

**DISTRICT ADVISORY BOARD (DAB) I
MEETING MINUTES**

Monday, November 1, 2010

6:30 p.m.

Atwater Community Center, 2755 E. 19th, Wichita, Kansas 67214

Members Present

Bill Wynne
Twila Chaloupek
Vicki Churchman
Gerald Domotrovic
KC Ohaebosim
Janice Rich
Steve Roberts
James Roseboro
Janet Wilson

Members Absent

Lisa Riley
Jesyka Ware (Youth Member)

Guests

Listed on the last page

City of Wichita Staff Present

Council Member Lavonta Williams
Chief Snow, Wichita Fire Department
Officer Weber, Wichita Police Department
Officer Neal, Wichita Police Department
Officer Wylie, Wichita Police Department
Bill Longnecker, Planning Department
Mark Stanberry, Housing & Community Services
LaShonda Porter, District 1 Neighborhood Assistant

Order of Business

Call to Order

Council Member Williams called the meeting to order at 6:35p.m.and welcomed guests. **CM Williams** advised that anyone speaking should provide their name and address for their record. **CM Williams** amended the DAB agenda to move item 7 before item 8, asking the Board to review the agenda with noted amendment.

Approval of Agenda

Roseboro (Churchman) made a motion to approve the agenda as amended. **Motion carried. 7:0**

Domotrovic arrived at 6:40 p .m.

Approval of Minutes

Roberts (Wynne) made a motion to approve the August minutes as submitted. **Motion carried 8:0**

Public Agenda

1. Agenda Items

Westar Energy, Suzanne Coin provided an update on the ReliabiliTREE program. **Coin** advised that the program is a revitalized vegetation management program that should improve reliability and support safety initiatives. She noted that they plan to enhance their public education campaign, meeting with neighborhood groups, and having one-on-one discussions with both the City Council and County Commissioners.

Coin noted that the program would allow them to share the importance of keeping clear lines and ensuring that the right tree was in the right place.

Coin described the features of the program as follows:

- Four-year recurring cycle
 - Re-pruning and removing additional trees will be incorporate into future cycle work
 - Trimming priority is by tree species
- Westar crews to follow trimming crews
 - Looking for worn equipment to repair prior to failure
- Herbicide use in urban areas
 - Low volume or ultra-low low volume application
 - Applied following initial work to control new growth

Coin advised that the work will begin in the northeast quadrant and then go to northwest quadrant, followed by southwest quadrant, finishing in the southeast quadrant. She noted that this might change its dependent upon the number of outages in an area.

Coin advised that every homeowner that will be impacted by the project will be contacted, via a door hanger and/or phone call. She noted that the trees will be marked for trimming and/or removal and that soon maps will be online with timeframe information for tree work in each quadrant.

Coin advised that the benefits of the ReliabiliTREE program include:

- Improved safety
- More reliable electrical service
 - Fewer “flickers”
 - Fewer tree-related outages
 - Fewer animal/lightning-related outages
 - Reduced equipment stress and failure-related outages

Coin advised that this project should impact a third of their customer base. She advised that outages should decline, customers should be more satisfied with the service, and emergency calls should go down. She noted that customer satisfaction surveys will be completed to evaluate the outcomes of the project.

Wilson wanted to know if Westar would be going into backyards of homeowners to complete projects. **Coin** advised that Westar is only responsible for the alley and that the owner would be responsible for any trees on their property. She noted that the customer can contact Westar if they desired to have the tree cut down, that Westar would come and have the electrical line dropped so that it could be cut properly. She noted that the cost of the tree trimming for trees on private property is the responsibility of the homeowner.

Churchman wanted to know the projected timeline. **Coin** advised 1-4 years that the project would loop.

Roseboro advised that if a neighborhood has an alley that needs attention what should they do. **Coin** advised him to contact her and she would have staff take a look at.

Wilson commented that Westar has already begun and is doing a great job.

