

REVISED:
1) ADDITION OF ITEM 42.
2) REMOVAL OF ITEM 8A.

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
9:00 A.M., February 14, 2006

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the February 7, 2006 regular meeting

AWARDS AND PROCLAMATIONS

- Proclamations
 - “Spay Day Wichita”
 - “Child Passenger Safety Week”
 - “Black Colleges and Universities Recognition Day”

PUBLIC AGENDA

1. Buck Goodman-Boathouse.
2. Jesse Sheffield, Possibility of locating a fire station in the south City area.

CONSENT AGENDA

3. Report of the Board of Bids and Contracts Dated February 13, 2006.

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

4. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2006</u>	<u>(Consumption off Premises)</u>
Hussfin M. Haeri	Diamond Shamrock	851 South Meridian
<u>New Tavern</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
Randy A. Johnson	Roxy's Pub	2825 George Washington Blvd.
<u>New Operator</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
Trishn Truong	Hong Kong Dimsum Restaurant*	1410 North Broadway

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

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

5. Preliminary Estimates:

- a) 29th Street North from Ridge Road to Tyler improving 29th Street North from Ridge to 306 ft. east of Tyler to provide for widening to 4 and 5 lanes with center left turn lane, medians, drainage and landscaping N/A - 29th Street North from Ridge Road to Tyler. (87N-0306-01/472-83903/706914/204380) Two way traffic to be maintained thru out project. (District V) - \$3,698,798.75
- b) 15th Street Pump Station - west of Ferrell Street at 15th Street. (468-83394/620335/662458) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$700,000.00
- c) Lateral 69, Main 9, Sanitary Sewer #23 to serve Killarney Plaza East Addition - north of 29th Street North, west of Rock. (468-84018/744138/480826) Does not affect existing traffic. (District I) - \$66,000.00
- d) Williamsgate/Camden Chase (Phase 2) from the east line of Peckham to the north line of 21st Street North to serve Hawthorne 2nd & 3rd Additions - north of 21st Street North, east of 127th Street East. (472-83644a/765774/490885) Does not affect existing traffic. (District II) - \$184,200.00
- e) Castle Rock and 24th Street North from the north line of Lot 30, Block A to the east line of Lot 18, Block A; Spring Hollow Street from the west line of Castle Rock north to the south line of Mainsgate; Mainsgate and Mainsgate Circle from 24th Street North to and including the cul-de-sac; 24th Court north from the south line of 24th Street North south to and including the cul-de-sac; Sidewalk along one side of Castle Rock, Mainsgate, 24th Street North, and Spring Hollow Street to serve Krug North 2nd Addition (north of 21st Street North, west of 143rd Street East) (472-84249/765967/490082) Does not affect existing traffic. (District II) - \$568,000.00

(Item 5 continued)

- f) Mainsgate/Loch Lochmond from the north line of Mainsgate Circle to the north line of Lot 42, Block 4; and Williamsgate from the north line of Mainsgate to the north line of Lot 3, Block 6 to serve Hawthorne 2nd & 3rd Additions (north of 21st, east of 127th St. East) (472-84082/765960/490074) Does not effect existing traffic. (District II) - \$281,000.00

RECOMMENDED ACTION: Receive and file.

6. Petitions for Public Improvements:

- a) Construct drainage improvements in Fox Ridge Addition, north of 29th Street North, west of Tyler. (District V)
- b) Construct a Sanitary Sewer for Country Hollow Addition, south of Kellogg, west of 127th Street East. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

7. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures.

8. Agreements/Contracts:

- a) ***Aesthetic Improvements in Old Town. (District VI)***
(Item pulled per Law Department)
- b) Assessments to respread assessments: Krug North Second Addition, west of 143rd Street East, north of 21st Street North. (District II)
- c) Hillside Bridge at Range Road. (District III)-supplemental.
- d) Northwest Sewer Improvements Program Management. (District V)-supplemental.
- e) Southeast Water Booster Pump Station. (District III)-supplemental.
- f) Aviators Lease Contract. (District IV)

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

9. Design Services Agreements:

- a) Whispering Lakes Estates Addition, south of Harry, west of 159th Street East. (District II)
- b) Country Hollow Addition, south of Kellogg, east of 127th Street East. (District II)

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

10. Change Order-Storm Water Drain in Southern Ridge Third Addition, south of Pawnee, west of Maize. (District IV)

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

11. Acquisition of 5220 South Meridian. (District IV)

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

12. 2005 Fourth Quarter Financial Report.

RECOMMENDED ACTION: Receive and file.

13. Contracts, Agreements and Purchase Orders for January 2006

RECOMMENDED ACTION: Receive and file.

