

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, July 17, 2007
Tuesday, 9:07 A.M.

The City Council met in regular session with Mayor Brewer in the Chair. Council Members Fearey, Gray, Longwell, Schlapp, Skelton, and Williams present.

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Karen Sublett, City Clerk; present.

Reverend Kate Moorehead, St. James Episcopal, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

The Minutes of the regular meeting of July 10, 2007, approved 7 to 0.

AWARDS AND PROCLAMATIONS

Proclamations

Proclamations:

Mayor Brewer read a loud the following Proclamations:

- American Red Cross Celebration of Life Months
- Ride to Work Day

Service Awards

Distinguished Service Citation: Harold A. Hughey.

Mayor Brewer recognized Mr. Hughey for his 35 years of service with the Department of Parks and Recreation and presented him with a plaque.

CONSENT AGENDA

Motion--
--carried

Brewer moved that Consent Agenda items 1-12e be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED JULY 16, 2007

Bids were opened July 13, 2007, pursuant to advertisements published on:

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications.

2007 Contract Maintenance Parking Lot Mill & Overlay – Minisa Park, Riverside Tennis Courts, Westside Athletic Fields, 472-84568(132720) Does not affect existing traffic. (District IV, VI)

APAC – Kansas, Inc. - \$99,600.00 (Engineer's estimate)*

*Base Bid and Add Alternate

Backyard Drainage between Prescott and Rutledge Circle to serve Pawnee Mesa

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Addition, north of Pawnee, west of Maize. 468-84152/751419/485310 Traffic to be maintained during construction using flagpersons and barricades. (District IV)

WB Carter Construction - \$138,563.00

Lateral 7, Main 4 Northwest Interceptor Sewer to serve Blackstone Addition, north of 13th Street North, west of 135th Street West. 468-4170/744232/480920 Does not affect existing traffic. (District V)

McCullough Excavation - \$486,600.00

Lateral 14, Main 4 Northwest Interceptor Sewer to serve Cheryl's Hollow 2nd Addition, north of 13th Street North, west of 135th Street West. 468-84343/744230/480918 Does not affect existing traffic. (District V)

Utility Contractors - \$129,836.00

Lateral 38, Main 1 Cowskin Interceptor Sewer to serve Lillie 2nd Addition, south of Maple, west of Maize. 468-84081/744206/480894 Does not affect existing traffic. (District V)

Mies Construction - \$75,000.00

2007 Contract Maintenance Quickset Slurry Seal, west of Rock Road, south of 29th Street North. 472-84572/132720 Traffic to be maintained during construction using flagpersons and barricades. (District I, II, IV, V)

Ferguson Paving, Inc. - \$301,800.00 (Engineer's estimate)

2007 Sanitary Sewer Reconstruction, Phase 7, various locations north of Pawnee, east of Seneca. 468-84378/620483/667601 Traffic to be maintained during construction using flagpersons and barricades. (District III, VI)

Wichita Excavation, Inc. - \$112,294.00

Water Distribution System to serve Lillie 2nd Addition, south of Maple, west of Maize. 448-90116/735343/470016 Does not affect existing traffic. (District V)

Utilities Plus - \$42,687.50

Motion--
--carried

Brewer moved that the contracts be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the necessary signatures be authorized. Motion carried 7 to 0.

FIRE DEPARTMENT/TRAINING DIVISION: Fire Hoses

Rubber Belting & Hose Industrial Supply - \$58,278.11

POLICE DEPARTMENT/INVESTIGATIONS DIVISION: Forensic Light Sources

Spex Forensics - \$37,054.00

WICHITA WATER UTILITIES DEPARTER/WATER DISTRIBUTION DIVISION: Utility Trailer 24,500# GVWR

Victor L. Phillips Company -\$25,220.00 (Base Bid)
\$ 946.00 (Option 1)

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WICHITA WATER UTILITIES DEPARTER/WATER DISTRIBUTION DIVISION: Trailer Mounted 185 CFM Air Compressor

Victor L. Phillips Company - \$25,420.00 (Base Bid)
\$ 506.00 (Option 1)

POLICE DEPARTMENT: Ballistic Safety Equipment

Southern Uniform & Equipment - \$55,414.16

Motion--
--carried

Brewer moved to that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

CMBS

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2007</u>	<u>(Consumption off Premises)</u>
Jaswal Kulwinder	Petro America	2700 North Amidon Street
James Brown	OnCue Express #600	433 South Greenwich Road

Motion--
--carried

Brewer moved that the licenses be approved subject to Staff review and approval. Motion carried 7 to 0.

PRELIM ESTS.

PRELIMINARY ESTIMATES:

- a. 2007 Contract Maintenance Bike Path Asphalt Repairs south of 2nd Street North, west of Hillside (472-84519/132720/) Traffic to be maintained during construction using flagpersons and barricades. (Districts I III, IV) - \$100,000.00
- b. Storm Water Drain #322 to serve Willow Creek East Addition south of Harry, east of Greenwich (468-84339/751448/485339) Does not affect existing traffic. (District II) - \$371,000.00

Motion--carried

Brewer moved to receive and file. Motion carried 7 to 0.

PETITION

SANITARY SEWER IMPROVEMENTS IN BLACKSTONE AND CHERYL'S HOLLOW SECOND ADDITIONS NORTH OF 13TH, WEST OF 135TH STREET WEST. (DISTRICT V)

Agenda Item No. 4a.

On April 3, 2007, and June 26, 2007, the City Council approved Petitions for sanitary sewer improvements in Blackstone and Cheryl's Hollow 2nd Additions. An attempt to award a construction contract within the budgets set by the Petitions was not successful. The developers have submitted new Petitions with increased budgets. The signatures on the new Petitions represent 100% of the improvement districts.

The projects will serve new residential development located north of 13th, west of 135th St. West.

The existing Petitions total \$755,000. The new Petitions total \$880,500. The funding source is special assessments.

This project addresses the Efficient Infrastructure goal by providing sanitary sewer improvements required for new residential development.

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State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of a majority of the property in the improvement district.

Motion--
--carried

Brewer moved that the City Council approve the new Petitions, adopt the Resolutions and authorize the necessary signatures. Motion carried 7 to 0.

RESOLUTION NO. 07-404

Resolution of Findings of Advisability and Resolution authorizing construction of Lateral 7, Main 4, Northwest interceptor sewer, (east of 151st St. west, north of 13th) 468-84170 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Longwell, Schlapp, Skelton, Williams and Brewer.

RESOLUTION NO. 07-405

Resolution of Findings of Advisability and Resolution authorizing construction of Lateral 14, Main 4, northwest interceptor sewer (north of 13th, west of 135th St. west) 468-84343 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Longwell, Schlapp, Skelton, Williams and Brewer.

PETITION

CONSTRUCT A SANITARY SEWER IN LILLIE SECOND ADDITION, SOUTH OF MAPLE, WEST OF MAIZE. (DISTRICT V)

Agenda Item No. 4b.

On July 25, 2006, the City Council approved a Petition to construct a Sanitary Sewer in Lillie 2nd Addition. An attempt to award a construction contract within the budget set by the Petition was not successful. The developer has submitted a new Petition with an increased budget. The signature on the new Petition represents 100% of the improvement district.

The project will serve a new commercial development located south of Maple, west of Maize.

The existing Petition totals \$84,000 with the total assessed to the improvement district. The new Petition totals \$122,000 with the total assessed to the improvement district.

This project will address the Efficient Infrastructure goal by providing sanitary sewer service to a new commercial development.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of a majority of property in the improvement district.

Motion--
--carried

Brewer moved that the City Council approve the new Petition, adopt the Resolution and authorize the necessary signatures. Motion carried 7 to 0.

RESOLUTION NO. 07-406

Resolution of Findings of Advisability and Resolution authorizing construction of Lateral 38, Main 1, Cowskin Interceptor Sewer, (south of Maple, west of Maize) 468-84081 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Longwell, Schlapp, Skelton, Williams and Brewer

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PETITION

CONSTRUCT PAVING, SANITARY SEWER AND WATER SYSTEM IMPROVEMENTS FOR THE PARKSTONE IN COLLEGE HILL DEVELOPMENT NORTH OF DOUGLAS, EAST OF HILLSIDE. (DISTRICT II)

Agenda Item No. 4c.

On February 6, 2007, the City Council approved Tax Increment Funding to develop a residential/commercial area on the north side of Douglas, east of Hillside. The development company has submitted paving, sanitary sewer and water system petitions to serve the area. The signature on the petitions represents 100% of the improvement districts.

When completed, the development will consist of a high-rise condominium tower, parking garage, two story townhouse residences and small commercial shops. Victor and Rutan Streets will remain as public streets through the area.

The Petitions total \$765,000. The funding source is special assessments.

These projects address the Efficient Infrastructure goal by providing for the construction of paving, sanitary sewer, and water system improvements for a new development.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or by owners of the majority of property in the improvement district. The City of Wichita is currently the record owner of the property in the improvement district. Ownership will be conveyed to the development company as the work proceeds.

Motion--
--carried

Brewer moved that the City Council approve the new Petitions, adopt the Resolutions and authorize the necessary signatures. Motion carried 7 to 0.

RESOLUTION NO. 07-407

Resolution of Findings of Advisability and Resolution authorizing construction of Water Distribution System Number 448-90303 (north of Douglas, east of Hillside) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Longwell, Schlapp, Skelton, Williams and Brewer.

RESOLUTION NO. 07-408

Resolution of Findings of Advisability and Resolution authorizing construction of relocation of part of District B, Sanitary Sewer No. 12 (north of Douglas, east of Hillside) 468-84376 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Longwell, Schlapp, Skelton, Williams and Brewer.

RESOLUTION NO. 07-409

Resolution of Findings of Advisability and Resolution authorizing constructing pavement and other associated improvements on Victor from Hillside Ave to the east line of the west 100 feet of the north 140 feet, college Park of said addition and Rutan, from Douglas to second St. and Second St. from the west line of Lot 1, I R&R Subdivision to the east line of the west ½ of the Lot 1, Block 2, College Hill Addition (north of Douglas, east of Hillside) 472-84571 in the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Longwell, Schlapp, Skelton, Williams and Brewer.

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STMT OF COSTS

STATEMENT OF COSTS:

WATER

- a. Improving Water Distribution System to serve Liberty Park and Copper Gate Additions (south of 13th Street North, both sides of 135th Street West). Total Cost - \$285,589.82 (plus idle fund interest - \$11,215.17, plus temporary note interest - \$995.01). Financing to be issued at this time - \$297,800.00. (735227/448-89746/470-897).
- b. Improving Water Distribution System to serve Highland Springs 3rd Addition (south of Central, west of 135th Street West). Total Cost - \$66,198.38 (plus idle fund interest - \$1,956.71, plus temporary note interest - \$2,144.91). Financing to be issued at this time - \$70,300.00. (735319/448-89829/470-990).
- c. Improving Water Distribution System to serve Krug North and Krug North 2nd Additions (north of 21st Street North, west of 143rd Street East). Total Cost - \$98,245.18 (plus idle fund interest - \$4,654.82, plus temporary note interest - \$0). Financing to be issued at this time - \$102,900.00. (735312/448-89933/470-983).
- d. Improving Water Distribution System to serve East Side Community Church 2nd Addition (north of 21st Street North, west of 143rd Street East). Total Cost - \$58,325.02 (plus idle fund interest - \$2,874.98, plus temporary note interest - \$0). Financing to be issued at this time - \$61,200.00. (735313/448-90005/470-984).
- e. Improving Water Distribution System to serve Hawthorne 3rd Addition (north of 21st Street North, east of 127th Street East). Total Cost - \$83,759.89 (plus idle fund interest - \$1,306.96, plus temporary note interest - \$2,733.15). Financing to be issued at this time - \$87,800.00. (735324/448-89996/470-995).
- f. Improving Water Distribution System to serve Copper Gate North Addition (north of 13th Street North, west of 135th Street West). Total Cost - \$75,142.32 (plus idle fund interest - \$3,957.68, plus temporary note interest - \$0). Financing to be issued at this time - \$79,100.00. (735325/448-90015/470-996).
- g. Improving Water Distribution System to serve Casa Bella Addition (north of Pawnee, west of 127th Street East). Total Cost - \$93,360.91 (plus idle fund interest - \$1,622.60, plus temporary note interest - \$3,016.49). Financing to be issued at this time - \$98,000.00. (735296/448-90113/470-967).
- h. Improving Water Distribution System to serve Auburn Hills 16th Addition (south of Maple, west of 135th Street West). Total Cost - \$171,889.88 (plus idle fund interest - \$3,034.38, plus temporary note interest - \$5,175.74). Financing to be issued at this time - \$180,100.00. (735316/448-90122/470-987).
- i. Improving Water Distribution System to serve Auburn Hills Commercial 4th Addition (south of Maple, east of 135th Street West). Total Cost - \$24,252.23 (plus idle fund interest - \$1,047.77, plus temporary note interest - \$0). Financing to be issued at this time - \$25,300.00. (735330/448-90138/470-003).
- j. Improving Water Distribution System to serve Country Hollow Addition (south of Kellogg, east of 127th Street East). Total Cost - \$98,788.33 (plus idle fund interest - \$2,293.29, plus temporary note interest - \$3,518.38). Financing to be issued at this time - \$104,600.00. (735292/448-90142/470-963).
- k. Improving Water Distribution System to serve Country Hollow Addition (south of Kellogg, east of 127th Street East). Total Cost - \$64,194.40 (plus idle fund interest - \$1,575.03, plus temporary note interest - \$2,130.57). Financing to be issued at this time - \$67,900.00. (735297/448-90154/470-968).
- l. Improving Water Distribution System to serve Emerald Bay Addition (west of West Street, north of 21st Street North). Total Cost - \$119,645.56 (plus idle fund interest - \$5,237.96, plus temporary note interest - \$516.48). Financing to be issued at this time - \$125,400.00. (735302/448-90162/470-973).
- m. Improving Water Distribution System to serve Whispering Lakes Estates Addition (south of Harry, west of 159th Street East). Total Cost - \$66,223.67 (plus idle fund interest - \$1,091.98, plus temporary note interest - \$2,184.35). Financing to be issued at this time - \$69,500.00. (735300/448-90166/470-971).
- n. Improving Water Distribution System to serve Harrison Park 3rd Addition (north of Harry, east of Webb). Total Cost - \$31,049.95 (plus idle fund interest - \$1,450.05, plus temporary note interest - \$0). Financing to be issued at this time - \$32,500.00. (735333/448-90188/470-006).

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- o. Improving Water Distribution System to serve Crestlakes Addition (north of Central, west of 127th Street East). Total Cost - \$108,950.15 (plus idle fund interest - \$4,280.41, plus temporary note interest - \$369.44). Financing to be issued at this time - \$113,600.00. (735321/448-90192/470-992).
- p. Improving Water Distribution System to serve Fawn Grove at Sunset Lakes Addition (south of Kellogg, west of Greenwich Road). Total Cost - \$33,808.00 (plus idle fund interest - \$590.86, plus temporary note interest - \$1,101.14). Financing to be issued at this time - \$35,500.00. (735322/448-90194/470-993).
- q. Improving Water Distribution System to serve Sierra Hills Addition (north of Pawnee, east of 127th Street East). Total Cost - \$59,970.03 (plus idle fund interest - \$3,029.97, plus temporary note interest - \$0). Financing to be issued at this time - \$63,000.00. (735329/448-90203/470-002).
- r. Improving Water Distribution System to serve Fox Ridge Addition (north of 29th Street North, east of Maize Road). Total Cost - \$110,024.04 (plus idle fund interest - \$5,775.96, plus temporary note interest - \$0). Financing to be issued at this time - \$115,800.00. (735326/448-90204/470-997).
- s. Improving Water Distribution System to serve Santa Fe Industrial Subdivision (south of Kellogg, east of Tyler). Total Cost - \$34,972.15 (plus idle fund interest - \$1,627.85, plus temporary note interest - \$0). Financing to be issued at this time - \$36,600.00. (735328/448-90206/470-001).
- t. Improving Water Distribution System to serve Oak Creek 2nd Addition (south of 21st Street North, west of Greenwich). Total Cost - \$71,593.21 (plus idle fund interest - \$3,306.79, plus temporary note interest - \$0). Financing to be issued at this time - \$74,900.00. (735338/448-90234/470-011).

SEWER:

- u. Constructing Lateral 39, Cowskin Interceptor Sewer to serve Highland Springs 3rd Addition (south of Central, west of 135th Street West). Total Cost - \$137,370.86 (plus idle fund interest - \$2,573.49, plus temporary note interest - \$4,551.65). Sewer Main Benefit Fee - \$17,204.00. Financing to be issued at this time - \$161,700.00. (744183/468-83636/480-871).
- v. Constructing Lateral 84, Main 22 War Industries Sewer to serve Brighton Courts Addition (south of 21st Street North, west of Webb). Total Cost - \$66,354.11 (plus idle fund interest - \$1,039.97, plus temporary note interest - \$2,205.92). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$69,600.00. (744186/468-83673/480-874).
- w. Constructing Lateral 7, Main 12 Four Mile Creek Sewer to serve Hawthorne 3rd Addition (north of 21st Street North, east of 127th Street East). Total Cost - \$94,331.86 (plus idle fund interest - \$1,511.78, plus temporary note interest - \$3,156.36). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$99,000.00. (744187/468-83874/480-875).
- x. Constructing Lateral 506, Southwest Interceptor Sewer to serve Prospect Park Addition (north of 35th Street South, east of Ridge). Total Cost - \$25,665.84 (plus idle fund interest - \$1,274.16, plus temporary note interest - \$0). Sewer Main Benefit Fee - \$2,060.00. Financing to be issued at this time - \$29,000.00. (744107/468-83953/480-795).
- y. Constructing Lateral 5, Main 4 Northwest Interceptor Sewer to serve Copper Gate North Addition (north of 13th Street North, west of 135th Street West). Total Cost - \$116,891.14 (plus idle fund interest - \$2,398.22, plus temporary note interest - \$3,310.64). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$122,600.00. (744188/468-83974/480-876).
- z. Constructing Main 18, Four Mile Creek Sewer to serve McEvoy and Casa Bella Additions (south of Harry, west of 127th Street East). Total Cost - \$530,969.96 (plus idle fund interest - \$12,612.12, plus temporary note interest - \$20,317.93). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$563,900.00. (744131/468-84026/480-819).
- aa. Constructing Lateral 1, Main 18, Four Mile Creek Sewer to serve McEvoy Addition (south of Harry, west of 127th Street East). Total Cost - \$349,695.48 (plus idle fund interest - \$7,519.09, plus temporary note interest - \$11,585.43). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$368,800.00. (744132/468-84033/480-820).
- bb. Constructing Lateral 4, Main 11, Four Mile Creek Sewer to serve The Fairmont Addition (north of 21st Street North, west of 127th Street East). Total Cost - \$86,874.03 (plus idle fund interest - \$1,708.04, plus temporary note interest - \$2,517.93). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$91,100.00. (744190/468-84052/480-878).
- cc. Constructing Lateral 149, Main 4, Sanitary Sewer #23 to serve Timmermeyer Gardens Addition (north of 31st Street North, east of Hood). Total Cost - \$18,994.53 (plus idle fund interest - \$905.47, plus temporary note interest - \$0). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$19,900.00. (744157/468-84061/480-845).

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- dd. Constructing Lateral 50, Cowskin Interceptor Sewer to serve Auburn Hills 16th Addition (south of Maple, east of 151st Street West). Total Cost - \$269,932.50 (plus idle fund interest - \$5,319.71, plus temporary note interest - \$8,152.79). Sewer Main Benefit Fee - \$50,295.00. Financing to be issued at this time - \$333,700.00. (744182/468-84090/480-870).
- ee. Constructing Lateral 386, Four Mile Creek Sewer to serve Country Hollow Addition (south of Kellogg, east of 127th Street East). Total Cost - \$101,941.22 (plus idle fund interest - \$1,808.42, plus temporary note interest - \$4,650.36). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$108,400.00. (744162/468-84102/480-850).
- ff. Constructing Lateral 388, Four Mile Creek Sewer to serve Country Hollow Addition (south of Kellogg, east of 127th Street East). Total Cost - \$265,940.45 (plus idle fund interest - \$5,884.65, plus temporary note interest - \$10,374.90). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$282,200.00. (744163/468-84104/480-851).
- gg. Constructing Lateral 22, Main 13 Southwest Interceptor Sewer to serve an unplatted tract (north of Pawnee, west of Maize). Total Cost - \$13,167.47 (plus idle fund interest - \$741.23, plus temporary note interest - \$0). Sewer Main Benefit Fee - \$2,491.30. Financing to be issued at this time - \$16,400.00. (744158/468-84110/480-846).
- hh. Constructing Lateral 397, Four Mile Creek Sewer to serve Fawn Grove at Sunset Lakes Addition (south of Kellogg, west of Greenwich Road). Total Cost - \$74,626.14 (plus idle fund interest - \$1,266.68, plus temporary note interest - \$2,507.18). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$78,400.00. (744185/468-84185/480-873).
- ii. Constructing Lateral 58, Main 3 Southwest Interceptor Sewer to serve Sycamore Pond Addition (south of 47th Street South, east of Seneca). Total Cost - \$226,849.51 (plus idle fund interest - \$10,762.25, plus temporary note interest - \$588.24). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$238,200.00. (744193/468-84191/480-881).
- jj. Constructing Lateral 3, Main 6 (Part D) Northwest Interceptor Sewer to serve Fox Ridge Addition, Phase 9 (north of 29th Street North, east of Maize Road). Total Cost - \$251,398.24 (plus idle fund interest - \$8,046.97, plus temporary note interest - \$4,454.79). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$263,900.00. (744189/468-84202/480-877).
- kk. Constructing Lateral 4, Main 20 Southwest Interceptor Sewer to serve Slate Creek Addition (north of 21st Street North, west of Hoover). Total Cost - \$62,801.88 (plus idle fund interest - \$3,007.12, plus temporary note interest - \$0). Sewer Main Benefit Fee - \$3,891.00. Financing to be issued at this time - \$69,700.00. (744192/468-84207/480-880).
- ll. Constructing Lateral 401, Four Mile Creek Sewer to serve Harrison Park 3rd Addition (north of Harry, east of Webb). Total Cost - \$17,129.86 (plus idle fund interest - \$570.14, plus temporary note interest - \$0). Sewer Main Benefit Fee - \$0. Financing to be issued at this time - \$17,700.00. (744196/468-84232/480-884).

STORM WATER SEWER AND STORM WATER DRAIN:

- mm. Constructing Storm Water Drain No. 179 to serve Equestrian Estates Addition (south of Harry, east of 127th Street East). Total Cost - \$103,257.71 (plus idle fund interest - \$2,385.75, plus temporary note interest - \$3,956.54). Financing to be issued at this time - \$109,600.00 (751410/468-83319/485-301).
- nn. Constructing Storm Water Drain No. 263 to serve Fox Ridge Addition (north of 29th Street North, west of Tyler Road). Total Cost - \$241,867.89 (plus idle fund interest - \$8,652.92, plus temporary note interest - \$3,479.19). Financing to be issued at this time - \$254,000.00 (751424/468-83997/485-315).
- oo. Constructing Storm Water Drain No. 275 to serve Falcon Falls 3rd Addition (north of 45th Street North, west of Hillside). Total Cost - \$1,009,092.28 (plus idle fund interest - \$20,842.11, plus temporary note interest - \$33,765.61). Financing to be issued at this time - \$1,063,700.00 (751412/468-84067/485-303).
- pp. Constructing Storm Water Drain No. 276 to serve Casa Bella Addition (north of Pawnee, west of 127th Street East). Total Cost - \$652,997.96 (plus idle fund interest - \$12,535.17, plus temporary note interest - \$22,666.87). Financing to be issued at this time - \$688,200.00 (751414/468-84073/485-305).
- qq. Constructing Storm Water Drain No. 277 to serve Copper Gate North Addition (north of 13th Street North, west of 135th Street West). Total Cost - \$121,345.94 (plus idle fund interest - \$6,054.06, plus temporary note interest - \$0). Financing to be issued at this time - \$127,400.00 (751428/468-84079/485-319).