CM Williams noted that she understood that woodchips from the tree trimming and cutting was been put at the Sedgwick County Zoo for residents to pick up on a first come, first serve basis. **CM Williams** asked if there another place besides the Sedgwick County Zoo that the woodchips could be left, so that they could be more accessible for the community. **Coin** advised that she would check into that.

Chaloupek wanted to know if this would assist with the ugly tree trimming. **Coin** advised yes.

The **Board** thanked Coin for her presentation.

Action Taken: Received and filed.

2. **Off Agenda Items**
No items submitted.

Staff Report

3. **Fire Report**

Chief Snow, Wichita Fire Department presented information on the activity of the Fire Department for the month of October, noting the involvement in the following activities:

- Fire Prevention Month
- Zoo/Cowtown activities
- Senior Center visits
- Secured and installed smoke detectors in home of seniors through a grant program
- Mentoring program and increased presence in the schools (on-going)
- Mayor's Run
- Black Top Nationals

Snow advised that there are two main causes for fires and deaths and they include cigarette smoking and cooking fires.

Snow noted that Wichita ranked in the Top 10 in the nation for fires that could have been prevented if working smoke detectors were in the property.

Snow noted that Wichita was the host for the State Fire Memorial and during that memorial there own Captain Eck was honored.

Snow noted that in the month of October the following statistics for District 1:

26	All Fires
11	Structure Fires
3	Accidental Fires

She also reported that there were 583 medical calls and 184 service calls.

Roseboro wanted to know how often elevators were inspected at senior buildings. **Snow** advised that the Fire Department does not inspect elevators. Elevator inspections are down through OCI who utilizes Otis Company.

Wynne asked when 911 are called the Fire Department usually gets there first. He wanted to know did they track the frequency of calls from the same address and if there is no emergency at the address what is done. **Coin** advised that those are called frequent fliers and that they are currently during research on the cost of those types of calls.

Wilson wanted to know what is done about crank calls. **Snow** noted that they go to every home when a call is made even when it's a frequent flier, they do not try and determine if it is a crank call.

The **Board** thanked Chief Snow for her presentation.

Action Taken: Received and filed.

4. Police Report

Officer Weber, Wichita Police Department presented information on the activity for his beat in District 1. He noted that crime was down in October and that burglaries increased, but they are still lower in comparison to last year.

Officer Neal, Wichita Police Department presented information on her beat. She advised that they did a follow up survey with the community regarding the Petron Club. She noted that only person issued a complaint of the 54 surveyed.

Neal advised that burglaries were down on her beat and

The **Board** thanked the Officers for their presentation.

Action Taken: Received and filed.

CM Williams acknowledged the Mayor and thanked him for attending the District 1 meeting. He asked if he had any comments. **Mayor Brewer** encouraged everyone to attend the Mayor's Challenge on Saturday.

New Business

5. ZON2010-00038

Derrick Slocum, Planning Department, presented information on the zoning change request from Limited Commercial to Single Family at the property located at 1755 N. Grove. **Slocum** noted that this use to be the old fire station and is now a vehicle service garage. **Slocum** advised that the agent intentions was to turn the property in a single family residential and needed the zoning change for housing and loan applications.

Slocum advised that the land use adjacent to the property was:

North	Limited Commercial	Service Garage
South	Limited Commercial	Vacant, Residential
East	Limited Commercial	Service Garage
West	Limited Commercial	Retail

Slocum advised that staff is recommending approval and stood for questions.

Twila Chaloupek arrived at 6:55 p.m.

Wilson wanted to know if they were going to tear down the current structure and rebuild, or use what was there.

Nick Anneler, 5 Arnold Drive, Augusta advised that he was the agent for the property and that he intended to use the current structure. He noted that he and a few roommates would live in the property and that he would rebuild a pick up in the garage area. **Anneler** advised that he is also working with Urban Ministries to help bless some younger guys.

Churchman stated this is not an unusual concept that they have a fire station that was turned into a home down South.

