

DISTRICT V ADVISORY BOARD
REVISED MINUTES
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May 3, 2004
7:00 p.m.

Auburn Hills Golf Course Clubhouse
443 S. 135th West

Six (6) District Advisory Board Members attended the District V Advisory Board meeting. Eight (8) City Staff and approximately 35 members of the public were present (with 20 signing the guest list).

Members Present

Bob Bulman
David Dennis
Maurice Ediger
John Marker
DeAnn Sullivan
Ann Welborn
Council Member Bob Martz

Members Absent

David Almes
Sean Cash
Andy Johnson
Matt Schippers
Steve Winslow
Jordan Hudson

Staff Present

Addie Perkins, Police
Michelle Schell, Police
Lee Eisenbise, Police
Jim Armour, Public Works
Rob Younkin, Public Works
Scott Logan, Public Works
Bill Longnecker, Planning
Dana Brown, City Manager's Office

Guests

Listed on page 8

ORDER OF BUSINESS

Call to Order

Protemp David Dennis called the meeting to order at 7:10 p.m. and welcomed the public. He explained the purpose of the District V Advisory Board as being advisory for Councilmember Bob Martz as the District V representative. He said that the Board reviewed both citywide and Council District V issues and took comments from the public on all agenda items. He asked that the public maintain courtesy at the meeting and to refrain from repeating comments that had been made by another member of the public.

Approval of Minutes and Agenda

The minutes for April 12, 2004 were approved as presented by a vote of 6-0. The Agenda for the meeting was also approved 6-0.

Public Agenda

This portion of the agenda provides an opportunity for citizens to present issues that are not part of the regular agenda for the meeting.

Scheduled items

Flooding Concerns

Candace Bevans, Resident in area of 13th & 119th, addressed the Board on flooding concerns for neighborhood areas of Lost Creek, Cedar Park Chateaux, Deer Trail, Briarwood, and Whistling Walk Estates. She stated that the October 1998 flooding damaged over 25 homes in these neighborhoods. She had understood from City Storm Water staff that future flooding would not be prevented in these specific neighborhoods by flood prevention projects implemented and planned for the Cowskin Creek Basin. She also understood staff to say that provision of any substantial flood mitigation for these neighborhoods would be very expensive and difficult due to environmental issues. Bevans stated that this has reduced the value of the homes in these areas, including her own home.

Bevans then proposed a program be developed and funded by the City to buy out the homes that have experienced previous flooding damage. She suggested that the program be funded through the Capital Improvement Program over a ten-year period. Other conditions were included in the proposal such as qualifying factors for the homes, establishing the price of the home, etc.

Ediger asked Bevans for clarification on her point of flood projects to-date not providing any measurable relief in her residential area. **Dennis** added that he would like clarification her suggested plan to buy the identified homes prior to flooding versus Federal Emergency Management Association (FEMA) buy-outs after flood damage. **Bevans** stated that City Storm Water staff had said that the current remediation would not have any flood prevention impact on the areas identified. She said her suggestion of buying the homes would provide those property owners with a way to sell their homes and receive a fair market price instead of receiving partial value payment through the FEMA plan.

Bulman complimented Bevans on her work to develop the proposed plan and asked if she had contacted any of her neighbors for their input. **Bevans** said she had made some contact but not with all. **Sullivan** asked how Bevans arrived at the \$10 million figure to which **Bevans** said that was the total from information provided by Black & Veatch, the engineering firm contracted by the City to develop and construct the remediation projects for the Cowskin Basin. **Sullivan** asked how she identified the neighborhoods at risk to which **Bevans** said that City staff had identified them. **Sullivan** then asked for clarification on how staff had used the word, "impact" to which Bevans said she wasn't certain.

7:30 p.m. – Councilmember Martz arrived at the meeting.

Councilmember Martz responded to Bevans' proposal by saying that he would need to visit with Storm Water staff for clarification on the information provided. **Dennis** asked if another public meeting would be held to review the progress of the flood prevention projects for the Cowskin Basin.