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- rr. Constructing Storm Water Sewer No. 618 to serve Falcon Falls 3rd Addition (north of 45th Street North, west of Hillside). Total Cost - \$94,635.45 (plus idle fund interest - \$4,684.36, plus temporary note interest - \$380.19). Financing to be issued at this time - \$99,700.00 (751420/468-84099/485-311).
- ss. Constructing Storm Water Drain No. 279 to serve Auburn Hills Commercial 4th Addition (south of Maple, east of 135th Street West). Total Cost - \$269,750.86 (plus idle fund interest - \$12,849.14, plus temporary note interest - \$0). Financing to be issued at this time - \$282,600.00 (751426/468-84108/485-317).
- tt. Constructing Storm Water Drain No. 280 to serve Country Hollow Addition (south of Kellogg, east of 127th Street East). Total Cost - \$564,231.01 (plus idle fund interest - \$10,462.15, plus temporary note interest - \$19,906.84). Financing to be issued at this time - \$594,600.00 (751413/468-84113/485-304).
- uu. Constructing Storm Water Drain No. 288 to serve Whispering Lakes Estates Addition (south of Harry, west of 159th Street East). Total Cost - \$399,648.06 (plus idle fund interest - \$8,431.83, plus temporary note interest - \$13,220.11). Financing to be issued at this time - \$421,300.00 (751416/468-84143/485-307).
- vv. Constructing Storm Water Drain No. 296 to serve Fontana Addition (north of 29th Street North, east of 119th Street West). Total Cost - \$80,279.06 (plus idle fund interest - \$3,720.94, plus temporary note interest - \$0). Financing to be issued at this time - \$84,000.00 (751425/468-84196/485-316).

Motion--carried

Brewer moved to approve and file. Motion carried 7 to 0.

STREET CLOSURE

CONSIDERATION OF STREET CLOSURES/USES.

There were no street closures to consider.

AUBURN HILLS

CONSTRUCTION ENGINEERING AND STAKING IN AUBURN HILLS 16TH ADDITION, SOUTH OF MAPLE, EAST OF 151ST STREET WEST. (DISTRICT V)-SUPPLEMENTAL.

Agenda Item No. 7.

The City Council approved the paving improvements in Auburn Hills 16th Addition on March 21, 2006. On August 15, 2006 the City approved an Agreement with Baughman Company, P.A. to design the improvements. The Design Agreement with Baughman requires Baughman to provide construction engineering and staking services if requested by the City.

The proposed Supplemental Agreement between the City and Baughman provides for construction engineering and staking the improvements. Due to the current workload created by previous projects, City crews are not available to perform the staking for this project.

Payment to Baughman will be on a lump sum basis of \$32,750 and will be paid by special assessments.

This Supplemental Agreement addresses the Efficient Infrastructure goal by providing the engineering services needed for the construction of paving improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Supplemental Agreement has been approved as to form by the Law Department.

Motion--
--carried

Brewer moved that the Supplemental Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

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CHANGE ORDER

PAWNEE IMPROVEMENT, MERIDIAN TO SENECA. (DISTRICT IV)

Agenda Item No. 8a.

On October 24, 2006, the City Council approved a construction contract with Cornejo & Sons, Inc. to improve Pawnee between Meridian and Seneca. Original agreements with Wichita School District 259 during the design process were to combine two crosswalks into one. After the work began, Wichita School District Officials requested that a second crosswalk be constructed near Rae Woodman Elementary School.

A Change Order has been prepared for the cost of the additional work. Funding is available within the project budget.

The total cost of the additional work is \$61,199 with \$12,239 paid by City General Obligation bonds and \$48,960 paid by Federal grants. The original contract amount is \$3,172,348. This Change Order represents 01.93% of the original contract amount.

This project addresses the Efficient Infrastructure goal by improving pedestrian safety across a high volume arterial street.

The Law Department has approved the Change Order as to legal form. The Change Order amount is within the 25% of construction contract cost limit set by City Council policy.

Motion--
--carried

Brewer moved that the City Council approve the Change Order and authorize the necessary signatures. Motion carried 7 to 0.

CHANGE ORDER

RIVER CORRIDOR IMPROVEMENTS. (DISTRICT VI)

Agenda Item No. 8b.

On April 5, 2005, the City Council approved a construction contract with Dondlinger and Sons for River Corridor improvements. Additional security cameras were installed to protect the area. Also, additional sidewalk and storm water sewer was added to ensure that the site is compatible with possible future improvements.

A Change Order has been prepared for the additional work. Funding is available within the project budget.

The total cost of the additional work is \$36,239 with the total paid by General Obligation Bonds and Federal Grants. The original contract amount is \$20,595,000. This Change Order plus previous change orders represents 00.96% of the original contract amount.

This project addresses the Dynamic Core Area goal by enhancing the appearance and improving pedestrian access to the River Corridor.

The Law Department has approved the Change Order as to legal form. The Change Order amount is within the 25% of construction contract cost limit set by City Council policy.

Motion--
--carried

Brewer moved that the City Council approve the Change Order and authorize the necessary signatures. Motion carried 7 to 0.

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BOARD MIN.

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Housing Advisory Board Meeting, February 21, 2007
Design Council, May 17, 2007
District V Advisory Board, May 7, 2007
District V Advisory Board, June 4, 2007

Motion--carried

Brewer moved to receive and file. Motion carried 7 to 0.

EPA

CONSENT AGREEMENT FOR WATER TREATMENT PLANT-EPA.

Agenda Item No. 10.

The development and submittal of a Risk Management Plan (RMP) is required of the Production & Pumping Division of the Water Utilities to be in compliance with the Accidental Release Prevention Rule of the U.S. Clean Air Act. A RMP helps protect the employees and citizens of the City by providing methods and procedures to deal with an unexpected release from chemicals that are stored and used at a facility. The Environmental Protection Agency (EPA) conducted an inspection of the Water Treatment Plant at 1815 W. Pine to determine compliance with the Clean Air Act. That inspection revealed deficiencies in the facility's 1999 RMP that had not been fully updated. On February 12, 2007, the EPA gave notice of its findings of potential violation of the Clean Air Act and gave the City the opportunity to discuss the findings and come into compliance before any enforcement action was taken. City staff has updated the RMP and brought the facility into full compliance. The EPA has offered a settlement agreement addressing the violations.

The proposed Consent Agreement and Final Order with EPA states the deficiencies in the RMP found by its inspection, recognizes that they are a violation of the Clean Air Act, and states that the City is now in compliance with all requirements for a RMP. The parties agree to a civil penalty of \$5,700 and the City agrees to undertake certain Supplemental Environmental Projects (SEPs). The SEPs are steps that the City is not otherwise required by law to undertake but that provide a significant environmental or public health protection benefit to the community. The proposed SEPs will provide funding to the Wichita Fire Department for additional equipment and training that could enhance its response to actual and threatened releases at the Water Treatment Plant and other facilities.

The Water Utility will pay a \$5,700 civil penalty to the EPA and expend at least \$70,550 on SEPs by December 31, 2007. The funding for the penalty and SEPs will come from the Water Utility contingency fund.

Provide a Safe and Security Community and Ensure Efficient Infrastructure. Bringing the Water Utilities' RMP into compliance has improved environmental health and community safety and should improve the citizen perception of public safety. It will also help the Utility continue to provide a reliable, compliant, and secure water treatment plant.

The Law Department assisted with review of the alleged violations and negotiation of the consent agreement. It is approved as to form.

Motion--

Brewer moved that the Consent Agreement be approved; the necessary signatures authorized; and the transfer of \$76,250 from the Water Utility contingency funds to the Water Utility operating account authorized. Motion carried 7 to 0.

--carried

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SALES TAX BONDS ISSUANCE OF GENERAL OBLIGATION LOCAL SALES TAX BONDS.

Agenda Item 11.

Voters approved a one percent sales tax in 1985 to reduce property tax and to provide revenues for a roadway construction program, with special emphasis on freeway construction. The City has largely completed the construction of the K-96/Northeast Expressway, reconstruction of major portions of Kellogg/US-54 from Woodlawn (East) to Maize Road (West), as well as supporting approximately \$4 million to \$6 million in annual arterial road and bridge construction using local sales tax dollars, federal/state highway funding and bonding.

The City previously issued General Obligation Local Sales Tax Bonds -- \$50 million in 1992, which matured in 2002; \$25 million in 1996, with a \$7.5 million remaining balance refunded in 2003; \$46 million in 2002; \$49 million in 2003; and, \$36 million in 2004, to supplement current sales tax revenues in financing the freeway construction program. State law stipulates that prior to the issuance of GO Sales Tax bonds, a financial feasibility study be prepared demonstrating that sufficient sales tax revenue will be available to meet bond debt service requirements. A Financial Feasibility Study was prepared in 1992 and has been updated with each issuance of GO Local Sales Tax Bonds.

The City is also required to certify that if additional bonds are issued pledging sales tax revenues, that certain parity tests are met. The pledged revenues generated by the sales tax for a twelve (12) month period preceding the issuance of the bonds shall be in an amount equal to at least 120% of the total combined average annual debt service requirements for all ensuing years on the outstanding bonds and proposed parity bonds. The coverage test is reduced to 110% at such time as no Series 2002 bonds remain outstanding (2017).

Based on freeway construction projections through the year 2007, the City determines it to be necessary to issue additional GO Sales Tax Bonds in the amount of \$40.5 million to continue the reconstruction of Kellogg/US-54 to the east and west. Fifteen-year bonds with level principal and interest payments will be sold in September 2007.

Finance and Public Works staff has developed the expenditure requirements through 2024. Finance staff has prepared the revenue forecast, cash flows, debt service and bond sizing analysis. A Financial Feasibility Study has been prepared and updated, demonstrating the ability to meet the debt service parity requirements, as well as continue the development of the Kellogg corridor to the west and to the east.

The Financial Feasibility Study supports a finding that the 50% of the local sales tax for roadway purposes is more than sufficient to finance the \$40.5 million bond issue, continue to cover debt service requirements from previous issues and continue annual funding for arterials and bridges.

This item impacts Economic Vitality/Affordable Living and Internal Perspectives through the permanent financing of capital improvements and offering the City's debt obligations through competitive sale. The local sales tax bonds are being issued on a reimbursement basis to finance project costs previously incurred.

The resolution was prepared by the City's Bond Counsel and has been approved by the Law Department. The resolution will be published twice in the City's official newspaper and will be subjected to a 30-day protest period. The

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Department of Finance has prepared the Financial Feasibility Study for approval.

Motion--

Brewer moved that the resolution declaring it necessary to issue general obligation bonds and to pledge local sales tax revenues for the payment of such bonds and provide for the giving of notice as required by law and approve and file the Financial Feasibility Study be adopted. Motion carried 7 to 0.

--carried

RESOLUTION NO. 07-418

A Resolution of the City of Wichita, Kansas, declaring it to be necessary to issue General Obligation Bonds for the purpose of paying the costs of constructing roads, highways and bridges in the City, and to pledge sales tax revenues for the payment of such General Obligation Bonds, as provided by K.S.A. 12-195b; and providing for the giving of notice thereof in the manner required by law, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Longwell, Schlapp, Skelton, Williams and Brewer.

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ JULY 10, 2007)

- a. STAR Bonds for River District Redevelopment Project. (District I)

ORDINANCE NO. 47-518

An ordinance adopting a Star Bond Project Plan for the River District Star Bond Project for the East Bank Redevelopment District.

- b. Water Utilities Rate Adjustment and Plant Equity Fee Increases.

ORDINANCE NO. 47-519

1. An ordinance amending Section 17.12.090 of the code of the City of Wichita, Kansas, pertaining to schedule of rates and charges for water service, and repealing the original of said section.

