

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
9:00 A.M., April 12, 2005

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation-Father Dan Spexarth, St. Thomas Aquinas
 - Pledge of Allegiance
 - Approve the minutes of the April 5, 2005 meeting
 - Consent Agenda
 - a. Planning Consent
 - b. Airport Consent
 - Comments from Mayor and Council Members
 - Recess
-

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
April 12, 2005

City Council Chambers
455 North Main

ORDER OF BUSINESS

1. Call to Order (Reconvene)
2. Introduction of New Members - Oath of Office
Administered by Judge Jennifer Jones
3. Ballot Selection of Vice-Mayor
4. Vice-Mayor – Oath of Office
5. Comments from Mayor and Council Members
6. Adjournment to Reception – First Floor Board Room

CONSENT AGENDA

1. Report of the Board of Bids and Contracts Dated April 11, 2005.

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

2. Applications for Licenses:

Renewal Escort Service

Tekoa Callaway	A Private Exscapes	333 English #150
----------------	--------------------	------------------

Renewal Adult Entertainment

Valerie Washington	Xcitement Video	1306 East Harry
Valerie Washington	Xcitement Video	1515 South Oliver

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

3. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2005</u>	<u>(Consumption on Premises)</u>
----------------	-------------	----------------------------------

Edith Boede	Lil Mexico*	1601 East Pawnee
-------------	-------------	------------------

<u>Renewal</u>	<u>2005</u>	<u>(Consumption off Premises)</u>
----------------	-------------	-----------------------------------

Stan Edde	Falley's Inc. dba Food for Less #60	1607 South Georgetown Street
Stan Edde	Falley's Inc. dba Food for Less #61	3137 South Seneca
Stan Edde	Falley's Inc. dba Food for Less #62	1910 West 21 st Street
James Giebler	Dillon Store #81	13415 West Maple
Thuan Thi Ngo	C.T. Happy Store	2199 North Woodlawn
Kim T. Huynh	Kim Son Asian Food Market	960 East Pawnee

*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) 2005 Contract Maintenance Area Concrete Street Repairs Phase 2 - north of 33rd Street South, west of Rock Road. (472-84149/132718/) Traffic to be maintained during construction using flagpersons and barricades. (District III, IV) - \$244,300
- b) Storm Water Drain #205 to serve Highland Springs Third Addition - south of 13th Street North, west of 135th Street West. (468-83637/751392/485283) Does not affect existing traffic. (District V) - \$240,000

(Item 4 continued)

- c) Magruder-Holland Water Main Replacement Project - from Harry to Lincoln, between Waco and Market. (448-89811/634023/773194) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$925,000.00
- d) 2005 Sanitary Sewer Rehabilitation, Phase B - (various locations between 14th Street North & 31st Street South, and between Rock & Meridian. (468-83955/620428/665548) traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III,IV,VI) - \$377,000
- e) 2005 Sanitary Sewer Reconstruction, Phase 3 - various locations between 31st Street South & 17th Street North and between Ridge & Webb. (468-83970/620429/665549) traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III,V,VI) - \$200,000
- f) Eisenhower Court to serve Airport Industrial Park Addition - south of Harry, west of Hoover. (472-84112/765908/490021) traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$110,000
- g) Water Distribution System to serve Woodland Lakes Estates 3rd Addition - south of Lincoln, west of 127th Street East. (448-89787/735239/470910) Does not affect existing traffic. (District II) - \$90,000
- h) Storm Water Sewer #583 to serve Copper Gate Estates Addition - south of 13th Street North, west of 135th Street West. (468-83561/751379/485270) Does not affect existing traffic. (District V) - \$130,000
- i) Storm Water Drain #156 to serve Sawmill Creek Addition -north of 45th Street North, east of Rock. (468-83169/751391/485282) Does not affect existing traffic. (District II) - \$309,000
- j) Wichita River Corridor Improvement Project and Cable-Stayed Pedestrian Bridges over the Confluence of the Big and Little Arkansas Rivers - north of 2nd Street North, east of McLean Boulevard. (87TE-0176-01/472-82799/706556/715391/405209/242107) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$27,798,214

RECOMMENDED ACTION: Approve and file.

5. Petitions for Public Improvements:

- a) Paving Improvements for Tyler's Landing Commercial Addition, south of 37th Street North, east of Tyler. (District V)
- b) Construct a Lateral Sanitary Sewer in The Fairmont Third Addition, west of 127th Street East, north of 21st Street. (District II)
- c) Construct a Lateral Sanitary Sewer in Krug North and East Side Community Church Second Additions, north of 21st Street, west of 143rd Street East. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

6. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

7. Contracts & Agreements, Blanket purchase orders renewal options for April 2005.

RECOMMENDED ACTION: Receive and file.