Councilmember Martz said that a meeting would be held this summer.

Bevans noted that Storm Water staff had not yet presented all of the information to City Council due to the need to complete some final work on details of the flood remediation effort. **Summerhouse**, also a resident of 13th & 119th area, supported Bevans' concerns and said that the run-off appeared to be coming faster.

Dennis (Ediger) moved that a recommendation be made to hold the next public information meeting this summer. Motion passed 6:0.

Larry Paul, Hidden Lakes resident, said he definitely wanted a public meeting to be held on this subject. **Cathy Classen, Hidden Lakes resident**, asked what projects had been completed that help the residents who were flooded by the Halloween flood. She said that she had reported five years ago that water just backs up around the intersection of 119th & Maple but she didn't think anything had been done by the city to address it. **Councilmember Martz** stated that several projects had been completed to allow the water to flow better to prevent back up further upstream, and the city would continue on the other projects included in the plan.

L. Tyler, Hidden Lakes, said he had three points to make: (1) the problem was created when Chance Manufacturing built their facility and displaced land that previously held the water; (2) the best way to affect a forest-type area is through channelization; and, (3) homeowners needed to take care of the area behind their home.

Action: Recommended the next public information meeting be held this summer on the flood prevention efforts and plans for the Cowskin Basin.

Tobacco Free Wichita

Jennifer & Todd Ferguson, Tobacco Free Wichita Coalition, presented a briefing on clean indoor air and their desire for an air ordinance to restrict smoking in all public places including restaurants, workplaces, and bars. **Ms. Ferguson** said the coalition included volunteers and community representatives. She said that a Clean Indoor Air ordinance would eliminate second-hand smoke, which causes respiratory health concerns for many non-smokers who work in public places. Ferguson said that breathing one hour of second-hand smoke in a typical "non-smoking" section of most restaurants is equal to smoking 1.5 cigarettes. When given the choice for seating preference, 76% of the patrons of such businesses choose non-smoking section, 11% request smoking, and 17% ask for first available. Ferguson noted the impact on the economy that could result from a clean indoor air ordinance through increased business for the owners due to the majority of the public preferring non-smoking.

Ediger said he applauded the courage to address the issue and noted the experience he had in California where non-smoking in such places was decided through a public vote. **Ferguson** said the current emphasis is education but the Coalition hopes to be working toward support for a vote. **Dennis** said he supported the proposed ordinance as a reformed smoker who enjoyed life so much more as a non-smoker.

Councilmember Martz thanked the Fergusons for their presentation.

Action: Receive and file.

Off-agenda items

An Evergreen Street resident stated that he is a property owner in an area designated for an order-in sanitary sewer project. He wanted the Board to know that a major risk to the septic systems in the area has been flooding from the creek behind their homes. He provided a picture to show how the creek had risen in March of this year. **Councilmember Martz** accepted the picture and expressed thanks for the resident's comments.

Paul Binter, 1921 Parkdale, spoke about Parkdale Street being used as a north-south avenue through the neighborhood from 13th to 21st Street. He said the neighborhood was concerned about safety due to the speed of the cars and the accidents that had happened lately. He asked what the neighborhood could do, noting interest in the median constructed and trees planted in the Windwood neighborhood west of Westport & Lark.

Councilmember Martz said the median & trees in Windwood was funded partially by a neighborhood grant through a city program that has not been funded the past two years due to budget constraints. He said a committee was formed with residents, city staff, and DAB Members to explore possibilities to address traffic issues. The median, the plantings, and the trees along Westport were partially paid for by the homeowner association (HOA) along with grant funds. The Windwood HOA also maintains the median and the trees.

Scott Logan, Traffic Engineer, said he would work with the residents along Parkdale by collecting data on speeds and traffic volumes to consider possible strategies. **Binter** asked if the street could be blocked to which **Councilmember Martz** said that he would have to say no at this point, explaining that the City Council did not readily support street closures. **Logan** added that in most neighborhoods, the residents did not support the closures either.