ORDINANCE NO. 47-520

2. An ordinance amending section 16.14.041 of the code of the City of Wichita, Kansas pertaining to payment of plant equity fees for connection of sewer service; and repealing the original of Section 16.14.041.

ORDINANCE NO. 47-521

3. An ordinance amending Section 17.12.061 of the code of the City of Wichita, Kansas pertaining to payment of plant equity fees for connection of water service; and repealing the original of section 7.12.061.

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- c. ZON2007-16-Zone Change from "SF-5" Single-family Residential to "NO" Neighborhood Office with a Protective Overlay; located on the northwest corner of 21st Street North and Salina Avenue. (District VI)

ORDINANCE NO. 47-522

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 section 28.04.010, as amended.

- d. ZON2007-17-City zone change from "SF-5" Single-family Residential to "LC" Limited Commercial. Generally located one quarter mile north of 21st Street North on the east side of Greenwich Road, 2400 North Greenwich Road. (District II)

ORDINANCE NO. 47-524

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 Section 28.04.010, as amended.

- e. ZON2007-21-Zone Change from "B" Multi-family Residential to "U" University; generally located south of McCormick Avenue, between Southwest Boulevard/K-42 and Sheridan Avenue. (District IV)

ORDINANCE NO. 47-525

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 section 28.04.010 as amended

Motion--carried

Brewer moved to adopt the Ordinances. Motion carried 7 to 0.

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NEW BUSINESS

LARKSFIELD PLACE PUBLIC HEARING AND REQUEST FOR LETTER OF INTENT FOR HEALTH CARE FACILITIES REVENUE BONDS, LARKSFIELD PLACE. (DISTRICT II)

Allen Bell

Economic Development Administrator reviewed the item.

Agenda Item No.13.

On March 16, 1999, City Council approved issuance of Health Care Facility Revenue Bonds, in an amount not-to-exceed \$19.5 million, to Wesley Retirement Communities, Inc. for the benefit of Larksfield Place, for the purpose of refunding the Series III - A & B 1994 Bonds and to finance additional improvements at their campus located at 7373 East 29th Street North.

At this time, Larksfield Place wishes to refinance the Series I, 1999 bonds and construct and equip a new addition to its existing facility. Larksfield is requesting City Council approval of a six-month Letter of Intent to issue its Health Care Facilities Refunding Revenue Bonds in an amount not-to-exceed \$29,000,000.

Larksfield Place, having operated for over 18 years, is a not-for-profit comprehensive retirement and nursing facility. Retired Persons reside in apartments or villas, and enjoy on-site recreation such as golf, swimming and fishing. Larksfield Place currently consists of a one single story commons building with approximately 33,659 s.f. that includes dining, recreation, fitness, activities areas, as well as medical examination rooms and physical therapy areas. The facility also has a 90-bed health center, a congregate housing unit with 143 apartments, and 13 single-family villas.

Bond proceeds will be used to refinance the Series I, 1999 outstanding Bonds and construct 27 new independent living apartments that will be approximately 55,000 s.f. As a not-for-profit 501 (c)(3) corporation, Larksfield Place is eligible to receive tax-exempt revenue bond financing.

Ziegler Capital Markets, and division of B.C. Ziegler and Company will underwrite the bond issue. The City's bond counsel firm, Kutak Rock LLP, will serve as bond counsel in the transaction.

The uses of bond proceeds is as follows:

ESTIMATED USES OF FUNDS

Refunding of 1999 Bonds	\$16,165,000
Purchase and construction of additional facilities	12,250,000
Costs of Issuance	585,000
Total Not-To-Exceed Cost of Project:	\$29,000,000

Larksfield Place currently has an approved EEO/AA Plan on file with the City's Purchasing Department.

Larksfield Place agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. Larksfield Place is not requesting a tax exemption in conjunction with issuance of Health Care Facilities Revenue Bonds.

Economic Vitality and Affordable Living. The Economic Vitality of the community is being enhanced with the continuum of healthcare in Wichita.

Bond documents needed for the issuance of the bonds will be prepared by bond counsel. The City Attorney's Office will review and approve the final form of bond documents prior to the issuance of any bonds. The public hearing held in conjunction with this item is in compliance with the TEFRA Hearing requirement in the federal tax code for tax-exempt bonds.

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Mayor Brewer Mayor Brewer inquired whether anyone wished to be heard and no one appeared.

Motion-- Schlapp moved that the public hearing be closed; a Letter of Intent for Health Care Facilities Revenue Bonds to Larksfield Place, in an amount not-to-exceed \$29,000,000, subject to the Letter of Intent Conditions authorized; Staff authorized to apply for a sales tax exemption; and the necessary signatures authorized. Motion Carried 7 to 0.

--carried

EXCHANGE PLACE PUBLIC HEARING AND ADOPTION OF EXCHANGE PLACE REDEVELOPMENT PROJECT PLAN. (DISTRICTS VI)

Allen Bell Economic Development Administrator reviewed the item.

Agenda Item No.14.

On August 8, 2006, the City Council took the necessary legal steps to establish the Center City South Redevelopment District for the purpose of using tax increment financing ("TIF") to pay for eligible costs associated with development projects located within the district. The action taken by the City Council established 2006 as the base year, from which the increase in property tax revenues (the tax increment) will be measured. The boundaries of the Redevelopment District are English Street on the south, Main Street on the west, First Street on the north, and Broadway Avenue on the east.

The next step to be taken in the TIF process is the adoption of a redevelopment project plan which includes a feasibility study and a description of the redevelopment project being funded with TIF proceeds. With the adoption of the redevelopment project plan, the County Treasurer will be authorized and directed to begin capturing the incremental taxes and distributing the money to the City to pay project costs. On June 12, 2007, the City Council adopted a resolution stating it is considering the adoption of the Redevelopment Project Plan for the Exchange Place Project and directed the City Clerk to give notice that a public hearing would be held on the matter on July 17, 2007.

K.S.A. 12 1770 et seq. sets forth the procedures and requirements for the establishment of a TIF district and the capture of TIF dollars. In order for the County Treasurer to be authorized to set aside the incremental property tax revenues collected in the district, to pay for eligible redevelopment costs, the City must adopt a redevelopment project plan that describes the district and the projects being financed with the TIF, and also establishes the financial feasibility of the TIF to finance the public improvements. The statute also directs the City to prepare the redevelopment project plan "in consultation with the planning commission of the city." On June 7, 2007, the Wichita-Sedgwick County Metropolitan Area Planning Commission met to consider the Exchange Place Project Plan and found that the Plan is consistent with the general comprehensive plan for development of the City.

The plan for redevelopment of the Exchange Place Project Area includes construction of a multi-level parking structure and conversion of two vacant high-rise buildings into a condominium complex consisting of residential condo units, residential parking spaces and ground floor retail space. The public parking structure will be located on the site currently occupied by a vacant building at 224 E. Douglas and an adjacent parking lot next to the Kress Center building. The Exchange Building and Michigan Building, located at the northeast corner of Douglas and Market, will be converted to 91 residential condominium units and 112 residential parking stalls, and will be renamed the Lofts at Exchange Place. The ground floor of the complex will be converted to approximately 12,000 square feet of retail space. The Developer will spend at

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least \$15,000,000 on the condo conversion project.

The Financial Feasibility Study contained in the Redevelopment Project Plan compares the County's assessed valuation of the property located within the enter City South Redevelopment District, with respect to the value of the property in the base year (2007), to the year in which planned redevelopment projects will be fully reflected in the County's database of property values (2010). The following table summarizes the revenue side of the analysis:

2007 Base Year	2010 Projected	
Appraised Value	\$51,660,380	
\$79,693,872		
Assessed Value	\$10,636,018	
\$15,103,300		
Captured Value	\$0	
\$4,467,283		
2006 Mill Levy	100.551	100.551
Annual Tax Increment \$0	\$449,190	

The analysis assumes that only those projects which are currently planned will be constructed, that assessed property values in the district will grow over time at the annual rate 2%, and that the 2006 City/County/School District mill levy will not increase or decrease. The analysis shows that the stream of projected tax increment revenues is sufficient to retire the principal and interest on a \$6,580,000 taxable general obligation tax increment bond issue over an 18-year period.

USE OF TAX INCREMENT FINANCING

Upon adoption of the redevelopment project plan, the City will have established its authority under state law to issue general obligation bonds to finance the TIF-funded improvements, which bonds will be repaid from the incremental increase in property taxes resulting from the redevelopment of the Project Area. The TIF-funded improvements consist of the following:

- Public Parking Structure – The City will construct the parking structure at cost not to exceed \$3,750,000.
- Property acquisition – The City will acquire the property within the Project Area from DGL, LLC, an unrelated third party, for a cost not-to-exceed \$1,975,000, and convey property to Lofts at Exchange Place, LLC.
- Demolition and site costs – The City will pay certain TIF-eligible costs associated with building demolition and site improvements relating to the Exchange Building and Michigan Building, at a total cost not-to-exceed \$275,000.

DEVELOPMENT AGREEMENT

The Development Agreement between the City and Lofts at Exchange Place, LLC and Douglas Avenue Parking Garage, LLC ("Developers") provides the contractual framework for the redevelopment project. Under the terms of the agreement, the Developers are obligated to construct the condo conversion project outlined above and construct the public parking structure using competitive selection of a general contractor. The City is obligated to acquire the project site from the current owner and convey it to the Developers. In addition to all the terms, conditions and procedures for fulfilling these obligations, the Development Agreement also provides for a Tax Increment Shortfall Guaranty in which the Developers are required to pay the City if there is a shortfall in TIF revenue available to pay debt service on TIF bonds.

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It is anticipated that the projects funded with tax increment financing will be financed with general obligation bonds. In the event that tax increment revenues fall short of projections, City at large funding will be required to supplement tax increment revenues.

Economic Vitality and Affordable Living, Quality of Life, Core Area and Neighborhood. Redevelopment of blighted areas, and declining areas, are needed to avoid economic stagnation. Business prospects and workers seeking to relocate are attracted to a new city that takes care of its core area.

The Law Department has reviewed and approved as to form the ordinance, which is required for the adoption of a redevelopment project plan under the state tax increment financing statutes and bonding ordinance needed to initiate the TIF-funded improvement projects. The notice for a public hearing on the City's intent to adopt the redevelopment plan has been given pursuant to law. In order to adopt the redevelopment plan, the ordinance must be approved by a two thirds majority.

Council Member Gray Council Member Gray stated he does not feel comfortable removing the guarantee until the bonds are paid for because he feels that the tax payers are contributing greatly to this project in the sense that they are absorbing what the TIF would normally have absorbed but does not think we should absorb that excess liability.

Allen Bell Economic Development Administrator stated his recollection is that the instance that caused them to want to do this as a regular feature was a project in which the developer himself without the City's knowledge went to the county appraiser and arranged to have his property reduced and there were also reductions in the development cost that contributed to the tax increment being less than what was needed for the bonds. Stated it was more focused on the developer as opposed to other properties. Stated it is one of the features that go with a larger redevelopment district in that you are including property that the developer has no control over. Stated this was an effort just to find a compromise in that kind of a situation if it is the will of the Council to remove the "burn off" provision for the guarantee, then they would need to go back and consult with the developer and see if they can come to an agreement on that.

Council Member Gray Council Member Gray stated the reason the TIF district is larger than the projects specifically defined by the developer is because the developer's projects alone will not generate enough revenue to pay for the improvements of the districts and we had to create a larger district but it is still to the benefit of the developer. Stated he supports this project and thinks it is a great project but this concerns him because we pay for it if it does not happen and if it does not happen and the project does not work, then the community is not deriving the benefit from the project that it originally supported.

Council Member Longwell Council Member Longwell stated one thing he likes about this project is the numbers, which are fairly conservative numbers. Stated it appears this has potential to pay off early because of those conservative numbers and likes the guarantee that is in place right now because it is really in place so that the developer themselves do not go back to the county appraiser and lobby for reduced property values. Stated in that sense it is a good project and he is very comfortable with it. Asked Allen Bell how much more value do you anticipate with the other real development projects in that same TIF area.