Action Taken: Roseboro motioned to approve zoning change request as staff recommended in staff report. Roseboro (Roberts). Motion carried. 8:0

Unfinished Business

6. DER2010-00009

Dale Miller, Planning Department, presented information on the request to establish the Bridgeport Industrial Area Protective Overlay. The area in discussion is bounded by 29th Street North, Broadway, I-235, and I-135. **Miller** noted that the request for the overlay was made by the Bridgeport Association and that the area is currently zoned "GI" General Industrial.

Miller advised that this case had been presented to both District 6 Advisory Board and the Metropolitan Area Planning Commission (MAPC) and they voted unanimously to approve the protective overlay.

CM Williams asked if businesses had missed the opportunity to opt out of the protective overlay restrictions. **Miller** advised that as part of the MAPC recommendation was to extend the opt out period until the day the item is presented to the City Council.

Wilson wanted to know if any other businesses had opted out since this was presented to the DAB in September. **Miller** said yes.

Roseboro wanted to know why people were opting out. **Miller** advised that because they have more options with their properties under the current zoning.

Domotrovic asked what happens if people opt out now and then sale their property. **Miller** advised that the restrictions would go with the property and the new owners would be held to those restrictions.

Wilson asked if they foresee any other businesses opting out and what was the ration of opt outs. **Miller** advised that they do not have that ratio calculated as of yet.

CM Williams advised that all wanting to speak in regards to this class to please limit there comments to 2 minutes.

Laurie Campbell, 2330 Gary, Park City noted that she was opposed to the protective overlay. She advised that she owns a recycling business and they have opted out of the protective overlay. She advised that this was taking away property owner rights and that was not good. **Campbell** advised that several property owners have opted out and that there would probably be more but all owners had not been notified of this request.

Campbell advised that a protest petition has been distributed and has been signed by many of the owners and will be submitted to the City Council before a final decision is mad.

Domotrovic wanted to know who the protective overlay impacts you since you opted out. **Campbell** advised that if she decided to grow her business and the property next door did not opt out, that places limits on her growth potential in the area where she is located.

Roseboro wanted to what types of business are opting out. **Campbell** advised that a lot of them are manufacturing.

Ted Branson, 2876 Wedgewood advised that he was commercial Real Estate Broker and he was there on behalf of his client. He noted that his client was opposed of the protective overlay. Advising that he felt the protective overlay was removing the property rights of owners. He advised that the area was created for these types of businesses. **Branson** noted that there are not other areas of this type of zoning in Wichita for these types of business to go.

Branson advised that at the MAPC meeting the Board was mislead to believe tat 100% approval from BABA members was received – indeed that was not true as some of the owners that are a part of BABA has expressed the opposition in regards to the protective overlay.

Domotrovic wanted to know if owners have the option of opting out of the protective overlay then how this impacts them.

Branson advised that this could impact there future growth or ability to sell there property in the future.

Matt Branson, 6422 Shadow Lakes advised that he has been in his current location for four years and when he purchased property, he purchased because of the open space and the “GI” zoning. He noted that they were once members of BABA with the impression that it was a community group. However, as they learned later that they were about getting this protective overlay passed, they stopped attending the meetings. **Branson** noted that on the BABA member approval list that was submitted to the MAPC his name was included as one of the members who supported the protective overlay, which clearly a misrepresentation because he is opposed to the protective overlay.

Wilson wanted to know what they envisioned the area to look like in the future. **Branson** advised business will continue, grow, and businesses would be able to hire more people.

Roseboro wanted to know what some of the future uses for the area were. **Branson** advised build more buildings and more warehouse space. He noted that it really depended upon the economy, but he would like to have options either way.

Morgan Koon, 956 N. Woodrow advised that they own an asphalt recycling building and they have been looking at other properties in the area for a metal recycling facility they want to open; however, this protective overlay would limit their potential.

