

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, October 2, 2007
Tuesday, 9:05 A.M.

The City Council met in regular session with Mayor Brewer in the Chair. Council Members Fearey, Gray, Schlapp; Skelton, and Williams present. (Council Member Longwell absent with prior notice).

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

The Wichita Fire Department Color Guard posted the colors and the pledge of allegiance was participated in by the Council Members, Staff and guests.

Pastor Lincoln Montgomery from Tabernacle Baptist Church gave the invocation.

The Minutes of the regular meeting of September 25, 2007, approved 6 to 0.

AWARDS AND PROCLAMATIONS

Proclamations

Proclamations:

Mayor Brewer read aloud the following Proclamations:

- Human Resources Week
- Friends of the Library Week
- Community Planning Month
- Fire Prevention Week

Motion--
--carried

Vice-Mayor Fearey moved to add an agenda item that we officially welcome Frontier Airlines to Wichita. Motion carried 6 to 0, (Longwell absent).

Mayor Brewer

Mayor Brewer welcomed and asked the Frontier Airlines representatives to come to the podium. Stated they did an unveiling yesterday of Frontier Airlines and they will be flying west and they have a lot of exciting plans for the City of Wichita and great prices.

Stephanie Huerta

Ms. Huerta stated they are very excited to be here and it is an exciting opportunity for Frontier Airlines to expand into these communities and offer flights to Denver.

Tribute

Recognition and Tribute: Chief Garcia's 50 years of Service.

Mayor Brewer

Mayor Brewer stated today we have an important day in the history of the City of Wichita and the Wichita Fire Department after 50 years of service to the City of Wichita.

(A tribute video was viewed by Council, Staff, and guests)

Vice-Mayor Fearey

Vice-Mayor Fearey stated she has only been here six years and has enjoyed working with the Chief and congratulated him on his retirement and thinks that he will enjoy it but also thinks that even though he has retired from a paying job with the City, that he certainly has not retired from the City and we will see him around a lot and knows that he will continue his dedication not only to his church but to the community as a whole. Stated she has enjoyed working with him in working out some of the difficult

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issues that they have had and he has done that with grace and dignity and she admires him and thanked him.

- Council Member Gray Council Member Gray stated he has known the Chief for four years and it has always been a pleasurable experience. Stated it is very inspiring regarding the term of office that he has had with the City of Wichita and now a days so many people work for a company or a business for a few years and then move on but to have the Chief work in one place for 50 years is amazing. Stated it is very inspiring to see a man of his character and stature do what he has done in this world and thanked him for it and hopes that he enjoys retirement.
- Council Member Skelton Council Member Skelton congratulated Chief Garcia and stated that he views his life in stages and thinks the Chief has completed one stage and is moving on to the next and it is a big day for him. Stated he has had a very stable and long and successful career and he thinks that the Chief is a man that sets an example for this community and he has enjoyed working with him and he has been kind to him. Stated he has enjoyed working with the Chief and his staff for the south city fire station and the other new stations that the City is going to build in the near future.
- Council Member Williams Council Member Williams stated she has only known him for a few months but yet has known him for years because he is a very humble person and she has watched him from afar. Stated he has been a silent mentor to a lot of people and probably does not even realize that and thanked him for all he has done.
- Council Member Schlapp Council Member Schlapp stated that the number of years that the Chief has served the community and the number of years that she has not served the community but watched him serve are about the same. Stated she appreciates everything that he has done.
- Mayor Brewer Mayor Brewer stated that the Chief and him have known each other for quite some time and there is no doubt in his mind of the Chief's love for this community and City. Stated he knows at one point in time during their most difficult time here in the City of Wichita where the Chief came to him and talked to him about retiring and asked him to please stay here for awhile and would like to thank him for supporting him and staying here and helping the City become more stable and get back on balance. Stated Chief Garcia has a love and a passion for firefighters and how protective he is of them. Stated he always stood up for his firefighters and his organization. Thanked the Chief for his commitment and everything that he has done and helping him as a Council Member and as the Mayor and that he has been a mentor.
- Mayor Brewer Mayor Brewer asked Chief Garcia and his wife Carolynn to come to the podium and presented Chief Garcia with a framed article and picture from the Wichita Eagle and presented Chief Garcia with his fire chief's hat.
- Mayor Brewer Mayor Brewer stated that the award that they are presenting to the Chief today is one that we do not give away very freely and there are very few of these that are actually out there. Stated this award that the City is presenting to the Chief today is primarily given to vice-presidents, presidents, or ambassadors of other countries and individuals that make a significant impact on a community or on a City where we really want to show our appreciation and our recognition. Stated this plaque that is being presented to Chief Larry Garcia in recognition of 50 years of dedication and service, leadership, outstanding commitment of excellence, and it is presented by Mayor Carl Brewer and the Wichita City Council and presented the Key to the City to Chief Garcia.
- Carolynn Garcia Mrs. Garcia thanked everyone for being here today and knows that Larry loves the fire department and his firemen. Stated he is a wonderful person and that this is another chapter in their lives.
- Chief Garcia Chief Garcia stated that to all the city employees and a number of retired city employees, he cannot tell them how much he appreciates their presence here today. Stated to those who continue to labor in this venue, the scriptures tell us that we should not tire of doing good. Stated that the firefighters have the special privilege in this community to help people and that is what we are all about and what we get paid for. Stated that God has honored them with that privilege and do not ever tire of doing good. Stated being here 50 years just happened and it was not planned and there was work to do and always

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issues coming. Stated he thrives on working out the issues and all this stuff that you have seen that was attributed to Larry Garcia would not come about without the staff that we have and have had over the years. Stated those men and women out there are the ones that made things happen and most often they had the ideas and they said go for it. Stated that most of the things that this department has been able to accomplish came through Ed Bricknell and Mike Rudd's hands, who are very capable and hardworking people and this tribute really belongs to the men and women of the Wichita Fire Department. Thanked everyone for their presence and recognized his assistant Vickie Forbes.