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- Allen Bell Economic Development Administrator stated it is correct about the very large share of the new value that we are assuming coming on line and this district is from the Exchange Place project and the other projects will probably add another \$10 million of value to the project. Stated they are not assuming any other development related increase in property values.
- George Kolb City Manager stated regarding our models and the conservative nature of them, we somewhat do that on purpose because we cannot predict what future assessments are going to be and in some cases to get to a higher value it might require us to use other incentives such as TIF for those particular projects so we try to make each project stand on its own.
- Council Member Skelton Council Member Skelton asked if the project will cover the bond payment.
- Allen Bell Economic Development Administrator stated it by itself will not cover the bond payments but together with the other real development projects it will cover the bond payments.
- (Council Member Skelton momentarily absent)
- Mayor Brewer Mayor Brewer inquired whether anyone wished to be heard.
- Merk Buckley Mr. Buckley stated he is with Adams, Jones Law Firm representing the developers and regarding the questions on the guarantee or “burn-off” they did compromise on that and one important point about the guarantee is that it covers a shortfall and that shortfall could occur if other members in the district do not pay their taxes and that goes on for 18 years. Stated it is a big liability for a developer or anybody to take on. Stated if we go five or ten years in the future and the shortfall results because other members in the district do not pay their taxes then the shortfall results because of that. Stated their thought was that the developer builds their project, gets the TIF financing because there is an empty building and block that has been there for several years and the developer is going to build a building and develop that block with an increase value of \$19 million dollars and they have done their job, provided the increase value in the area, increased tax base and then they should be released from the guarantee and to hold them on the guarantee for another 18 years after they have increased the value and to guarantee everybody else’s tax payments for the next 18 years, they thought that was too much and that was the compromise. Stated on Exchange Place most of the building is going to be residential condominiums that are sold to people, they thought trying to transfer a guarantee to the residential buyers would be very difficult. Stated in the market you cannot transfer a guarantee to a residential owner.
- Council Member Gray Council Member Gray stated we transfer special assessment to owners.
- Merk Buckley Mr. Buckley stated there are the taxes on the property already but to transfer a guarantee, they discussed it and to try and sell a property and say you are going to buy this condominium but you also have this potential guarantee not knowing what the amount would be for the next 18 years is a tough sale.
- Council Member Fearey Council Member Fearey stated she thought the guarantee was consistent with our policy.

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Allen Bell

Economic Development Administrator stated it is and that is why they insisted to have both development entities included in the guarantee. Stated the loss at Exchange Place are the residential condominiums and that entity will continue to exist for some time but after the completion of the project and all the condominium units are sold off, the plan is to dissolve that. Stated the parking structure will be owned by the Douglas Avenue Parking Garage, LLC and it is not a condominium and they will not condominiumize the parking spaces and they will file a record that would cause that guarantee to run with the property of the parking structure. If they sell the parking structure, whoever buys it will be buying that guarantee as well. Stated on the residential size it is a feasibility issue and if they are required to pass on a guarantee of this magnitude to people looking to buy condominiums, those people would look elsewhere to buy their condos and that would be a failure of the project.

Council Member Longwell Council Member Longwell stated he understands we are encouraging development in there and that is the whole idea of this and we are getting some value out of public parking so there is something beyond with just trying to team with the developer and encouraging something built here and then the compromise might be if they are willing to put additional dollars in that district and then just change that \$19 million dollar figure to \$28 million dollars if they would be comfortable with that, which would give us additional guarantee that they are going to continue to build there and then we know that would be paid off. Stated these are very conservative figures that we utilizing here and has full confidence that this is going to be paid off early and thinks it is a good project and thinks we are watching out for our tax payers and if we can shift that guarantee then up to the valuation of \$28 million, then that is a nice compromise, which still give the developers the latitude to put in significant dollars here and then eventually walk away if they chose to sell that at some point in time without all of the additional red tape.

Council Member Gray

Council Member Gray this is new to our policy and was obviously not caught last time during the Loveland Project but is something that needs to be considered. Stated he feels we have taken big steps by going from a position of having no guarantee to at least a partial guarantee to what we have now. Stated he recognizes that we are in a better position than we were in projects we did a few years ago but as we move forward we need to protect ourselves in these situations because that is our job, which is to protect the tax base and the community. Stated we need to have a little closer examination of this because this will not be the last TIF project that is requested and thinks we need to look at it again. Stated he has some discomfort with this but it is not an end all for him and thinks there are a lot of good things about this project and a lot of good valid points brought up about the other properties in the district that he can go ahead and support this today because he believes in the project and what it is going to do but going forward we need to look at this because he will not be comfortable doing this every time in the future. Stated he feels this is a serious flaw but we are half way there and would like to take a firmer approach and tighten this up.

Motion--

Fearey moved that the Public Hearing be closed; first reading of the ordinance adopting Exchange Place Project Plan adopted; first reading of the ordinance authorizing the TIF-funded improvements approved; the Development Agreement approved; and authorize the necessary signatures subject to minor language changes by the City Attorney. Motion carried 7 to 0.

--carried

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Council Member Fearey Council Member Fearey directed Staff to look at this policy again regarding the guarantees to make sure we are doing the right thing.

ORDINANCE

An Ordinance adopting a project plan for the Exchange Place Project in the Center City South Redevelopment District, introduced and under the rules laid over.

ORDINANCE

An Ordinance authorizing the issuance of full faith and credit tax increment bonds of the City of Wichita, Kansas to pay all or a portion of the costs of acquiring real property, demolition of existing structures, and design and construction of a public parking garage, and site improvements in the Center City South Redevelopment Project Area., introduced and under the rules laid over.

RECESS

Motion-- Fearey moved to recess at 10: 24 a.m., so that she and Mayor Brewer could make a conference call and to reconvene in the City Council Chambers at 10:55 a.m. Motion carried 7 to 0.
--carried

RECONVENE

The City Council reconvened in the City Council Chambers at 11:06 a.m.

NORTHRIDGE

REQUEST FOR LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS, NORTHRIDGE WAREHOUSE, LLC. (DISTRICT I)

Allen Bell Economic Development Administrator reviewed the item.

Agenda Item No.15.

Northridge Warehouse, LLC, (Northridge Warehouse) is requesting the issuance of a five-year Letter of Intent for Industrial Revenue Bonds (IRBs) in an amount not-to-exceed \$18,000,000. Bond proceeds will be used to finance the cost of acquiring, constructing, furnishing and equipping a warehouse and distribution center and associated customer call center to be leased to Northridge Warehouse, LLC. Northridge Warehouse is also requesting the City Council's approval of a 100% five-year tax exemption on bond-financed property and a second five-year exemption upon City Council approval. The new facility will be located at 2416 E. 37th Street North in northeast Wichita.

Northridge Warehouse, LLC, a Kansas limited liability company, plans to construct and equip a warehouse and distribution center and associated customer call center for sublease to the following entities:

Dean & Deluca (D&D) – a leading purveyor of gourmet and specialty foods, premium wines and kitchenware. D&D is recognized internationally for having enhanced consumers' access to and appreciation of American and international specialty products.

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International Wines Accessories (IWA) – a wine storage specialist providing a wide variety of wine cellars, wine racks, cooling units and custom racking. IWA also markets a large collection of stemware, decanters, corkscrews, wine luggage, ice buckets, books, tableware, apparel, furniture, and a unique selection of wine essentials.

Oakville Grocery Company (OGC) – a wine country market chain and an internet service provider. Operations of OGC are in the process of being relocated from Oakland, California to Wichita.

Standard Beverage Corporation (SBC) – a wholesaler of beer, wine and spirits. SBC has been in operation since 1949. SBC maintains warehouse and back office functions in Wichita.

Leslie Rudd Investment Company (LRIC) – an investment company for Leslie Rudd’s business activities. LRIC’s administration, finance, human resources, legal and other back office functions are all primarily operated by LRIC out of Wichita.

Bond proceeds will be used over the next five years to construct a new state-of-the-art distribution center to be located at 2416 E. 37th St. N, as well as a new call center and expansion of the two existing corporate headquarters buildings located in the same complex. The new 100,000 s.f. distribution facility is designed to meet D&D’s projected sales growth for the Internet/Direct Sales Division, the addition of the requirements of the IWA and OGC operations, which will be relocated from Dallas and Oakland to Wichita. SBC will relocate into the existing space vacated by D&D and bond proceeds will be used to purchase additional warehouse equipment for the expanded storage services. A new 25,000 s.f. building will be constructed for customer contacts and a call center for D&D and IWA. Northridge Warehouse currently employs 135 people and plans to add 97 new jobs over a five-year period, at an average wage of \$38,200 per year. An analysis of the uses of project funds is:

Construction Costs	\$11,000,000
Warehouse Conveyor/Racking	4,000,000
Furniture & Fixtures	1,000,000
ERP System	2,000,000
Total Cost of Project	\$18,000,000

The City’s bond counsel firm, Kutak Rock LLP, will serve as bond counsel in the transaction. The Bonds will be privately placed with a financial institution. Northridge Warehouse agrees to comply with the Letter of Intent Conditions.

Northridge Warehouse agrees to pay all costs of issuing the bonds and agrees to pay the City’s \$2,500 annual IRB administrative fee for the term of the bonds. Under the City’s Economic Development Incentive Policy, the Company qualifies for a 100% five-plus-five-year tax exemption on property purchased with bond proceeds.

The estimated first year’s real estate taxes on Northridge Warehouse’s proposed expansion would be \$319,176, on real property improvements, based on the 2006 mill levy. Using the allowable tax exemption of 100 percent, the City would be exempting (for the first year) \$319,176 of new taxes from the real and personal property tax rolls. The tax exemption would be shared among the taxing

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entities as follows: City - \$87,871; County/State -\$90,241; and USD 259 - \$141,064.

In addition, the project will qualify for a sales tax exemption on bond-financed purchases. The estimated amount of exempted sales taxes is \$346,500, including \$291,500 state sales tax and \$55,000 county sales tax.

The cost/benefit analysis based on the fiscal and economic impact model of the Wichita State University's Center for Economic Development and Business Research reflects cost/benefit ratios as follows:

City of Wichita	1.80 to one
Sedgwick County	1.42 to one
USD 259	1.19 to one
State of Kansas	3.98 to one

Economic Vitality and Affordable Living. Granting an ad valorem property tax exemption and sales tax exemption will encourage the business to create new job opportunities and stimulate economic growth for the City of Wichita and Sedgwick County.

Bond counsel will prepare bond documents needed for the issuance of the bonds. The City Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds.

Mayor Brewer Mayor Brewer inquired whether anyone wished to be heard and no one appeared.

Motion-- Williams moved that the public hearing be closed; a Letter of Intent to Northridge Warehouse, LLC, for Industrial Revenue Bonds in an amount not-to-exceed \$18,000,000, subject to the Letter of Intent Conditions for a term of five-years approved; a 100% tax abatement on all bond-financed property for an initial five-year period plus an additional five-years following City Council review approved; staff authorized to apply for a sales tax exemption; and authorize the necessary signatures. Motion carried 7 to 0.

--carried

TRANSP. AGRMNT TRANSPORTATION SERVICES AGREEMENT WITH SEDGWICK COUNTY.

Allen Bell Economic Development Administrator reviewed the item.

Agenda Item No.16.

Since 2002, the City of Wichita has provided revenue guarantee payments to AirTran Airways that have resulted in over \$100 million in cost savings to businesses and individuals flying in and out of Wichita Mid-Continent Airport. Starting in 2005, the Sedgwick County has contributed up to \$1 million per year to offset the local financial obligation under the revenue guaranty contract with AirTran. In 2006, Sedgwick County took over responsibility for contracting for air service with AirTran.

In 2006, the State of Kansas initiated a new affordable airfares program that provides state funding, through the Regional Area Economic Partnership (REAP), in the amount of \$5 million per year for programs that provide more flight options, more competition for air travel, and affordable air fares for Kansans. The state funding requires a 25% local match. For the 2006- 2007 state fiscal year, REAP awarded a \$5 million grant to Sedgwick County, and a similar grant request for the 2007-2008 year is currently under consideration by REAP.