Another **resident** of the Parkdale area asked if speed humps or tables were ever used to slow traffic. **Councilmember Martz** said a committee of DAB Members and city staff was currently studying the use of speed tables in other communities with the consideration of possibly using the Westport & Valleyview area as an experiment. **Community Police Officer Addie Perkins** said she had talked to Mr. Binter and would be setting up the police traffic trailer to collect data over the next week. **Logan** said he would also start collecting data.

Staff Presentations

Community Police Report

Community Police Officers for District V reported specific concerns for their beat areas. **Officer Perkins** reported that larcenies from autos were still a very high concern in Beat 19. She asked the meeting audience to help get the word out to residents and recommended that neighborhoods refer to her newsletter on the city website for techniques to prevent these crimes. She also encouraged residents to form small Neighborhood Watch areas.

Officer Michelle Schell, Beat 199, said larcenies from autos were also a problem in her area. In addition, burglaries from garages with doors left open were common. Officer Schell said that often the residents were home, inside the house or in the backyard, when burglars acted. She also reminded everyone that motorized scooters were not legal on sidewalks, streets, or public property. In addition, they can only be operated by licensed drivers on private property and must be equipped with safety equipment. The property owner's permission must be obtained.

Officer Lee Eisenbise, Beat 18, also reported similar concerns with larcenies and burglaries. He also said that traffic issues were increasing, especially during the afternoon time period when school is out. He encouraged residents to turn in vehicle tag numbers of the continuous speeders in their area to police and police would talk to the parents, explaining the impact on car insurance from speeding tickets for young drivers.

Bulman asked officers to explain a "legal driver" for the motorized scooter. **Officer Schell** said a person must be 14 years old and licensed to operate the scooter. Because the scooters are illegal on sidewalks, streets, or public property, they cannot be operated anywhere but private property. Officer Schell said she was working especially hard to educate people about the use of the scooters.

The officers distributed a handout with information about operating motor scooters in the City.

Councilmember Martz thanked the officers for their reports and additional information.

Action: Receive and file

Planning Agenda

Staff Report CUP2003-00048

Bill Longnecker, Planning, presented a revised request to create DP-267 Tyler's Landing Commercial Community Unit Plan and change the zoning from SF-5, Single Family, to LC, Limited Commercial. DAB V had reviewed the request on 10/06/2003 and advised that additional effort be made by Planning staff to work with the residents and the property owner to resolve the many issues still undecided. Subsequently, the applicant deferred the request indefinitely at that point; the applicant is now requesting consideration of the request again.

Longnecker reviewed the background and pertinent information from the staff report and outlined the agreed items. He said that staff recommends approval subject to conditions pertaining to signage, transportation review, street improvements, facades, sound, and other standard requirements.

Phil Meyer, Baughman Company/agent for the property owner, stated that all but three issues including signage, audio systems, and transportation requirements had been resolved. He said that the applicant would like to delete the restriction on the audio systems since it is nearly impossible to monitor as written in the staff report.

No residents spoke on the item.

DAB Members expressed concerns about several items including the signs being larger than the maximum allowed for the zoning requested; the allowance of building façades; preventing business sound from flowing into the residential area; the general impact of commercial area being so close to the homes planned along the back, directly east of the commercial area; and, the need for greater zoning restrictions than requested when compared with the use of the area to the immediate north, across 37th Street.

Questions were also asked about the signs planned and the types of business allowed that would generate noise. **Longnecker** said the signs recommended would be the same as the existing ones in the area and that fast food restaurants and car washes might produce noise concerns. The Board asked for assurance that a wall plus landscaping would separate the commercial area from the residential area.

Discussion continued on whether only certain parcels of the subject area should be recommended for the same zoning as the nearby area north of 37th Street. Several motions were made but each failed due to lack of a second or support through a vote. It was decided that Parcel #4 on the corner was the only appropriate lot for Limited Commercial zoning.

Recommended Action: By a vote of 6:0, the Board recommended only Parcel #4 be zoned as Limited Commercial and in accordance with staff recommendations. The Board recommended that Parcels 1-3 and 5-7 be zoned the same as the area directly north of 37th Street, which divides the two areas, and include the same staff recommendations.