(The color guard escorted Chief Garcia and his family to the reception followed by new Fire Chief Ron Blackwell)

PUBLIC AGENDA

(Council Member Skelton momentary absent)

Jane Mosteller-Safety concerns regarding the second new "no left turn signs" from 31st Street South onto South Gold.

Jane Mosteller

Ms. Mosteller resides at 4563 South Cherry, stated that there are numerous ways of installing "No left turn" signs and would like to offer a couple of suggestions that she believes would be helpful. Stated that there are numerous large orange signs at other street construction sites around town that advise no left turns. Stated she would like to see more uniformity throughout the City and more advisory signs when changing the rules that affect citizens driving records and insurance rates. Stated she would like to see the east and west streets safer when facing the sun and the signs at 31st Street and Gold Street are impossible to see at sunset and the end result is numerous traffic tickets that raise insurance rates.

Council Member Gray

Council Member Gray stated he will instruct the City Manager to put pre-warning signs out in that area and to have him visit with the engineering department to see if we cannot come up with some consistency. Stated the very first day people who live in that area were getting traffic citations after making that turn for 30 years and he was told that the police officers had no discretion in not citing people for that traffic infringement and he was bothered by the fact that we did not even issue warnings the first day for the people who live in that area.

Council Member Skelton

Council Member Skelton stated he would also like Staff to look at this to see if there can be additional warning signage or other mechanisms to help the public.

(Council Member Gray momentarily absent)

CONSENT AGENDA

Motion--
--carried

Brewer moved that Consent Agenda items 2-13b be approved in accordance with the recommended action shown thereon. Motion carried 5 to 0, (Gray and Longwell absent).

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED OCTOBER 1, 2007.

Minutes of the regular meeting dated September 24, 2007, were read and on motion approved.

Bids were opened September 28, 2007 pursuant to advertisements published on:

Hydraulic Landscaping from 63rd Street South to MacArthur (Hydraulic, south of MacArthur) (472-84118/706922/205388) Traffic to be maintained during construction using flagpersons and barricades. (District III)

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Complete Landscaping Systems - \$87,719.57

Maize Court from the west line of Maize Road, west to and including the cul-de-sac to serve Lillie 2nd Addition (south of Maple, west of Maize Road) (472-84286/766123/490141) Does not affect existing traffic. (District V)

Cornejo & Sons Construction - \$121,458.75

Fawn Grove/Morris, from the east line of Lot 84, Block 2, to the west line of Fawn Grove Addition; Fawn Grove Court from the east line of Fawn Grove to and including the cul-de-sac (Lots 23 through 34, Block 3); Fawn Grove Court from the east line of Fawn Grove to and including the cul-de-sac (Lots 35 through 42, Block 3) to serve Fawn Grove at Sunset Lakes Addition (south of Kellogg, west of Greenwich) (472-84576/766161/490179) Does not affect existing traffic. (District II)

Cornejo & Sons Construction - \$174,345.13

44th Street South from the west line of Lot 6, Block 6, to the east line of Legacy 3rd Addition; St. Paul from the south line of Legacy 3rd Addition to the south line of 44th Street South; St. Paul Court from the west line of St. Paul to and including the cul-de-sac (Lots 1 through 5, Block 3); Chase from the north line of 44th Street South, west to the north line of Lot 1, Block 6 to serve Legacy 3rd Addition (north of 47th Street South, west of Meridian) (472-84527/766136/490154) Does not affect existing traffic. (District IV)

Cornejo & Sons Construction - \$465,483.90

Lateral 49, Main 24 Southwest Interceptor Sewer to serve The Waterfront 4th Addition (north of 13th Street North, east of Webb) (468-83919/744243/480931) Does not affect existing traffic. (District II)

Dondlinger & Sons - \$32,916.00

Water Distribution System to serve The Waterfront 4th Addition (north of 13th Street North, east of Webb) (448-90020/735374/470047) Does not affect existing traffic. (District II)

Utilities Plus - \$15,608.00

Storm Water Sewer #633 to serve Reed Commercial Addition (south of 21st Street North, east of 127th Street East) (468-84399/751455/485346) Does not affect existing traffic. (District II)

Nowak Construction - \$16,444.00

Lateral 4, Main 6 Cowskin Interceptor Sewer to serve Turkey Creek 3rd Addition (north of Pawnee, east of 135th Street West) (468-84287/744246/480934) Does not affect existing traffic. (District V)

Nowak Construction - \$233,468.00

Arkansas River Bike Path Enhancement Project (Central to 13th) 87 TE-158-01
472-84405(706963) (District I)

Wildcat Construction - \$593,449.40 (Base Bid)
\$ 18,200.00 (Add Alternate)
\$611,649.40 (Total Bid)

The Purchasing Division recommended that the contracts be awarded as outlined above, same being the lowest and best bid.