8. Agreements/Contracts:

- a) Contract for Management of Food Services.
- b) Laser Printer – Selection of Vendor.
- c) Transportation Services Agreement-Airtran Airways, Inc.

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

9. Property Acquisition:

- a) Part of 6321 East Central for Central: Oliver to Woodlawn. (Districts I and II)
- b) By Eminent Domain of a tract required for the improvement of Central Avenue from Oliver to Woodlawn. (Districts I and II)

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

10. Certificate of Canvass.

Certificate of Canvass of the votes cast in the General Election on April 5, 2005, determining that the following candidates were duly elected:

Council Member, District I
Carl Brewer

Council Member, District III
Jim Skelton

Council Member, District VI
Sharon Fearey

RECOMMENDED ACTION: Receive and file.

11. Approval of Lease of City Property at 701 West Harry. (District IV)

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

12. Second Reading Ordinances: (First read April 5,2005)

a) Nuisance abatement assessments.

1. An Ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas.
2. An Ordinance making a special assessment to pay for the cost of abating certain public health nuisances (lot clean up) under the provision of section 7.40.050 of the Code of the City of Wichita, Kansas be it ordained by the governing body of the City of Wichita, Kansas:

b) Abatement of dangerous & unsafe structures. (Districts I, III, IV V & VI)

An Ordinance making a special assessment to pay for the removal of certain structures, being dangerous and unsafe buildings which have been declared a nuisance (building condemnation) under the provision of sections 18.16.010 to 18.16.090 of the code of the City of Wichita, Kansas

c) Northwest Bypass (District V)

An Ordinance declaring the Northwest Bypass Expressway (472-84199) 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.

d) Issuance of Industrial Revenue Bonds, Cap Carpet, Inc. (District V)

An Ordinance of the City of Wichita, Kansas, authorizing the issuance of Taxable Industrial Revenue Bonds, Series II-A, 2005 (Cap Carpet, Inc. Project) in the aggregate principal amount of not to exceed \$3,000,000 and its subordinated taxable Industrial Revenue Bonds, Series II-B, 2005 (Cap Carpet, Inc.) Project) in the aggregate principal amount of \$1,000,000 for the purpose of providing funds to purchase, acquire, construct and equip a corporate office and warehouse distribution facility; prescribing the form and authorizing execution of a Trust Indenture by and between the City and Security Bank of Kansas City, as trustee with respect to the bonds; prescribing the form and authorizing the execution of a lease by and between the City and Ridge Plaza Ventures, LLC; approving the form of a sublease between ridge plaza ventures, LLC, and Cap Carpet, inc.; approving the form of a guaranty agreement and an individual guaranty agreement; authorizing the execution of a Bond Purchase Agreement by and among the City, Ridge Plaza Ventures, LLC, and Intrust Bank, N.A., as purchaser of the Series II-A 2005 bonds; and the execution of a bond purchase agreement by and among the City, Ridge Plaza Ventures, LLC, and Lavone J. Pirner, as purchaser of the Series II-B, 2005 Bonds.

e) Excel Exemption Request, Excel Manufacturing, Inc. (District IV)

An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of Excel Manufacturing, inc., so exempted.

f) Tax Exemption Request, Sharpline Converting, Inc. (District V)

An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valor tax exemption; and describing the property of Sharpline Converting, inc. so exempted.

(Item 12 continued)

- g) Reformation of the Snap-It Program.

An Ordinance amending Section 11.52.025 of the Code of the City of Wichita, Kansas, pertaining to enforcement of handicap parking violations, and repeal of the original Section 11.52.025.

- h) Eminent domain of a tract required for the Pawnee and Washington Intersection Improvement Project. (District III)

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the construction and improvement of Intersection of Pawnee and Washington, in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof.

- i) Settlement of Litigation – Case No. 03-CV 2854. (District V)

An Ordinance authorizing the City of Wichita to enter into an Interlocal Agreement with the City of Maize relating to the provision of sewer service by the City of Wichita to areas inside the city limits of the City of Maize.

RECOMMENDED ACTION: Adopt Ordinances.

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

13. *VAC2004-00036-Request to vacate a platted waterline easement, generally located south of Pawnee Avenue, northeast of the Marion Street & Broadway Avenue intersection. (District III)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

14. *VAC2005-00003-Request to vacate a platted utility easements, generally located northeast of the Ridge Road-Kellogg Drive intersection, more specifically southwest of the University Avenue-Emerson Street intersection. (District V)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

15. *VAC2005-00004-Request to vacate a platted contingent dedication of street-right-of-way, generally west of Holland Lane and north of Kellogg Drive. (District V)

RECOMMENDED ACTION: Approve the Vacation Order 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

16. *Contract for Management of Parking Facilities at Mid-Continent Airport.

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

17. *Administration Building HVAC Improvements, Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the supplemental agreement and authorize the necessary signatures.

Adjournment