Public Works Agenda

Proposed Water Distribution System

Rob Younkin, Public Works, presented a resident petition to construct a water distribution system along Murdock, between Arapaho and Gilda, immediately east of the Floodway, north of Central and south of 13th Street. He said the petition represented three of seven (3 of 7) residents owners, or 42.86% of the residents and 68.15% of the improvement district area. A successful petition needs at least 50% of either the number of resident owners or the area.

Younkin said the project would extend City water service to eight (8) homes along Murdock in the designated area. The estimated total cost of the project for the entire area is \$36,000. The project qualifies for a 20-year bond with a 3.5% interest rate. The method of assessment proposed for individual properties is the *square foot basis* with estimated assessment as \$00.32 per square foot of ownership

Neither the Board nor the public had questions regarding the project.

Ediger was moved to support the staff recommendations. Motion passed 6:0.

Action: The Board recommended support of the petition to construct the water distribution system with staff recommendations.

Conceptual Plans for the Ridge/Maple Intersection Modification Project

Scott Logan, Public Works Traffic Engineering, presented conceptual plans for the Ridge/Maple Intersection Modification Project as a traffic safety project included in the 2004 Capital Improvement Plan. The plan proposes construction of dual left-turn lanes at the intersection approaches to mitigate traffic delays and left-turning accidents.

Logan stated that the intersection has been a high accident site due to improper left turns. *Surface Transportation Program* (STP) funds for safety improvements have been awarded with a 10% local match to fund the project, estimated at \$800,000.

The project will widen all approaches to add dual left-turn lanes, said Logan. The City's Access Management Plan advises 300-foot approaches but space is very limited on Ridge and the approaches may be limited to 150-200 foot but this should suffice, he said. Some access will be prevented, such as turning left into Kum & Go while traveling north. However, the raised medial would allow more safety for turning left into the Outback Steak House. Logan said the plan would work into the current plan for accommodating traffic for the Target store being built west of the intersection on Ridge.

Wellborn asked if pedestrians would be able to stop on the medials, as she was concerned for the Benton Elementary children. A representative of **Mid-Kansas Engineer Consultants** (MKEC) said the medials would be about four-foot wide, providing adequate space for pedestrians. **Dennis** asked if construction would impact traffic with the on going Kellogg construction? **MKEC** representative said traffic could be impacted for about four months. **Sullivan** asked if the construction would impact Taft to which **Logan** said no. **Marker** asked if the project to address traffic at Target and this project could be combined to save money but **Logan** said the different funding sources would prevent that.

A **DAB Member** asked when west Kellogg would be completed and **Jim Armour, City Engineer**, addressed the question saying late 2004 or January 2005. At that point, he introduced the MKEC representatives as Jay Englemire and Gene Rath.

Owners of the Maple Ridge Strip Mall on the northeast corner of the Ridge & Maple intersection spoke, asking if the project would reduce the size of their property. **MKEC** said it would remain the same as no right of way requirements were needed. **Tim Austin**, agent for the southeast corner property owner, Bill King, asked that they be notified if Kansas Department of Transportation (KDOT) changes the current plan. The **owner of the Outback Steak House** thanked the city for working with them and said that they were very pleased.

Dennis remarked that it helped the Board to have the agreements on the projects worked out before presenting to the DAB. **Dennis (Bulman)** then moved to support the plan as presented. Motion passed 6-0.

Action: Recommended City Council approve the conceptual plans for the Maple/Ridge Intersection Modification project.

Board Agenda

Updates, Issues, and Reports

Agenda portion for DAB Member and Councilmember to report on any activities, events, or concerns in the neighborhoods and/or District V.

Councilmember Martz first discussed the conflict with using the Auburn Hills Clubhouse on the next regular meeting date, June 7. Through discussion, the decision was made to meet on Wednesday, June 9th. Staff will check on the availability of the Clubhouse on June 9th.