On motion, the Board recommended that the contracts be awarded as outlined above, subject to check, same being the lowest and best bids within the Engineer's construction estimate.

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Motion--
--carried

Brewer moved that the report be received and filed; Contracts approved; and the necessary signatures authorized. Motion carried 5 to 0, (Gray and Longwell absent).

AIRPORT DEPARTMENT/AIRFIELD DIVISION: Liquid Deicer for Runways

Cryotech Deicing Technology - \$31,560.00*

*Estimate – Contract approved on unit cost basis; refer to attachments.

POLICE DEPARTMENT/TRAINING DIVISION: Boots and Shoes

Smart Security and Investigations, Inc. - \$17,515.00*

*Estimate – Contract approved on unit cost basis; refer to attachments.

The Purchasing Division recommended that the contracts be awarded as outlined above, same being the lowest and best bid.

On motion, the Board recommended that the contracts be awarded as outlined above, same being the lowest and best bid.

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 5 to 0, (Gray and Longwell absent).

CMBS

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

Renewal	2007	(Consumption off Premises)
Kim H. Nia	B & H Fast Trips	2746 South Seneca
		(Consumption on Premises)
Damon P Jones	Taco Tico #4809	1230 South Rock Road
New Operator	2007	(Consumption off Premises)
Mi Hee Park	Quick Pick	3733 North Arkansas Avenue
		(Consumption on Premises)
Jack Oxler	Ralph Wulz Riverside Tennis	551 Nims Center*

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

Motion--
--carried

Brewer moved that the licenses be approved subject to Staff review and approval. Motion carried 5 to 0, (Gray and Longwell absent).

PRELIM. ESTS.

PRELIMINARY ESTIMATES:

- Lateral 406 Four Mile Creek Sewer to serve Fawn Grove at Sunset Lakes Addition (south of Kellogg, west of Greenwich) (468-84383/744242/480930) Does not affect existing traffic. (District II) - \$110,000.00
- Stormwater Drain #326 to serve Edgewater Addition (north of K-96, west of Hoover) (468-84353/751451/485342) Does not affect existing traffic. (District VI) - \$1,450,000.00
- Blackstone from the north line of 13th Street North, north to the south line of Lot 1, Block B; Price from Obsidian to the west line of Blackstone; Obsidian and Obsidian Court from the north line of Lot 4, Block D, west to and including the cul-de-sac; Price from the east line of Blackstone, east to the east line of the plat; Blackstone Court (Lots 1 through 8, Block A) from the east line of Blackstone east to and including the cul-de-sac; Blackstone Court (Lots 1

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- through 14, Block C) from the west line of Blackstone west to and including the cul-de-sac; Sidewalk on Blackstone, Price and Obsidian to serve Blackstone Addition (north of 13th Street North, east of 151st Street West) (472-84397/766151/490169) Does not affect existing traffic. (District V) - \$542,000.00
- d. East-West Alley 310' south of Harry Street from Woodlawn Avenue to Mission Street to serve Lincoln Hills 2nd Addition (south of Harry, east of Woodlawn) (472-84022/765945/490058) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$86,350.00
 - e. Two-Lane Asphalt Mat on 143rd Street East from the north line of 21st Street North to the north line of 24th Street North to serve Krug North, Krug North 2nd and East Side Community Church 2nd Additions (143rd Street East north of 21st Street North). (472-83979/766115/490-132) (District II).

Motion--carried Brewer moved to receive and file. Motion carried 5 to 0, (Gray and Longwell absent).

PETITION WATER DISTRIBUTION SYSTEM TO SERVE PART OF LOT 1, BLOCK 1, WESLEY MEDICAL CENTER FIFTH ADDITION, NORTH OF CENTRAL, EAST OF HILLSIDE. (DISTRICT I)

Agenda Item No. 5a.

The Petition has been signed by one owner representing 100% of the improvement district.

The project will improve water service at the Wesley Medical Complex.

The Petition totals \$30,000 with \$15,000 paid by special assessments and \$15,000 paid by the Water Utility. The Utility share is for the cost of oversizing the pipe for properties outside the improvement district.

This project addresses the Efficient Infrastructure goal by providing improved water service for 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 Petition be approved; the Resolution adopted; and the necessary signatures authorized. Motion carried 5 to 0, (Gray and Longwell absent).

RESOLUTION NO. 07-543

Resolution of Findings of Advisability and Resolution authorizing construction of Water Distribution System Number 448-90327, north of Central, 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 5 to 0. Yeas: Fearey, Schlapp, Skelton, Williams and Brewer, (Gray and Longwell absent).

PETITION PAVING AND WATER IMPROVEMENTS ALONG LORRAINE, BETWEEN 26TH AND 27TH STREETS NORTH. (DISTRICT II)

Agenda Item No. 5b.

The Petitions have been signed by one owner representing 100% of the improvement districts.