Koon identified that there were 27 uses being recommended to be prohibited and of the 27, (10) currently require a conditional use permit; (11) uses have some type of condition/restriction on them already, and so there are only 6 uses remaining. Of the 6 remaining they want to prohibit Park and Recreation facilities, and outdoor storage use. He noted that the protective overlay is not needed, that is a process in place that works.

Ohaebosim wanted to know that meant if the current Park & Recreation field was to stop operating, does that mean someone else could not come a put a soccer field there. **Koon** advised that yes that was correct.

Keith Howell, 2700 Jester Creed Rd, Sedgwick advised that he owns a business in the are area that melts metal and they are looking at land on Ohio to do some additional business; however, this protective overlay would limit what he is trying to do. **Howell** advised that two properties own a lot of the land in the area (more than 50%).

Roseboro wanted to know if Mr. Howell had considered buying property before this issue came up. **Howell** advised yes.

Wilson wanted to know if he was opposed to the protective overlay. **Howell** advised yes.

Maxine Bostic, Kenmar Neighborhood Association wanted to know how many jobs would be affected by this.

Louis Eetink 1330 E. 37th Street advised that BABA started this process a couple of years. **Eetink** advised that during the MAPC meeting Rick Lowe advised the list reflected a 100% approval of the people who showed up for the meeting. He noted that this process was not started with the idea that they wouldn't get any opposition.

Eetink advised that business they are trying to restrict are alcohol related business, children and public businesses, and businesses that will lower property values.

Roberts wanted to know how many alcohols, correctional, day cents, and recycling business are currently in the area. **Eetink** responded none. **Roberts** followed up with another question asking how many businesses on the prohibited list needed conditional uses now. **Eetink** responded 10.

Wilson asked why we don't just add the three additional businesses to the conditional use list instead of creating the protective overlay.

Churchman stated that the concept of the conditional use permit has become more effective, thus she is struggling with this request.

Johnny Stevens, 8120 Killarney Court stated that many owners had not been notified and this is about property owners and their rights.

Ron Williams expressed that this request did not make sense to him.

Roseboro wanted to know if any of the businesses expanded would that create new/more jobs. He also wanted to know if this area was in District 1 or 6. **CM Williams** advised that this was in District 6.

Domotrovic commented that he didn't feel the protective overlay was necessary. He noted that the conditional use was sufficient and that the opt out provision diminishes the need of a protective overlay.

Action Taken: Wilson motioned to deny the request for a protective overlay. Wilson (Roberts). Motion carried. 8:0

Update

Updates, Issues and Reports

Rich advised that the Hyde Neighborhood Association next meeting would be November 13th at 3 p.m. at the Spice Merchant.

Ohaebosim advised that there would be a celebration at Corporate Caters at 29th Rock from 6 p.m. to midnight, a independent celebration of the Nigerian Association.

Roseboro advised that Northeast Heights Neighborhood Association would meet on the 4th Thursday of the month.

Roberts advised that Crestview Heights would meet on the 21st at 7 p.m.

Churchman invited everyone out to the Fall Festival and Parade on October 9th. She also reported that the South Central Business Alliance has merged with the South Central Neighborhood Association.

Wilson announced that CNAC would be hosting a candidate forum at 6:30 p.m. on Thursday and that dinner would be provided. She also advised that A Price Woodard would have there meeting on the 2nd Wednesday of the month at Hope Street.

Domotrovic advised that Schweiter would have there clean up on November 6th.

CM Williams provided an update on the vote regarding the Quik Trip on Hillside and Orme. She noted that the Council meeting was somewhat confusing because there were several votes brought forward on this request. **CM Williams** advised that she originally motioned to deny the request, but the vote failed due to a lack of a 2nd. She noted that a counter motion was made to approve the request. **CM Williams** then decided that since there was a motion in play to approve the request that she wanted to amend the motion to include the additional conditions to the protective overlay that the community wanted.

CM Williams added that she was for the community and wanted to do what was in the best interest of the community. She noted that since her vote failed, she would at least make sure the community got the conditions they wanted if the request was approved, thus here reason for moving forward with the motion as it was then presented.

