would put a lot of people out of work and the City would lose a lot of property taxes. **Armour** said the easiest option for the City would be to build the bridge in place and close Broadway for 13 months; however, he didn't think area businesses and residences would appreciate that. The citizen then wanted to know if the City had to get State approval since Broadway is part of Highway 81; **Armour** said that bridge is not part of the State highway system.

Jerry Thomas asked when the design concept will be finalized; **Janzen** said all of the details won't be in place until sometime this fall. **Armour** said that was true, but they should have a pretty good idea in about three months.

Armour introduced **John Philbrick**, City Property Management.

Paul Ott asked why they couldn't do the construction like they did with the John Mack Bridge; **Armour** said because of the difference in elevation between the existing bridge and what the new bridge will be.

Gene Campbell said he was tired of WPD stopping everyone who is coming or going from the area; he said they seem to think everyone in the area is a criminal.

Trudy Rupert had questions about property acquisition; **John Philbrick** explained the process.

Charlotte Foster said she would support the option that impacts the least number of businesses.

Jim Gulick asked if the weight limit on the bridge is being enforced. **Armour** said when it first re-opened the bridge they asked the Kansas Highway Patrol to enforce it, but he doesn't believe it is being actively enforced any longer.

Since the UP Railroad runs underneath the bridge, **Roger Smith** wanted to know if vibrations caused by the trains are taken into account when designing the new bridge. **Armour** said the UP railway is scheduled to make improvements on the railroad between Caldwell and Wichita; he hopes that will include this area within the next two years.

Judy Dillard (Hartig) made a motion to recommend to the City Council that one of the West alignment options be approved for the new bridge construction.

Motion passed 9-0.

Updates, Issues and Reports

Judy Dillard reported the South Area Neighborhood Association had elections and she is still the president, but the Association is going to take the summer off and will reconvene next fall.

Teresa Cook passed out flyers for a fund-raiser for Partners for Wichita at On the Border.

Council Member Skelton said he is working with stakeholders to improve the access and traffic flow in the construction area at 47th Street.

Connie Klassen said there is a house in her neighborhood that is in foreclosure and it has yard issues. Also, she called the Wichita Eagle and told them to stop delivering those flyers and they keep bringing them

Betty Strickland said her neighborhood is still concerned about the possible food distribution site that may be opening in their area.

Hazel Drummond said the City buses are damaging Selma street and her house.

Elena Ingle announced that the new Grandview Heights park now has grills installed and Meadowlark Park is getting the playground equipment installed.

Meeting was adjourned.

The next meeting for District Advisory Board III will be held at 7 p.m., June 2, 2010, at the Water Center at 101 E. Pawnee.

Respectfully submitted,
Janet Johnson, Neighborhood Assistant – District III

Guests

David Robbins	Charles Campbell
Gene Campbell	Christine Martin
Don Martin	Brandon Campbell
Evan Campbell	Collin Campbell
Betty Strickland	Patricia Campbell
Tom Strickland	Lynn Campbell Behnke
Connie Klassen	Rita Campbell
Elena Ingle	Timothy Campbell
Trisha Epps	Alex Gunther
Hazel Drummond	Amanda Novotny
Lonnie Bosley	Robert Eastman
Kim Le	Lynn Behnke
Elycenda Sosa	Terri Repreza
Tai Van Le	Wilma Grise
C.J. Roeder	Trudy Rupert
Lisa Cal	Chuck Rupert
Laurie Boelk	Andrew McCracken
Paul Davis	Jimmy Glazier
Paul Crease	Jennifer O'Neal
Larry Henry	Jerry Thomas
Jay Englemeyer	Ernic Alcorn
B Smith	KAKE photographer
Jenna Bisle	Paul Ott
Frank Bisle	Don Rogers
Jackie MacMartin	Greg Ferris
Nichole Breen	Mark Ysidro
Mike Killough	Pauline Killough
Chris Gile	Sandra Rogers
Ramona L.	
Mark O.	