The projects will provide paving and water improvements for a new infill residential development along Lorraine, between 26th and 27th Streets North.

The Petitions total \$177,000. The funding source is special assessments.

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These projects address the Efficient Infrastructure goal by providing public improvements required for 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.

Motion--
--carried

Brewer moved that the Petitions be approved; the Resolutions adopted; and the necessary signatures authorized. Motion carried 5 to 0, (Gray and Longwell absent).

RESOLUTION NO. 07-544

Resolution of Findings of Advisability and Resolution authorizing construction of Water Distribution System Number 448-90328, north of 26th St. North, west 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 5 to 0. Yeas: Fearey, Schlapp, Skelton, Williams and Brewer, (Gray and Longwell absent).

RESOLUTION NO. 07-545

Resolution of Findings of Advisability and Resolution authorizing constructing pavement on Lorraine from the south line of 27th St. North to the south line of the proposed cul-de-sac in existing 26th St. North Right-of-Way, north of 26th St. North, west 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 5 to 0. Yeas: Fearey, Schlapp, Skelton, Williams and Brewer, (Gray and Longwell).

STREET CLOSURE

CONSIDERATION OF STREET CLOSURES/USES.

Agenda Item No. 6a.

The Burlington Northern Santa Fe Railroad (BNSF) has scheduled the reconstruction of the east 11 crossings of the fourteen-track railroad crossing of 29th St. North, east of Broadway. The railroad is requesting a 17 day closure of 29th St. to allow the complete removal of the eleven, 60 foot long, crossings and existing pavement headers, the installation of new track panels and ballast, the installation of concrete crossing material and the replacement of the street approach pavement and headers. Pending acceptable weather conditions, work is expected to begin October 8th and be completed by October 24th. During the closure period the railroad and City forces will also accomplish the reconstruction of the single crossing of 29th St. at St. Francis.

During the street closure, businesses along 29th St. between Broadway and St. Francis will need to access the area from the east. BNSF is responsible for the placement of the required detour and construction signs and barricades and the notification of area businesses. During the closure, 29th St. traffic will be detoured as follows:

Eastbound 29th St. traffic will be detoured north on Broadway to 33rd St., then east to Mead, then south to 30th, then west to St. Francis, and then south to 29th St.

Westbound 29th St. traffic will be detoured north on St. Francis to 30th St., then east to Mead, then north to 33rd St., then west to Broadway, then south to 29th St.

This project addresses the Efficient Infrastructure goal by maintaining safe and dependable transportation systems.

Motion--carried

Brewer moved that the street closure be approved. Motion carried 5 to 0, (Gray and Longwell absent).

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WATERMAN

AGREEMENT FOR WATERMAN, ARKANSAS RIVER TO WASHINGTON IMPROVEMENTS.
(DISTRICT I)-SUPPLEMENTAL

Agenda Report No. 7a.

On June 13, 2006, the City entered into an Agreement with Professional Engineering Consultants, P.A. (PEC) for designing the storm drain, waterline and Waterman paving improvements for Arkansas River to Washington. The fee was \$595,418.

During the concept development of the project it was decided to include a utility duct bank from east of Main Street to east of the BNSF railroad. The proposed Supplemental Agreement between the City and PEC provides for the design of the utility duct bank.

Payment to PEC will be on a lump sum basis of \$27,000 and will be paid by General Obligations Bonds and Water Utility funds.

This Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed to provide viable transportation and water utility systems for the community and the Dynamic Core Area and Vibrant Neighborhoods Goal by improving vehicular access and drainage for the new sports arena.

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

Motion--

Brewer moved that the Supplemental Agreement be approved and the necessary signatures authorized.

--carried

Motion carried 5 to 0, (Gray and Longwell absent).

CENTURY II

CENTURY II CATERING AND CONCESSION AGREEMENT.

Agenda Item No. 7b.

Century II is a multipurpose public convention and performing arts venue constructed and completed in 1969. Century II has served the community by providing a multifunctional public facility that offers a wide variety of events including performing arts, theater, concerts, and conventions.

The Hyatt Regency Wichita and the Wichita Canteen Company, Inc. are the current in-house catering firms at Century II. The contract for the Wichita Canteen Company, Inc expired on September 30, 2007.

A request for proposal was distributed by the Purchasing Department on June 29, 2007. The request for proposal was published in the Wichita Eagle on Thursday, July 5, 2007.

The Wichita Canteen Company, Inc was the only respondent. Century II management and the Wichita Canteen Company, Inc. met to discuss and clarify several issues. An agreement was reached for a three (3) year contract to begin on October 1, 2007 and end on September 30, 2010. The Wichita Canteen Company, Inc shall have two (2), two-year extension options.

The Wichita Canteen Company, Inc has been an in-house catering firm for Century II since March 1998. The Wichita Canteen Company has been in good standing with Century II and has shown willingness to work cohesively with clients and the Century II staff. Their continued presence in the building will be an asset to the services Century II provides.

The Wichita Canteen Company, Inc. shall pay the City of Wichita the following percentages of Gross Revenues (excluding sales tax) earned by the Wichita Canteen Company, Inc. for the Catering Services provided:

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Concession Sales	36%
Concession Catering (items from kitchen-i.e. taco salad, pizza)	20%
Candy	20%
Vending	15%
Catering Services for Century II events	14%
Outside Catering (Off –Premises)	
Existing Clients	5%
New Clients	14%

This agreement will enhance Quality of Life by ensuring that citizens receive a positive return on all of their investments.