CM Williams then discussed the importance of attending the Park and Recreation community meetings that were scheduled. She noted that she reviewed the report from WSU and looked specifically at the revenues and expenditures. She noted that the City Manager is looking at the cost recovery rates as he is making decisions on next steps. **CM Williams** advised that she was not 100% cert5ain that YMCA has agreed to be a partner and that the money being moved from Park and Recreation is not going to support downtown development. **CM Williams** encouraged the community to attend the meetings and come with ideas as to how they think the program should look.

Wilson asked what are they looking for, do they have a plan. **CM Williams** advised no that what the focus groups are for, to come up with a plan. **Wilson** also noted that McAdams was very desolate and in need of major repairs. **CM Williams** advised that yes there are quite a few repairs that need to b done, but it was important that we understood if McAdams would still be there before we invested in the property.

Roberts commented that the cost recovery metric is a metric that has to be looked at carefully. He noted that it cannot be a stand alone metric, as low income areas would always show a low cost recovery rate.

Roseboro commented we need to ensure that we look at the whole picture.

John Stevens, 3125 E. Boston encouraged everyone to come out and participate in the meetings.

Wilson asked if the budget was already cut by \$1M plus what budget are they work.

Stevens advised that he has been asking for marketing to raise awareness to help improve the services but that has not occurred.

Roseboro commented that he thought the meetings should have been spread over a longer period of time, to give citizens the opportunity to participate.

Stevens added that District 1 would lose the most because there are more recreation centers in the district. He also noted that CM Miller assured that District 6 would not have to worry about Evergreen being touched. **CM Williams** responded that she didn't think any had a clean walk, all options were being explored.

Mayor Brewer added CM Williams is correct and that John Stevens was also correct in saying that the citizens must attend the meetings and get involved. **Mayor Brewer** advised that the intent of the community meetings were to gauge the use of the facilities and to determine what type of programming is needed for each center.

Mayor Brewer encouraged the citizens to get involved noting that the citizens have to get out and tell what they want. This is the opportunity to discuss the types of programs you would like to see, to discuss the opportunities we are missing in our centers. **Mayor Brewer** encouraged them to be engaged and to get out and give their input. He noted that the final had not been made on closing any facility.

Wilson commented that we should also look for partnering opportunities and come with solutions.

Brewer stated yes, come with recommendations.

Roseboro commented that the community needs better notice about things that impact the community. For instance issues dealing with alarm rates and water issues. **Mayor Brewer** commented that the water structure was broken and we are trying to address. He added but if information is getting to you late you have to let us know so that we can address.

Wilson asked if City 7 being available to households without cable be addressed. **Mayor Brewer** advised that he would look into it.

Chaloupek noted that she got her alarm bill and because she was late she got a \$25 late charge.

Maxine Bostic, Kenmar Neighborhood Association advised that she wanted to discuss the Redbud Trail and the need for extra lights on the trail. She noted that the residents had signed a petition regarding this issue and that they want to be a part of the design process to ensure that the neighbors needs are met.

Ohabeosim asked the Mayor if he would reassure the community that the City was involved in keeping Hawker Beech in Wichita. He noted that there are several blogs disputed this and that the community is unsure.

Mayor Brewer advised that he has done several interviews and they know that the City is doing all they can to keep Hawker Beech here. **Mayor Brewer** stated they are having some aggressive meetings and trying to work through the details.

With no further business, the meeting adjourned at 9:06 p.m.

Respectfully Submitted,
LaShonda Porter
Neighborhood Assistant

Guests

RA BVAhm
Louis Eetink
Beverly Domotrovic
Laurie & Alvin Campbell
Maxine Bostic
Morgan Koon
Ruth Ann Phillips
Richard L Phillips
Matt Devins
Keith Howell
Bryan Turner
John Stevens
Ted Branson
Charlie Stevens
Johnny Stevens
Nick Anneler
Patricia Fields