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On July 11, 2007, the Sedgwick County Board of County Commissioners approved a new contract with AirTran Airways for discount air service to Atlanta with a revenue guarantee capped at \$6.5 million. The revenue guarantee is based on block-hour costs of operating Boeing 717 jet service between Wichita and Atlanta, plus 5%. A block hour guarantee for service between Wichita and Milwaukee may be included under the guaranty agreement, if AirTran is successful in acquiring an airline based in that city.

The Wichita Airport Authority has recently negotiated the re-entry of Frontier Airlines into the Wichita air service market, with three daily flights to Denver starting on October 1, 2007. In addition to the package of airport-related incentives, the discussions with Frontier included the possibility of providing revenue guarantee payments in an amount not-to-exceed \$500,000 as an incentive to provide three daily flights instead of two.

The proposed contract between the City and Sedgwick County is essentially the same as the contract entered into one year ago, in which the City will provide one-half of the local match requirement and additional funds, if needed to satisfy the County's obligation to AirTran Airways, and possibly to Frontier Airlines, up to the not-to-exceed amount of \$1 million.

Funding for the 2006 transportation service agreement with Sedgwick County will come from funds appropriated for that purpose to the Economic Development Fund in the amount of \$1 million. The total cost of providing revenue guaranty payments under both the AirTran contract and the proposed Frontier contract is \$7 million. Funding sources include the State of Kansas for \$5 million and the City and Sedgwick County for \$1 million each.

The funding agreement between the City and County has been approved as to form by the Department of Law.

Economic Vitality and Affordable Living. Affordable air service is one of the most critical cost factors impacting the decision of businesses to move to Wichita or to remain in Wichita. It also has a strong impact on the ability to attract and retain workers, and to provide a high quality of life to families in the region.

Mayor Brewer

Mayor Brewer inquired whether anyone wished to be heard and no one appeared.

Motion--

Brewer moved that the contract be approved; the necessary signatures authorized; and any necessary budget adjustments authorized. Motion carried 7 to 0.

--carried

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REVENUE BOND

REVISION TO INDUSTRIAL REVENUE BOND POLICY.

Allen Bell

Economic Development Administrator reviewed the item.

Agenda Item No. 17.

Since the early 1970's, the City of Wichita has been collecting administrative service fees from the businesses that benefit from industrial revenue bond financings. The original administrative service fee was \$500 per year, and in 1978 it was raised to \$1,200 per year. In 1992, the fee was increased from \$1,700 per year to its current amount of \$2,500 per year. Businesses are required to enter into administrative service fee agreements as part of the documentation required in each IRB issuance.

At this time the City Council is being asked to approve the amending resolution to allow for an increase in the administration fee from \$2,500 to \$3,200 and to authorize an origination fee to all businesses benefiting from IRB financing.

The legal authority to impose IRB administrative service fees is contained in K.S.A. 12-1742, which is part of the IRB statutes. The same statute also authorizes cities to charge an origination fee in connection with IRB issues. In pertinent part, the statute reads:

“Such agreements also may provide that the lessee shall reimburse the city or county for its actual costs of administering and supervising the issue. The city or county may charge an origination fee. Such fee shall not be deemed a payment in lieu of taxes hereunder. Such fee shall be used exclusively for local economic development activities but shall not be used to pay any administrative costs of the city or county. Except for the origination fee, all other fees paid in excess of such actual costs and any other obligation assumed under the contract shall be deemed payments in lieu of taxes and distributed as provided herein.”

Compliance has been very good over the years, and very few companies have complained or sought to avoid paying the fees. Since implementation, the administrative service fee has never been waived.

In 2002, the City received \$305,100 in administrative service fee payments, representing 109 IRB issues, from 56 businesses. These revenues are down slightly from previous years due to the economic downturn following the events of 9/11 and the consequent reduction in the number of new IRB issues in recent years.

The administrative service fee revenues for the last five years are as follows:

2002	\$305,100
2003	\$278,900
2004	\$252,600
2005	\$266,000
2006	\$264,000

In 2006, the City issued a total of ten separate IRB issues, with an aggregate principal amount of \$406,450,053. If instead of administrative service fees, the City charged origination fees at various levels, the results would be as shown in the following table:

Administrative service fees are credited to the Economic Development Fund and are used to pay operating expenses of the Economic Development Office, plus a portion of the salary of a Senior Attorney responsible for bonding matters. The annual service fees are entered into the City's accounts receivable system and the companies are automatically billed each year.

Economic Vitality and Affordable Living. Efficient and effective incentive programs are needed to ensure the City stays competitive in the global competition for attracting and retaining businesses.

The revised Industrial Revenue Bond Policy has been reviewed by the Department of Law and approved as to form.

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- Council Member Schlapp Council Member Schlapp stated she had expressed some concerns on Friday about this item and in the presentation today she is struggling with this proposal. Asked if we have not set aside enough to do these cash loans in our economic development fund and is there a need to increase that fund and is it because we are using it more often and then why are we increasing the assessments on the IRBs. Stated this does not compute for her.
- Allen Bell Economic Development Administrator stated we are not in need of more funds. Stated the City Council has been very generous in appropriating funds from the general fund to the economic development fund to cover these cash incentives. Stated what they are really asking is to diversify the funding sources that this money comes from so that it is not all coming from the general fund.
- Mayor Brewer Mayor Brewer inquired whether anyone wished to be heard and no one appeared.
- Council Member Longwell Council Member Longwell inquired if other cities in Kansas are already doing this or is it common practice in the Midwest.
- Allen Bell Economic Development Administrator stated it is a wide spread practice in Kansas and throughout the United States. Stated Kansas is unique in the industrial revenue bonds in that it is much decentralized. Stated each city serves as the issuer of industrial revenue bonds and in most states there are economic development authorities and usually at the state or regional level, that have the authority to issue these industrial revenue bonds and they do it and those entities are financially self-sustaining and they live on their fees. Stated they might have three or four different types of fees that they charge and they amount to a substantial amount. Stated businesses are not unused to paying these types of fees and in Kansas, the more frequent users of the issuers in industrial revenue bonds have either the admin service fee or the origination fee and in many cases they have both.
- Council Member Longwell Council Member Longwell stated his concern is that in many incidences we are competing with similar cities around Kansas and sometimes in the Midwest for companies that want to come in and use these IRBs. Stated his hesitation would be that the Council be given an opportunity to absorb this and look at what other cities are doing and compare and additional time might give him more comfort also. Stated he is not totally opposed to this but would like to make sure that we are remaining competitive and not taking away a significant advantage, if it has been and do a little more research.
- Council Member Gray Council Member Gray stated our neighbor to the north has been quite prosperous in recent years in issuance of industrial revenue bonds for a lot of industrial businesses and they are a competitor of ours. Stated people think we only compete against the big cities with the large employment base for companies to relocate here but we are also competing against if they are going into Wichita or a surrounding city where they can have the same employee base as they would here.
- Allen Bell Economic Development Administrator stated he is not aware of any cities in Sedgwick County that have origination fees or administrative service fees. Stated the ones he found in working in our area in economic development, he does not consider Wichita to be a competitor. Stated it is more for retention of existing businesses that are being recruited by the suburban cities to move to their industrial parks and they are highly motivated to get that business. Stated for them it is more of a buyers market and for us it is more of a sellers market and we have to recognize that distinction when we look at our policies.
- Council Member Gray Council Member Gray stated that is one thing we should consider as we have this dialogue.
- Council Member Skelton Council Member Skelton stated he would also like to have more time to consider this.
- Motion-- Brewer moved to defer this item for two weeks so that staff can do additional research and educate the City Council on what is going on based on the recommendations and concerns that each Council Member has. Motion carried 7 to 0.
- carried

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UNSAFE STRUCT

REPAIR OR REMOVAL OF DANGEROUS & UNSAFE STRUCTURES. (DISTRICTS I, IV, AND VI)

Agenda Item No.18.

On June 5, 2007, a report was submitted with respect to the dangerous and unsafe conditions on the properties below. The Council adopted resolutions providing for a public hearing to be held on these condemnation actions at 9:30 a.m. or as soon thereafter, on July 17, 2007.

On May 7, 2007 the Board of Code Standards and Appeals (BCSA) held a hearing on nine (9) properties. Since that time, one (1) property has been demolished by the owner. The remaining eight (8) properties are listed below:

<u>Property Address</u>	<u>Council District</u>
a. 2612 East 13th St. N.	I
b. 1645 North Mathewson	I
c. 2215 North Minneapolis	I
d. 1927 East Looman	I
e. 856 North Oliver	I
f. 1117 South Main	I
g. 319 South Dodge	IV
h. 2402 West 29th St. N. #20	VI

Detailed information/analysis concerning these properties is included.

On January 24, 2006 the City Council adopted five (5) goals for the City of Wichita. These include: Provide a Safe and Secure Community, Promote Economic Vitality and Affordable Living, Ensure Efficient Infrastructure, Enhance Quality of Life, and Support a Dynamic Core Area & Vibrant Neighborhoods. This agenda item impacts the goal indicator to Support a Dynamic Core Area and Vibrant Neighborhoods: Dangerous building condemnation actions, including demolitions, remove blighting and unsafe buildings that are detrimental to Wichita neighborhoods.

Pursuant to State Statute, the Resolutions were duly published twice on June 7, 2007, and June 14, 2007. A copy of each resolution was sent by certified mail or given personal service delivery to the owners and lien holders of record of the described property.

Kurt Schroeder

Office of Central Inspection stated this morning there are property owners that have shown up to speak on three of the eight properties and those three are: a) 2612 East 13th Street North, c) 2215 North Minneapolis, and e) 856 North Oliver, and they would like to ask the Council for an extension of time. Stated Staff and the BCSA would recommend that Council proceed with condemnation for items: b) 1645 North Mathewson, d) 1927 East Looman, f) 1117 South Main, g) 319 South Dodge, and h) 2402 West 29th Street North #20.

Motion--

Brewer moved that the public hearing be closed; the resolutions declaring the buildings dangerous and unsafe structures adopted; and accept the BCSA recommended action to precede with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structures. Any extensions of time granted to repair the structures would be contingent on the following: (1) All taxes have been paid to date, as of July 17, 2007; (2) the structures have been secured as of July 17, 2007 and will continue to be kept secured; and (3) the premises are mowed and free of debris as of July 17, 2007 and will be so maintained during renovation for properties located at b) 1645 North Mathewson, d) 1927 East Looman, f) 1117 South Main, g) 319 South Dodge, and h) 2402 West 29th Street North #20. Motion carried 7 to 0.

--carried

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Resolution No. 07-411

A Resolution finding that the structure/s legally described as Lot 2, J.W. Washington Addition, Wichita, Sedgwick County, Kansas, known as 1645 N. Mathewson, is unsafe or dangerous an directing the structures/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Schlapp, Skelton, Longwell, Williams and Brewer.

Resolution No. 07-413

A Resolution finding that the structure/s legally described as Lot 12, Block 4, J. Walter Ross Addition, to Wichita, Sedgwick County, Kansas, known as 1927 East Looman, is unsafe or dangerous an directing the structures/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Schlapp, Skelton, Longwell, Williams and Brewer.

Resolution No. 07-415

A Resolution finding that the structure/s legally described as Lots 151, 153, 155 and 157 on Main Street, Lee's Addition in Sedgwick County, Kansas, known as 1117 S. Main St, is unsafe or dangerous an directing the structures/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Schlapp, Skelton, Longwell, Williams and Brewer.

Resolution No. 07-416

A Resolution finding that the structure/s legally described as the north one-half lot 15, all of Lot 17, on Dodge Avenue, Lawrence's Second Addition to West Wichita, Sedgwick County, Kansas, known as 319 S. Dodge, is unsafe or dangerous an directing the structures/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Schlapp, Skelton, Longwell, Williams and Brewer.