The City Attorney has approved the Catering and Concession Agreement as to form.

Motion--
--carried

Brewer moved that the Catering and Concession Agreement be approved and the necessary signatures authorized. Motion carried 5 to 0, (Gray and Longwell absent).

ENCROACHMENT

EASEMENT ENCROACHMENT AGREEMENT FOR A DRAINAGE EASEMENT LOCATED AT 1215 NORTH SHORE BOULEVARD, SOUTH OF 13TH STREET, EAST OF RIDGE ROAD. (DISTRICT V)

Agenda Item No. 7c.

An Agreement has been prepared to formally permit homeowners of 1215 North Shore Boulevard to occupy and construct improvements on, over, and across a platted drainage easement described as being located in Lot 21, Block B, Spinnaker Coves in Hoskinson Addition and waives all rights of action in law arising out of the encroachment into the easement. The improvement is landscaping and associated retaining walls.

The Agreement allows the City to be held harmless from any and all claims resulting from leaking, cave-in or failure of said drainage structures lying within the easement and from claims from replacement or upgrade of drainage structures.

No cost to City.

This project addresses the Efficient Infrastructure goal by providing for improvements desirable to new residential development.

The Law Department has approved the Agreement as to form.

Motion--
--carried

Brewer moved that the Agreement be approved and the necessary signatures authorized. Motion carried 5 to 0, (Gray and Longwell absent).

GREAT WEST

CITY OF WICHITA EMPLOYEES' DEFERRED COMPENSATION PLAN AMENDMENTS TO GREAT-WEST AGREEMENTS FOR RECORDKEEPING AND COMMUNICATION SERVICES.

Agenda Item No. 7d.

On October 6, 2006, the City Council approved the hiring of a consultant, Armerich Massena & Associates, Inc., to assist in the preparation of a Request for Proposal, evaluation of all responses and the transition to a new provider, if necessary. A one-year contract extension with Great-West, the

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current administrator of the City's deferred compensation plan, was also approved by the City Council on November 7, 2006 to provide sufficient time to complete the RFP process, select a provider and negotiate a new contract.

As a result of the RFP process and based upon analyses provided by the outside consultant, the Deferred Compensation Board interviewed three firms on July 26, 2007, and selected a provider at a Board meeting on August 16, 2007. However, the Board is still in the process of reviewing potential future investment options and negotiating a new contract. To allow sufficient time to select investment products to be offered to participants and finalize the terms of a new agreement, a 90 day contract extension with Great-West is required, with an option to extend for an additional 90 days, if necessary.

All costs associated with the administration of the program are borne by the participants of the plan.

Offering this supplemental retirement savings program impacts the Internal Perspective goal by increasing employee motivation and satisfaction. Also, the City's practice of going through a periodic Request for Proposal process serves to reduce/avoid costs, another indicator of the Internal Perspective.

The Law Department has approved the agreements as to form.

Motion-- Brewer moved that the amendment Agreements be approved and the Mayor authorized to sign.
--carried Motion carried 5 to 0, (Gray and Longwell absent).

CHANGE ORDER KELLOGG-ROCK INTERCHANGE. (DISTRICT II)

Agenda Item No. 8a.

On January 9, 2007, the City Council approved a construction contract with Wildcat Construction Company, Inc. to construct the Kellogg-Rock Interchange. Per right-of-way agreements with Towne East Mall, the existing entrance on Rock was to be relocated to a new location. The details of the relocation were not fully determined by Towne East at the time the project was bid. Final design received from Towne East during construction required additional work. Also, traffic signals were modified to improve access to adjacent businesses.

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

The cost of the additional work is \$84,147 with the total paid by a combination of Local Sales Tax and State Transportation Funds. The original contract amount is \$47,525,160. This Change Order represents 0.34% of the original contract amount.

This project addresses the Efficient Infrastructure goal by improving traffic capacity and safety along a vital transportation 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-- Brewer moved that the Change Order be approved and the necessary signatures authorized.
--carried Motion carried 5 to 0, (Gray and Longwell absent).

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UNSAFE STRUC.

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

Agenda Item No. 9.

On September 10, 2007, the Board of Code Standards and Appeals (BCSA) held a hearing on the following eight (8) properties. These properties are considered dangerous and unsafe structures, and are being presented to schedule a condemnation hearing before the Governing Body.

Violation notices have been issued on these structures; however, compliance has not been achieved. Pre-condemnation and formal condemnation letters were issued and the time granted has expired. No action has been taken to repair or remove these properties.

Property Address	Council District
a. 910 North Ohio	I
b. 212 North Madison	I
c. 515 North Poplar	I
d. 1248 North Green	I
e. 1711 North Volutsia	I
f. 1807 East 24th St. North	I
g. 300 South Elizabeth	IV
h. 1139 North Fairview	VI

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.

These structures have defects that under Ordinance No. 28-251 of the Code of the City of Wichita, shall cause them to be deemed as dangerous and unsafe buildings, as required by State Statute for condemnation consideration.