Councilmember Martz then discussed a suggestion by some of the DAB Members to have a separate meeting to address how improved communication to the resident might be developed for an order-in situation. **Sullivan** said this might help when residents are annexed and when the order-in occurs without a choice by the resident. **Councilmember Martz** then suggested the DAB hold a “workshop” where they could discuss and invite staff to present information. Everyone agreed that would be the best approach. **Councilmember Martz** said that each member should let staff know what dates they are not available.

Councilmember Martz asked for the committee to report on speed tables. With Almes and Johnson absent, staff reported that the initial meeting was used to identify communities that used speed tables that could provide information on their success. Once the information is collected, the committee will begin to study for consideration in Wichita. Logan is collecting the information. Staff apologized for neglecting to contact Marker about the meeting and assured him that he would be invited to the next meeting.

Councilmember Martz then reported on the process for hiring a new city manager. He said that the city received applications from 42 persons, which Slavin Consulting narrowed to 15. The citizens committee selected seven persons and three alternates. From those five were chosen as finalists and one of those persons had to drop out due to needed surgery.

When the final candidates are confirmed, a plan is developed to invite the candidates and their spouse to Wichita for three days to tour the city; attend a reception with the Councilmembers, the citizens committee, and department heads and City Manager’s Office staff; and be interviewed by the citizen committee who will list strengths and weaknesses of each. The candidates will interview with the Mayor and City Council, both one-on-one and as a group. When the final selection is made, a package offer will be made to the candidate, and if accepted, will probably need 30-45 days to end their current job and move to Wichita. The Council would like to name the manager by the end of the month.

One other topic discussed by **Councilmember Martz** was the STAR Bond issue—whether it could be used as Wichita intended to bring a large retailer to the city for the anchor at the water walk. Right now it appears that legislature will limit use of the STAR Bond to infrastructure and not allow retail. Some discussion occurred about a downtown area versus the renovation of the Coliseum.

Bulman asked about the current issue of the Ralph Wurtz Complex and whether an indoor tennis court had been considered. **Councilmember Martz** said the item is on the Council agenda for tomorrow’s meeting.

Councilmember Martz noted that the planning request by the Shrine for the land near 13th & Ridge had been approved by the Planning Commission with exception of the easement. That will need further discussion and research. He also said that some lawsuit threats had come from Hidden Lakes residents identified in the improvement district for a sanitary sewer. And some highway conditions concerns were expressed about the Highway 235 Exit on to Kellogg going east and traveling over the floodway.

Councilmember Martz announced that he would be out of town beginning Memorial Day weekend through June 5th. He reminded members that staff would confirm the next meeting date as June 9th and notify them.

With no further business, the meeting adjourned at 10:30 p.m.

Respectfully Submitted,

Dana Brown, Neighborhood Assistant
City Council District V

Guests

Mr. Jim Brown	12006 W. 19th	
Ms. Candace Bevan	1259 Azure Lane	
Mr. Matthew Ferguson	12805 W. Alderny	
Mrs. Jennifer Ferguson	12805 W. Alderny	
Mrs. Ray Clasen	11305 Valley Hi	
Mr. Rob Tyler	11509 Valley Hi Drive	
Mrs. Lynda Tyler	11509 Valley Hi Drive	
Ms. Betty Ladwig	406 N. Jaax	
Resident	212 S. Ridge Road	
Mr. Phil Meyer	315 Ellis	67211
Mr. Mark Siffing	233 S. Ridge Road	67209
Mr. Larry Paul	11016 Hidden Lake Road	
Mr. Mark Suellentrop	12109 W. Autumn Ridge	
Ms. Laura Nitcher	1917 N. Parkdale	
Mr. Paul Binter	1921 N. Parkdale	
Mr. Clete Dold	218 S. Breezy Point Circle	
Mr. Terry Summerhouse	12237 Nantucket	67235
Mr. C. M. Rudrow	11901 Kent	67209
Mr. Brian Suellentrop	11021 Rolling Hills	67212
Mr. Dave Bayouth	8420 Huntington	67206