Resolution No. 07-417

A Resolution finding that the structure/s legally described as Lot 1 and the north 20 feet of vacated 29th Street, Meridian Avenue and the K-96 Highway adjacent, Block 1, Pier Point Acres, Sedgwick County, Kansas, known as 2402 W. 29th St. N., Lot 20, is unsafe or dangerous an directing the structures/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Schlapp, Skelton, Longwell, Williams and Brewer.

Kurt Schroeder

Office of Central Inspection reported that the property is listed as **a) 2612 East 13th Street North**, and they started a case on this approximately two years ago and they have had to board up the property on a couple of occasions and mow weeds over this time period. Stated this property did get sold in a tax foreclosure sale in 2006 and Mr. Paul O'Neill purchased the property through a tax foreclosure sale in 2006 but did not get a deed to the property until very late in 2006. Stated there are no back taxes because of the tax foreclosure sale however OCI did spend about \$280.00 for emergency board up, which is still owed. Stated Mr. O'Neill did start some repairs to the roof and siding but there is still a lot of work left to do and he would like more time to complete the exterior repairs.

Paul O'Neill

Mr. O'Neill stated he purchased this property at a tax sale last year and by the time he received the deed it was winter and there was a long list of things to be done to this property. Stated structurally it is a sound building and believes he can get in repaired and put back on the tax roll as a revenue generating property but if we tear that down in the district that it is in, there will probably never be anything built there. Stated it is boarded up and the taxes have been paid, which included the board up fees. Stated he has done the siding and roof repairs and still has to finish the foundation work and will tear off the back porch area and is asking for more time to get this done.

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Council Member Williams Council Member Williams asked how much more time does he need to get this down.

Paul O'Neill Mr. O'Neill stated the maximum amount of time he is allowed would be 60 days and would appreciate it if he could get 60 days.

Motion--carried Williams moved to allow an additional 60 days. Motion carried 7 to 0.

Resolution No. 07-410

A Resolution finding that the structure/s legally described as west 1/2 of Lots 41, 43, 45 and 47, on Estelle Avenue, Rose Hill Additon, to the City of Wichita, Sedgwick County, Kansas, known as 2612 E. 13th Street N, is unsafe or dangerous an directing the structures/s to be made safe and secure or removed, presented. Williams moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Schlapp, Skelton, Longwell, Williams and Brewer.

Kurt Schroeder Office of Central Inspection reported that the property is listed as **c) 2215 North Minneapolis**, there has been a housing case on this for almost three years before the initiated condemnation action and the owner, Germaine Pennington, has owned this property for a year and a half and did not appear at the BCSA. Stated Mr. Pennington was here today but had to return to work but indicated that he would pay the taxes that are due and the cost for the emergency board up this week and is asking for 30 to 60 days to get the exterior fixed. Stated as far as they can tell there has not been much work done on this property since they started condemnation of it.

Motion--carried Williams moved to proceed with demolition. Motion carried 7 to 0.

Resolution No. 07-412

A Resolution finding that the structure/s legally described as Lot 11, Block G, Millair Addition Wichita, Sedgwick County, Kansas, known as 2215 N. Minneapolis, is unsafe or dangerous an directing the structures/s to be made safe and secure or removed, presented. Williams moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Fearey, Gray, Schlapp, Skelton, Longwell, Williams and Brewer.

Kurt Schroeder Office of Central Inspection reported that the property is listed at **e) 856 North Oliver** and believes it is a tri-plex and they have had a housing code case on this for two years and they had to do some clean up and board up of this property. Stated specials of \$771.00 for the emergency board up and been paid and the owner Mr. Nguyen is here today but indicated he will be leaving the country for family business and is asking for additional time. Stated there are some extensive problems with the exterior and quite a bit of repair to do.

Mr. Nguyen Mr. Nguyen stated he has to leave the country to take care of his parents and that his tenant destroyed everything in this building and needs extra time to fix it.

Mayor Brewer Mayor Brewer suggested that the Council defer action on this case for one week to allow Council Member Williams and Kurt Schroeder time to visit with Mr. Nguyen and see what direction they should go in.

Motion--carried Williams moved to defer for our next scheduled meeting to meet and discuss. Motion carried 7 to 0.

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2008/2009 BUDGET

2008/2009 ANNUAL OPERATING BUDGET AND 2007-2016 CAPITAL IMPROVEMENT PROGRAM.

Kelly Carpenter

Director of Finance reviewed the item.

Agenda Item No. 19.

In accordance with state law, the City submits the annual budget to the state for certification of each fund on or before August 25. The City of Wichita prepares a two-year rolling budget; however, only the first year of the two is officially adopted. The City also revises the current year budget. The 2008/2009 Proposed Budget revises the current year (2007), proposes a budget for the ensuing fiscal year (2008) and projects a budget for the second succeeding year (2009).

The City also prepares a ten-year capital budget. The 2007-2016 Proposed Capital Improvement Program (CIP) also reviews the current year and proposes a program for the ensuing nine years. The CIP lays the foundation for the City's strategic vision for the next decade.

Taken together, the City's annual operating budget and the capital budget are the twin pillars of financial planning for programs, projects and services to the community for the next year and the next generation.

The local operating budget totals approximately \$496 million (which does not include internal service funds, capital projects, grant funds, trust funds or interfund transfers) with a mill levy of 31.953 mills (21.953 for the General Fund and 10 for the Debt Service Fund).

- The Capital Improvement Program totals over \$2 billion over a 10-year time span with no increase in the 10 mill levy allocation, a decrease in federal dollars, maintaining the allocation of sales tax and an increase in utility fees and charges. There are no revenue enhancements and minimal changes to previously approved projects.

The proposed capital and operating budget does not include a mill levy rate increase as presented, based on the estimated assessed valuation provided by the Sedgewick County appraiser and the taxes levied in the budget.

The 2008 Proposed Budget serves as the operational guide of the City and as such impacts all goal areas.

To comply with State law, the City of Wichita must hold two public hearings, one to set the maximum levy and one to adopt the budget. The proposed calendar attempts to maximize citizen and City Council input by providing a maximum number of budget presentations, workshops and public hearings.

The 2007 City Budget calendar

July 10 – Official presentation of the proposed operating budget to the City Council; receive public comment

July 16 – Evening (6:30 – 8:30) District Advisory Board (combined all districts)

July 17 – Receive public comment

July 24 – City Council authorization of the publication notice (after which the mill levy may decrease, but may not be increased); receive public comment

August 7 – Receive public comment

August 14 – Official public hearing; adoption of the 2008 Annual Budget

August 25 – File the certified budget for all operating funds with the County Clerk

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The 2007-2016 City Capital Improvement Program calendar (tentative)

July 10 – Official presentation of the proposed capital budget to the City Council; receive public comment

July 16 – Evening (6:30 – 8:30) District Advisory Board (combined all districts)

July 17 – Receive public comment

August 7 – Receive public comment

August 7 – Tentative adoption of the 2007-2016 Capital Improvement Program

Council Member Longwell Council Member Longwell stated one item came up from some discussions that he had last night and wanted to give the City Manager an opportunity to explain it. Stated it appears that the trolley fund has zeroed out and has disappeared and he does not want to give people the perception that we have eliminated all trolleys downtown and asked the Manager to explain.

George Kolb City Manager explained the transit operation in the past has operated a fleet of trolleys and they have been the only business in town. Stated that recently a private businessman went into the trolley business and federal law prohibits the transit authority from competing with the private sector in providing those types of services. Stated it does not prohibit transit from doing public transportation such as the Q-Line or other transit activities that are related to the transportation of people but special parties and those types of things, they are. Stated they have closed that operation and they will be selling or leasing three or four of our trolleys and incorporate the others into our fleet of other buses and treat them accordingly. Stated we are not giving up the Q-line transportation program or other similar services but will discontinue our special transit operations in favor of letting the private sector do that. Stated there will be a workshop to discuss that this afternoon.

Mayor Brewer Mayor Brewer inquired whether anyone wished to be heard.

Ron Cruz Mr. Cruz stated he is the President of the 21st Street Business Association on the 21st Street Corridor and asked that the Council help lift that area up and make it a vital part of the community to benefit the whole city and whatever was planned in the budget for this area to be spent there, needs to be spent there.

Motion-- Brewer moved that the public comment on the 2007- 2016 Capital Improvement Program and 2008 Proposed Budget be received. Motion carried 7 to 0.
--carried

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IAFF AGRMNT

2007-2009 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AGREEMENT

Sarah Gilbert

Interim Director of Human Resources reviewed the item.

Agenda Item No. 19a.

The City Negotiating Team and IAFF Local 135 have reached an agreement on a Memorandum of Agreement for 2007-2009. The union membership has ratified the agreement.

The agreement will be in effect for the period of December 16, 2006 through December 25, 2009 and will provide 6.5% annual increases in 2007, 2008, 2009 for IAFF members who are eligible for steps movements. The increase for 2007 will be provided retroactively to December 16, 2006. Firefighters at top wage currently will receive a cost of living adjustment equal to 4% annually.

Other terms of the contract include:

- A new educational pay benefit of \$50 per month for a Bachelors Degree and \$75 per month for a Masters Degree;
- \$35 bi-weekly specialty pay for members of Hazmat, Arson Investigators, Technical Rescue, and EMICT;
- \$35 bi-weekly EMT Pay for Airport Safety discontinued;
- City Drug Testing Language;
- A \$50 increase in uniform allowance for each year of the agreement;
- Union will pay for own representatives on grievance boards;
- Minor language changes to address Airport Safety and other contractual issues;

A revised salary ordinance including the terms of this agreement will be presented to the City Council for approval at a later date.

The agreement will cost an estimated \$7 million over the three-year term. This amount has been included in the 2008-2009 proposed budget.

This agreement affects the Safe and Secure Community Goal.

The Law Department has approved the agreement as to form.

Council Member Longwell Council Member Longwell asked if we ever know what percentage that this passed by and how many of those members voted and is that information that is typically passed on.

Sarah Gilbert

Interim Director of Human Resources explained that their negotiator asked for that information and that request was declined. Stated they are not required to provide it to us.

Mayor Brewer

Mayor Brewer inquired whether anyone from the audience wished to be heard.

Doug Pickard

Mr. Pickard stated he is the President of the Local IAFF and is available for clarification or questions.

Council Member Longwell Council Member Longwell asked if they are willing to share that information with the Council regarding how many people voted and what percentage.

Doug Pickard

Mr. Pickard stated this information was put out to their membership and the lead negotiator for the City called them and asked if they would be willing to share this with him and they felt like it was not his business but if the Council would like to know he will tell them. Stated of the people who voted, 70% believed this was the City's best last offer and voted accordingly. Stated the vote was not 100% of the membership but it was the majority of them.

Motion--

--carried

Brewer moved that the proposed 2007-2009 Memorandum of Agreement between the City and International Association of Firefighters (IAFF) Local 135 be approved. Motion carried 7 to 0.

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PLANNING AGENDA

Motion-- Brewer moved that Planning Consent items 20-22 be approved in accordance with the recommended
--carried action shown thereon. Motion carried 7 to 0.

VAC2007-00017 **VAC2007-00017 REQUEST TO VACATE PORTIONS OF PLATTED COMPLETE ACCESS CONTROL; GENERALLY LOCATED MIDWAY BETWEEN EDGEMOOR AND WOODLAWN BOULEVARDS, ON THE SOUTH SIDE OF CENTRAL AVENUE. (DISTRICT II)**

Agenda Item No. 20.

Staff Recommendation: Approve.

MAPC Recommendation: Approve (12-0).

The applicants have applied for vacation of a portion of complete access control on the south side of Central, east of Brookside Parkway. The applicants want to keep a driveway that originally served what was a single-family residence, prior to the rezoning and replatting of the site. Z-2806 (Published 01-20-87) rezoned Lots 1 to 15, Block 1, Oakwood Estates 2nd Addition from "AA" and "A" One and Two-family Residential to "BB" Office ("GO" General Office), subject to covenant (COV-2) and contingent on replatting within 1 year. A condition of the replatting was the grouping of these residential lots into larger and fewer lots, with consideration of joint access and circulation to rear parking lots. The replatting resulted in the Jim Fisher Addition being recorded with the Register of Deeds on June 21, 1988. The site was once Lots 1 to 4, Block 1, Oakwood Estates 2nd Addition and now is Lot 1, Jim Fisher Addition. The site contains the original 4 single-family residences/lots, which have subsequently become businesses. The Jim Fisher Addition shows complete access control on Lot 1, except for one drive onto Central Avenue. Currently there are two drives onto Central Avenue off of Lot 1, The Jim Fisher Addition; the applicants wish to retain both of them.