Motion--

Brewer moved that the resolutions to schedule a hearing and place these matters on the agenda for a Hearing before the Governing Body on November 20, 2007 at 9:30 a.m. or as soon thereafter be adopted. Motion carried 5 to 0, (Gray and Longwell absent).

--carried

Resolution No. 07-546

A Resolution fixing a time and place and providing for Notice of Hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as: Lot 44 and the North 15 feet of Lot 46, on Ohio Avenue, Moore's 2nd Addition to, Wichita, Sedgwick County, Kansas, known as 910 N. Ohio, Wichita, Kansas, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented. Brewer moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Fearey, Schlapp, Skelton, Williams, and Brewer, (Gray and Longwell absent).

Resolution No. 07-547

A Resolution fixing a time and place and providing for Notice of Hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as: Lot 19 on Locust, now Madison Avenue, in Park Place Addition to the, Wichita, Sedgwick County, Kansas, known as 212 N. Madison, Wichita, Kansas, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented. Brewer moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Fearey, Schlapp, Skelton, Williams, and Brewer, (Gray and Longwell absent).

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Resolution No. 07-548

A Resolution fixing a time and place and providing for Notice of Hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as: Lots 1 and 3, on Mona Avenue, now Poplar Avenue, Mossman's Second Addition, Wichita, Sedgwick County, Kansas, known as 515 N. Poplar, Wichita, Kansas, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented. Brewer moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Fearey, Schlapp, Skelton, Williams, and Brewer, (Gray and Longwell absent).

Resolution No. 07-549

A Resolution fixing a time and place and providing for Notice of Hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as: Lots 54 and 56 on Alice Avenue, now Green Street, in Fairmount Park Addition, Wichita, Sedgwick County, Kansas, known as 1248 N. Green - Shed, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented. Brewer moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Fearey, Schlapp, Skelton, Williams, and Brewer, (Gray and Longwell absent).

Resolution No. 07-550

A Resolution fixing a time and place and providing for Notice of Hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as: the South 52 feet of the North 77 feet of Lot 39, on Academy, now Volutsia Avenue, in Getto's 3rd Addition, Wichita, Sedgwick County, Kansas, known as 1711 N. Volutsia, Wichita, Kansas, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented. Brewer moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Fearey, Schlapp, Skelton, Williams, and Brewer, (Gray and Longwell absent).

Resolution No. 07-551

A Resolution fixing a time and place and providing for Notice of Hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as: Lot 2, Bloc 5, J. Walter Ross Addition, Wichita, Sedgwick County, Kansas, known as 1807 E. 24th St North, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented. Brewer moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Fearey, Schlapp, Skelton, Williams, and Brewer, (Gray and Longwell absent).

Resolution No. 07-552

A Resolution fixing a time and place and providing for Notice of Hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as: Lots 24 and 36 on Elizabeth Avenue, Lawrence's 4th Addition, Wichita, Sedgwick County, Kansas, known as 300 S. Elizabeth, Wichita, Kansas, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented. Brewer moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Fearey, Schlapp, Skelton, Williams, and Brewer, (Gray and Longwell absent).

Resolution No. 07-553

A Resolution fixing a time and place and providing for Notice of Hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as: Lots 1030 and 1032, Wichita Street, Llewellyn's Addition, Wichita, Sedgwick County, Kansas, known as 1139 N. Fairview, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented.

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Brewer moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Fearey, Schlapp, Skelton, Williams, and Brewer, (Gray and Longwell absent).

AIR QUALITY

RENEWAL OF AIR QUALITY PROGRAM GRANTS.

Agenda Item No. 10.

Since 1972 the City has received grant funding from the Environmental Protection Agency to operate the local air quality program. Additional funding from the Kansas Department of Health and Environment has been provided since 1994. Program objectives include inspection of air pollution sources, air monitoring for specified pollutants and toxic compounds, complaint investigations, voluntary vehicle emissions testing, and educational activities.

Three separate grants allow the Department of Environmental Services to provide comprehensive air quality services that address public health and environmental protection issues throughout the county. This federal and state support allows a level of service that would be difficult to provide utilizing only local funding. The local program has been in existence for thirty-five years, and the department has maintained good working relationships with EPA and KDHE staff during this time. Continued cooperation is essential in dealing with the air quality issues inherent in a growing urban region such as the Wichita metropolitan area.

The grants support the goals for Safe and Secure Communities.

Four staff positions are supported through the grants.

- The EPA Section 103 grant amount for FY 2008 will be \$45,257. This grant does not require local matching funds.
- The EPA Section 105 grant amount for FY 2008 will be \$90,564. Use of support staff time, office space and utilities are provided by the City of Wichita as a required 40% local match.
- The KDHE grant amount for FY 2008 will be \$180,714. This grant does not require local matching funds.

The Law Department has approved the contract as to form.

Motion--
--carried

Brewer moved that the renewal of the grants contract be approved and the necessary signatures authorized. Motion carried 5 to 0, (Gray and Longwell absent).

SENIOR MANAGE.

SENIOR MANAGEMENT REPORT, AUGUST 2007.

Motion--carried

Brewer moved to receive and file. Motion carried 5 to 0, (Gray and Longwell absent).