14. Proposed Assessment Rolls

Proposed Assessment Rolls have been prepared for twenty-two (22) water projects, twenty-one (21) sewer projects and thirteen- (13) storm sewer projects and it is necessary to set a public hearing date. Informal hearing with City personnel will be held March 6, 2006 at 11:00 a.m.

RECOMMENDED ACTION: Set the hearing on the Proposed Assessment Rolls for 9:30 a.m., Tuesday, April 4, 2006, and direct the City Clerk to publish the notices of hearing at least once not less than 10 days prior to the date of the hearing.

15. Enforcing underage drinking laws, EUD Grant.

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

16. Swimming Pool Improvements. (Districts I, II, V and VI)

RECOMMENDED ACTION: Adopt the bonding resolution; authorize the initiation of the project and authorize the necessary signatures.

17. Kansas Department of Wildlife and Parks Grant for South Arkansas River Greenway Canoe Launch. (District III)

RECOMMENDED ACTION: Approve the Memorandum of Understanding with the Kansas Department of Wildlife and Parks in the amount of \$45,000 and authorize the necessary signatures.

18. Contract for Professional Services, South Area Transportation Study, (SATS).

RECOMMENDED ACTION: Approve the selection of Wilbur Smith Associates to complete the SATS and authorize the necessary signatures to execute the contract.

19. Surplus of property located at 3333 North Ohio. (District VI)

RECOMMENDED ACTION: Declare the property as surplus and designate it as available for sale to the general public.

20. Parking lots, signage and entry drives.

RECOMMENDED ACTION: Adopt the bonding resolution; authorize initiation of the project; authorize the hiring of design consultants and authorize the necessary signatures.

21. Wichita Ice Center equipment replacement and relocation. (District IV)

RECOMMENDED ACTION: Approve the bonding resolution; authorize initiation of the project and authorize the necessary signatures.

22. Public Internet Access-Central Library and Alford Regional Branch. (Districts I and IV)

RECOMMENDED ACTION: Approve the selection of Network Tool and Die Company as the public Internet service provider for the Central Library and the Lionel Alford Regional Branch and authorize the Purchasing Manager to sign the contract.

23. Second Reading Ordinances: (First read February 7, 2006)

a) Pretreatment Sewer Use-Amended Ordinance.

An Ordinance of the City of Wichita pertaining to prohibited discharges to the Municipal; sewer system; amending Sections 16.22.040 and 16.22.060 of the Code of the City of Wichita; and repealing the Original of said Sections.

b) MacArthur Improvement, between Meridian and Seneca. (District IV)

An Ordinance declaring MacArthur between Meridian and Seneca (472-84358) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

(Item 23 continued)

- c) ZON2005-00044-generally located between Hillside Avenue and Lorraine Street, midway between 2nd and 3rd Streets. (District I)

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 City of Wichita Code Section 28.04.21. (ZON 2005-00044)

- d) A06-03R-generally located to the northeast of the intersection of 13th Street and 151st Street. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas. (A05-04)

- e) A06-04R-generally located west of 135th Street, between 21st Street and 13th Street. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas. (A05-04)

RECOMMENDED ACTION: Adopt Ordinances.

NEW BUSINESS

24. Appeal of Board of Electrical Appeals Electrical Contractor License Suspension/Probation-Saint Electric.

Pursuant to Title 19, Chapter 19.08.015, "No apprentice electrician or helper shall install any electrical work within the City unless he or she is on the job site with and under the supervision of a master or journeyman electrician certified by the City.

RECOMMENDED ACTION: Based on the evidence and testimony presented at the appeal hearing, reverse, affirm wholly or partly, or modify the decision of the Board of Electrical Appeals (Board) to suspend the electrical contractor's license of Saint Electric (Tom St. Peter, owner and qualified master electrician for the company) for a period of twelve months, effective January 10, 2006 (the Board's action granted probation from the effectiveness of such suspension for a period of twelve months, provided that Mr. St. Peter complies with the conditions of probation).

25. Extension of IRB Tax Exemption, Dean and DeLuca, Inc. (District I)

On December 31, 2005, the initial five-year period for tax exemption expired. Dean and DeLuca requests the City Council approve the second five years of tax exemption on bond-financed property.

RECOMMENDED ACTION: Extend the tax exemption on Dean and DeLuca's IRB Bond-financed property for a one-year period and review the further extensions at the end of the year.

26. Extension of IRB Tax Exemption, NMF America, Inc. (District II)

On December 31, 2005, the initial five-year period for tax exemption expired. NMF America, Inc. requests the City Council approve the second five-years of tax exemption on bond-financed property.

RECOMMENDED ACTION: Extend the tax exemption on NMF's IRB Bond-Financed property for a one-year period and review the further extensions at the end of this year.

27. 2006 Wichita Aviation Festival.