Public Works recently made improvements on Central Avenue, at this location, and was in the process of bringing businesses located in the Fisher Addition into compliance with the above described requested 1987 zoning and its required replatting. This process has been complicated by the fact that redevelopment of the single-family residences into office or neighborhood retail businesses has been slow and uneven. Cooperation among neighbors/owners in the development of their individual businesses has been uncertain, perhaps because of a lack of understanding for the zoning and platting conditions on their business site. Nineteen years after the rezoning and replatting of the created 20 business sites, eight of them remain residential, breaking up any continuous, shared redevelopment of the businesses.

The MAPC voted (12-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing or its Subdivision Committee meeting. No written protests have been filed.

Ensure efficient infrastructure.

A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion-- Brewer moved to follow the recommendation of the Metropolitan Area Planning
--carried Commission and approve the Vacation Order, and authorize the necessary signatures. Motion carried 7 to 0.

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VAC2007-00018

VAC2007-00018 REQUEST TO VACATE A PORTION OF A UTILITY EASEMENT DEDICATED BY SEPARATE INSTRUMENT; GENERALLY LOCATED SOUTH OF 21ST STREET NORTH AND WEST OF WEBB ROAD. (DISTRICT II)

Agenda Item No. 21.

Staff Recommendation: Approve.

MAPC Recommendation: Approve (12-0).

The applicant is requesting consideration for the vacation of the utility easement northeast of Wilson Estates Parkway and Paddock Green Circle that was dedicated by separate instrument; Film/Page #28848149. There are no manholes, sewer or water lines in the easement. The applicant has provided letters from the franchised utilities, which have given their approval of the proposed vacation. Westar has equipment in the easement, but has given their approval of the described vacation. Storm Water has given its approval of the described vacation. The Brighton Courts Addition was recorded with the Register of Deeds on September 11, 2003.

The MAPC voted (12-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing or its Subdivision Committee meeting. No written protests have been filed.

Ensure efficient infrastructure.

A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion--
--carried

Brewer moved that the Vacation Order be approved and the necessary signatures authorized. Motion carried 7 to 0.

A07-10R

A07-10R-ADOPTION OF A RESOLUTION ESTABLISHING A FUTURE PUBLIC HEARING ON THE ANNEXATION OF ELIGIBLE PROPERTIES GENERALLY LOCATED NORTH OF 13TH STREET NORTH, TO THE EAST AND WEST OF 143RD STREET EAST. (DISTRICT II)

Agenda Item No. 22.

The City of Wichita is proposing to annex certain eligible parcels of land by means of the unilateral annexation method as a result of a series of water petitions that were signed by either previous or present property owners within the Savanna at Castle Rock Ranch area. These petitions serve as a formal request for the City of Wichita to provide water service to areas outside the corporate city limits. These petitions also contain legally binding language in which the property owner is consenting to annexation by the City of Wichita at such time the City deems appropriate. This past year, the City of Wichita's city limits expanded, making the Savanna at Castle Rock Ranch eligible for annexation. Due to irregularities that occurred several years ago in the recording and filing of a certain number of the water petitions, it has been determined that unilateral annexation is the most efficient and effective method of annexing this development into the City.

The properties proposed for annexation are generally located north of 13th Street North, to the east and west of 143rd Street East. This annexation plan contains approximately 187.33 acres of platted property, containing Savanna at Castle Rock Ranch, 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th and 10th Additions. The subject property contains a total of 256 parcels, and it is estimated that approximately 561 people live within this area. The land use pattern of the area proposed for annexation is predominately residential (228 tracts) in nature. There are a few (25) vacant/community amenity tracts and (3) agricultural tracts scattered throughout the area.

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Land Use and Zoning: The majority of the subject property under consideration is zoned "SF-20" and "SF-5" Single-Family Residential, with a few parcels zoned "GO" General Office. The properties zoned "SF-20" Single-Family Residential will convert to "SF-5" Single-Family Residential upon annexation, while other properties will retain their existing zoning. This area is almost completely developed.

The developed properties within the annexation area are currently served with water by the City of Wichita as a result of a series of petitions. It is estimated that approximately 95% of the developed properties within the annexation area are currently served with sewer by the City of Wichita.

Street System: 143rd Street East is a two-lane, paved road, which runs through Savanna at Castle Rock Ranch area. 143rd Street East, between 13th Street and 21st Street, was constructed approximately 5 to 10 years ago, and it meets the County standard with open ditches. 13th Street North runs along the south edge of the subject property and is currently under construction. 13th Street North is being widened to a four-lane road from K-96 to 159th Street East and is being funded through the 2006 Transportation Improvement Program and the Sedgwick County Capital Improvement Program 2006-2010.

In addition, the City of Wichita Capital Improvement Program (CIP) 2005-2014, the 2006 Transportation Improvement Program and the Sedgwick County Capital Improvement Program 2006-2010 have scheduled improvements to widen 21st Street North from K-96 to 159th Street East. 21st Street North is approximately 1/2 mile north of the subject property. Construction is projected to begin in 2008.

Public Safety: Fire protection is currently provided to the area on the basis of a first-responder agreement between the City and County, and that service will continue following annexation. Wichita and Sedgwick County will provide fire protection from Fire Station No. 38-6, located at 1010 North 143rd Street with a two (2) to three (3) minute response time. Upon annexation, police protection will be provided to the area by the Patrol East Bureau, Beat 39, of the Wichita Police Department, headquartered at 350 S. Edgemoor.

Parks: The Northeast Sports Complex, a 60-acre undeveloped park, and Stryker Soccer Complex, a 48-acre athletic complex, is located approximately 3 1/2 miles to the northwest of the proposed annexation site and currently contains 12 soccer fields, a concession stand, restrooms and paved parking. The WB Harrison Park, a 40-acre park, is located approximately 5 miles to the southwest of the proposed annexation site and contains 2 tennis courts, a softball diamond, a rugby field, a children's play area with 3 benches, a restroom, a paved 0.75 mile exercise/fitness trail, a fishing pond and two parking areas, one paved and one unpaved. The Eastview Park, a 20-acre park, is located approximately 4 miles to the west of the proposed annexation site and contains a paved 0.77-mile fitness trail with 20 exercise stations, a softball diamond, two lighted tennis courts, a soccer field, a children's play area with three benches and a paved parking area. A potential 14-acre future park site has been purchased on Central Avenue to the east of Greenwich Road. According to the 1996 Parks and Open Space Master Plan, a potential pathway has been identified in the BNSF Rail Corridor that has been rail banked by the City of Wichita. This potential pathway would run along the northern edge of the annexation area. The proposed park and pathway improvements are not currently funded in the Capital Improvement Program.

The annexation property is part of the Unified School District 385 (Andover School District). Annexation will not change the school district.

Comprehensive Plan: The proposed annexation is generally consistent with the Wichita-Sedgwick County Comprehensive Plan. The annexation property falls within the 2030 Wichita Urban Growth Area, as shown in the Plan.

To proceed with this annexation, the Council must adopt a resolution establishing a hearing date. Once the hearing date is established, a plan for extension of municipal services to the area will be placed on file with the City Clerk's Office. The Service Extension Plan outlines the City's intention to provide major municipal services to the area. A copy of the Service Extension Plan is attached for reference.

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The total appraised value of the proposed annexation lands, according to County records, is \$88,264,880 with a total assessed value of \$10,146,662. Using the current City levy (\$31.828/\$1000 x assessed valuation), this roughly yields \$319,948 in City annual tax revenues for the property. The future assessed value of this property will depend on the type and timing of any other developments on the proposed annexation property and the current mill levy. Major municipal services to be provided to this area upon annexation include street maintenance, ditch cleaning, culvert cleaning, fire protection, police protection, building code enforcement and health code enforcement. The operating departments currently delivering these services will fund them upon annexation. Major municipal services, such as local street improvements, water and sewer service may be provided to this area upon request of the property owners. The cost of municipal services requested by the property owners will be distributed amongst the City at large and the benefiting property owners according to current City policies.

Approving the annexation request would impact Wichita's goal to ensure efficient infrastructure, for annexation of this property would assist the City in satisfying the demand for new infrastructure needed to support growth and development.

In the absence of an annexation request from a property owner, State law requires the adoption of a resolution by the City Council indicating the City's intent to annex, a description of the property to be annexed and a notice of the time and place for a public hearing to consider the matter. Copies of the resolution must be sent (via certified mail) to all owners of the properties proposed for annexation within 10 days of adoption. Also, the resolution and a sketch map must be published once in the official City newspaper not less than one week and not more than two weeks prior to the public hearing date. A report stating the plans for the extension of municipal services to the proposed annexation area must also be placed on file for public inspection in the City Clerk's Office.

Motion--carried Brewer moved to accept the Service Extension Plan and adopt the Resolution. Motion carried 7 to 0.

CITY COUNCIL

BOARD APPTS.

BOARD APPOINTMENTS.

Council Member Williams Council Member Williams requested that the following be appointed to DAB I: Treatha Brown-Foster, Gerald Domitrovic, Gail Finney, Lori Lawrence, Debra K. Miller Stevens, Janice Rich, Steve Roberts, Benjamin Stiff, James Thompson, Adam Thomsen Stated Steve Roberts will be serving on the Library Board; Kevin Miles, Wichita Airport Advisory Board; and John Stevens, Board of Park Commissioners.

Council Member Longwell Council Member Longwell requested that the following be appointed: BZA-Jerry Hoggatt; Wichita Employees Retirement Board-Kathy Mikols; and Alternate to DAB V-Pat Ream

Council Member Fearey Council Member Fearey requested that Steve Hinds be appointed to the Access Advisory Board.

Council Member Schlapp Council Member Schlapp requested that Peg Brown be appointed to Sister Cities.

Mayor Brewer Mayor Brewer requested to appoint Joe Johnson to the Wichita Public Building Commission.

Motion--carried Brewer moved that the appointments be approved. Motion carried 7 to 0.

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APPOINTMENTS

APPOINTMENTS TO THE WICHITA AIRPORT ADVISORY BOARD

The Board of Sedgwick County Commissioners has recommended the following persons for appointment to the Board:

Robert Beattie, 2672 North Pershing, 67204
Ron Estes, 12224 East Bracken Court, 67226
Dwight Greenlee, 8207 Reflection Court, 67205
Thomas A. Pryor, 4232 Wildflower Circle, 67210

Motion--carried Brewer moved that the appointments be made. Motion carried 7 to 0.

Council Member Williams Council Member Williams stated she would like to appoint Shontina Tipton as an alternate to DAB I.

Motion--carried Brewer moved to approve. Motion carried 7 to 0.

RECESS

EXECUTIVE SESSION

Motion-- Brewer moved that the City Council recess into Executive Session at 12:20 p.m. to consider: consultation with legal counsel on matters privileged in the attorney-client relationship relating to: pending litigation, legal advice, contract negotiations, and personnel matters of non-elected personnel and that the Council return from Executive Session no earlier than 1:00 p.m. and reconvene in the City Council Chambers on the first floor of City Hall. Motion carried 7 to 0.

--carried

RECONVENE

The City Council reconvened in the City Council Chambers at 1:15 p.m.

Mayor Brewer Mayor Brewer stated the City Council has returned from Executive Session, there was no action taken and there is no action needed as a result of the Executive Session.

Motion--carried Brewer moved to close the Executive Session. Motion carried 6 to 0, (Skelton absent).

Motion-- Brewer moved to adjourn the Regular Meeting. Motion carried 6 to 0, (Skelton absent).

ADJOURNMENT

The City Council adjourned at 1:16. p.m.

Workshop was cancelled