BOARDS/COMMISS.

MINUTES OF ADVISORY BOARDS/COMMISSIONS.

Board of Park Commissioners, June 18, 2007
Wichita Employees Retirement Board, July 12, 2007
District II Advisory Board, August 1, 2007
Wichita Employees Retirement Board, August 2, 2007

Motion--carried

Brewer moved to receive and file. Motion carried 5 to 0, (Gray and Longwell absent).

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ SEPTEMBER 25, 2007)

- a. SUB 2007-39 - Plat of Rennick Commercial Addition located on the northwest corner of 45th Street North and Hoover Road. (District VI)

ORDINANCE NO. 47-586

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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, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 5 to 0, Fearey, Schlapp, Skelton, Williams and Brewer. (Gray and Longwell absent).

ORDINANCE NO. 47-587

- b. SUB 2007-62 - Plat of Willow Place 2nd Addition located on the south side of 45th Street North and west of Webb Road. (District II)

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, read for the second time. Brewer moved that the Ordinance be placed upon its passage and adopted. Motion carried 5 to 0, Fearey, Schlapp, Skelton, Williams and Brewer. (Gray and Longwell absent).

UNFINISHED BUSINESS

631 W. 47TH ST. REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES, 631 WEST 47TH STREET SOUTH. (DISTRICT IV)

Kurt Schroeder Office of Central Inspection reviewed the item.

Agenda Item No. 14.

This property was before the Board of Code Standards and Appeals (BCSA) on July 9, 2007. The ownership is tied up in legal proceedings, but the interested parties appeared to represent the property. No repairs had been made to the property, and the BCSA recommended 10 days to start demolition and an additional 10 days to complete.

On September 11, 2007 this case was deferred by City Council until October 2, 2007.

Staff made an inspection of the property on September 19, 2007. No repairs have been made to structure. The structure is secure. The premise condition is fair with overgrown tree saplings around the perimeter of the structure.

Taxes: As of September 19, 2007, the 2004, 2005, and 2006 taxes are delinquent in the amount of \$3,233.72. There are no special assessments.

The owner/s have been informed of the date and time of the hearing.

Kurt Schroeder Office of Central Inspection recommends deferring action on this for 45 days and that the owner agreed to keep the premise clean and secured and will come back to the Council with a plan of action to get it demolished when she obtains the deed.

Motion-- Gray moved that the City Council defer action for 45 days and that the owner keep the premise clean and secured and will come back to the Council with a plan of action to get the property demolished when the deed is obtained. Motion carried 6 to 0, (Longwell absent)
--carried

512 E. CENTRAL REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES, 512 EAST CENTRAL. (DISTRICT VI)

Kurt Schroeder Office of Central Inspection reviewed the item.

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Agenda Item No. 15.

This property was before the Board of Code Standards and Appeals (BCSA) on July 9, 2007. No one appeared to represent the property, no repairs had been made to the property, and the BCSA recommended 10 days to start demolition and an additional 10 days to complete.

On September 11, 2007 this case was deferred by City Council until October 2, 2007.

Staff made an inspection of the property on September 19, 2007. The first floor is secure; the second floor is open due to missing boards. No repairs have been made. The grass has not been mowed. The property is in the process of being purchased.

Taxes: As of September 19, 2007, the taxes are current. There is a pending special assessment for emergency board up in the amount of \$203.06.

The owner/s have been informed of the date and time of the hearing.

Kurt Schroeder

Office of Central Inspection stated that the new owner's intent is to demolish this property. Stated it is in the downtown area and then to redevelop it for other uses. Stated they have been getting bid estimates and might even have a contract signed by today. Stated their recommendation is that the Council proceed with condemnation action however instead of the usual 10 and 10 days, recommends tot allow 30 days for them to get the contracts secured and then 30 days after that to get it started. Stated he thinks they will have this removed within the 60 to 90 days.

Motion--

Fearey moved that the City Council take appropriate action based on the testimony received at the hearing. Any extension of time granted to repair the structure should be conditioned on the following: (1) The pending special assessment is paid within 30 days; (2) the structure is maintained secure as of October 2, 2007 and is kept secured during renovation; and (3) the premise kept clean and free of debris as of October 2, 2007, and will be so maintained during renovation. Motion carried 6 to 0, (Longwell absent).

--carried

RESOLUTION NO. 07-554

A Resolution finding that the structure/s located on Lot 34 and the west 20 feet of Lot 36, on Central Avenue, in J.P. Hilton's Addition to the City of Wichita, Sedgwick County, Kansas, commonly known as 512 E. Central is/are unsafe or dangerous and directing the structures to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Schlapp, Skelton, Williams, and Brewer, (Longwell absent).

1442 N. GREEN

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES, 1442 NORTH GREEN. (DISTRICT I)

Kurt Schroeder

Office of Central Inspection reviewed the item.

Agenda Item No. 16.

This property was before the Board of Code Standards and Appeals (BCSA) on July 9, 2007. No one appeared to represent the property, no repairs had been made to the property, and the BCSA recommended 10 days to start demolition and an additional 10 days to complete.

On September 11, 2007 this case was deferred by City Council until October 2, 2007.