Wichita Festivals, Inc. (WFI) successfully fulfilled the requirements as stipulated in their contract with the City for completion of the 2005 Kansas Flight Festival. Upon completion of a successful 2005 festival, WFI has concluded they have the professional services to produce, market, and manage the 2006 Flight Festival.

RECOMMENDED ACTION: Approval of the contract with WFI for \$75,000; approval of the 2006 Wichita Flight Festival project budget of \$336,000 and approval of the transfer of funds and any necessary budget adjustments from the Tourism and Convention Fund to cover any project deficit, up to \$336,000.

28. Contract Renewal: Convention and Visitors Bureau.

The Greater Wichita Convention and Visitors Bureau (GWCVB) met their primary goal in 2005 and increased their membership, helping lead the way for additional private investment and in-kind funds exceeding their goal of \$275,000. The only goal not met was no overnight group tour sales.

RECOMMENDED ACTION: Approve the contract with the Convention and Tourism Bureau and authorize the necessary signatures.

29. 2007 Federal Legislative Priorities.

The City Council reviewed departmental requests for 2007 federal legislative assistance, at its February 7, 2006 workshop. The City Council was requested to choose eight priority departmental requests and to add Council priorities not suggested by staff to the agenda.

RECOMMENDED ACTION: Approve the 2007 Federal Legislative priorities.

30. Street Performer Ordinance.

The City Council has found the existence of street performers provides a public amenity that enhances the character of the City and seeks to encourage such performances in a manner that is consistent with overall public interest.

RECOMMENDED ACTION: Approve the ordinance creating new regulations regulating street performers and modifying the City Code relating to loitering.

31. Petitions to construct paving and water improvements in Krug North, Krug North Second and East Side Community Church Additions, north of 21st Street, west of 143rd Street East. (District II)

On April 13, 2004 and July 20, 2004, the City Council approved paving and water petitions for Krug North Addition and East Side Community Church Addition. Those signatures represent 82% of the improvement district and 100% of the lots affected by the new petitions.

RECOMMENDED ACTION: Approve the new petitions; adopt the resolutions and authorize the necessary signatures.

32. Petition to construct a Storm Water Sewer to serve lots 25-36, Block 13, Pawnee Mesa Addition, north of Pawnee, east of 119th Street West. (District IV)

The signatures on the petition represent 15 of 22 (68.2%) resident owners and 74.5% of the improvement district area. The Board voted 9-2 to recommend approval of the project.

RECOMMENDED ACTION: Approve the petition with the \$45,000 budget increase; adopt the resolution and authorize the necessary signatures.

33. Harry Street Improvement from K-42 Highway to Meridian. (District IV)

On September 20, 2005, the City Council approved a project to improve Harry Street, from K-42 Highway to Meridian. An amending Ordinance has been prepared to increase the project budget.

RECOMMENDED ACTION: Approve the revised project budget and place the amending ordinance on first reading.

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

34. *SUB2003-82-Plat of Stonebridge Addition, located west of 159th Street East and on the north side of 13th Street North. (County)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary signatures and adopt the resolutions.

35. *SUB2005-40-Plat of The Woods Addition, located east of 151st Street West and on the north side of Maple. (District V)

RECOMMENDED ACTION: Approve the documents and plat and authorize the necessary signatures.

36. *A06-6R-Request by Ronald J. Cornejo, of R.R.M. Properties, L.L.C., to annex land generally located to the west of Greenwich Road, between 21st Street and 13th Street. (District II)

RECOMMENDED ACTION: Approve the annexation request and place the Ordinance on first reading.

HOUSING AGENDA

NOTICE: The City Council is meeting as the governing body of the Housing Authority for consideration and action on 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.

Inafay Grays-McClellan, Housing Member is also seated with the City Council.

37. *Section 8 Family Self-Sufficiency Year-end 2005 Report.

RECOMMENDED ACTION: Receive and file.

38. *Section 8 Management Assessment Program, (SEMAP).

RECOMMENDED ACTION: Approve the certification relative to the submission Of the 2005 Section 8 Management Assessment Program, (SEMAP).

39. *2005 Public Housing Assessment System.

RECOMMENDED ACTION: Review and approve the submission of the 2005 Public Hearing Assessment System Certification for Management Indicators to the Department of HUD; adopt the resolutions and authorize the necessary signatures.

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.
*Consent items

40. *Host International-S.A. No. 3-Restaurant and Concession Operations, Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the Supplemental Agreement No. 3 and authorize the necessary signatures.

CITY COUNCIL

41. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

42. Travel for Mayor Mayans to Liberal, Kansas, February 16-17, 2006, to meet with Chamber of Commerce officials regarding S.P.I.R.I.T. and affordable airfares initiative.

Adjournment

Workshop to follow