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Staff made an inspection of the property on September 19, 2007. The front door and basement are open, and there was some scattered trash on the premise. Mennonite Housing has purchased the property and plans to demolish the structure to build a new house.

As of September 19, 2007, the taxes are current. There is a 2006 special assessment for weed mowing in the amount of \$232.12.

The owner/s have been informed of the date and time of the hearing.

Kurt Schroeder

Office of Central Inspection stated that his recommendation is that the Council do a similar action as the previous case, 30 days for them to get started on the wrecking or obtain the permit and then another 30 days to complete it.

Motion--

Williams moved that the City Council take appropriate action based on the testimony received at the hearing. Any extension of time granted to repair the structure should be conditioned on the following: (1) 2006 specials are paid within 30 days; (2) the structure is maintained secure as of October 2, 2007 and is kept secured during renovation; and (3) the premise kept clean and free of debris as of October 2, 2007, and will be so maintained during renovation. Motion carried 6 to 0, (Longwell absent).

--carried

RESOLUTION NO. 07-555

A Resolution finding that the structure/s located on Lot 14 and 16, Shiller now Green, Rose Hill Addition, Wichita, Sedgwick County, Kansas, commonly known as 1442 N. Green, is/are unsafe or dangerous and directing the structures to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gray, Schlapp, Skelton, Williams, and Brewer, (Longwell absent).

1641 N. PENNSYL.

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES, 1641 NORTH PENNSYLVANIA. (DISTRICT I)

Kurt Schroeder

Office of Central Inspection reviewed the item.

Agenda Item No. 17.

This property was before the Board of Code Standards and Appeals (BCSA) on July 9, 2007. No one appeared to represent the property, no repairs had been made to the property, and the BCSA recommended 10 days to start demolition and an additional 10 days to complete.

On September 11, 2007 this case was deferred by City Council until October 2, 2007.

Staff made an inspection of the property on September 19, 2007. The boards have been removed from the windows, and the roof has been repaired. No other repairs have been made to the structure. The structure is secure. The premise has not been mowed and there is some scattered trash, bulky waste and an inoperable vehicle on the premise.

As of September 19, 2007, the 2004, 2005, and 2006 taxes are delinquent in the amount of \$1,862.48. There is a 2006 special assessment for lot clean up in the amount of \$624.02.

The owner/s have been informed of the date and time of the hearing.

Kurt Schroeder

Office of Central Inspection stated that the sister of the owner just showed up and their plan is to request for additional time to make and complete repairs on the property. Stated she has indicated that they have started repairs on the inside and are looking for 60 to 90 days to complete the repairs on this property both inside and out. Stated there is almost \$1,900.00 due in back taxes and they would recommend that those be paid immediately.

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Motion--
--carried

Williams moved to allow 60 days for construction and for the start of work and during that time we should also see the \$1,900.00 in back taxes taken care of within 90 days. Motion carried 6 to 0, (Longwell absent).

RESOLUTION NO.07-556

A Resolution finding that the structure/s located on the north 45' of Lot 52, on Pennsylvania Avenue and all of the vacated alley adjoining said lot on the north, in Spring Grove Second Addition to Wichita, Sedgwick County, Kansas, commonly known as 1641 N. Pennsylvania, is/are unsafe or dangerous and directing the structures to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gray, Schlapp, Skelton, Williams, and Brewer, (Longwell absent).

NEW BUSINESS

ZTM, INC.

APPROVAL OF ECONOMIC DEVELOPMENT INCENTIVES AGREEMENT FOR ZTM, INC.
(DISTRICT III)

Allen Bell

Economic Development Administrator reviewed the item.

Agenda Item No. 18.

ZTM, Inc. is a manufacturer of large, complex precision machine parts and assemblies located at 4011 E. 31st S in southeast Wichita. The company began operations in Wichita in 1996. ZTM mills close-tolerance component aircraft parts in support of Wichita's major aircraft manufacturers. ZTM also performs tooling and prototype work for the aircraft industry. ZTM utilizes sophisticated computer-controlled manufacturing equipment for their precise milling work. ZTM has assembled an impressive and efficient array of equipment, including 3-axis and 4-axis machines. ZTM is planning an expansion of its manufacturing facility, to include acquisition of new manufacturing equipment in the amount of \$2,000,000.

The company sought economic development assistance through The Greater Wichita Economic Development Coalition (GWEDC) to assist in expansion plans that include adding \$2 million in machinery and equipment and 40 employees over the next five years. The GWEDC has been working with ZTM and has coordinated the development of an incentives package with City, County and State officials, which are presented herewith for approval of the City's portion.

ZTM competed with suppliers from throughout the U.S. for a contract with Boeing for a major component contract, which will require a significant expansion of ZTM's production capacity. The requested economic development incentives made ZTM's proposal to Boeing more competitive and helped assure a successful outcome in the competition and the expansion.

The City of Wichita and Sedgwick County have partnered to offer economic development assistance to the company. The City and Sedgwick County are each providing \$12,500 forgivable loans, subject to governing body approval. ZTM currently has 78 fulltime employees, and as a condition for forgiveness of the loans will increase that employment to a minimum of 118 fulltime positions within the next five years, with average pay at the end of 2008 of nearly \$39,000.

The State of Kansas has made the following written incentive offer:

- \$40,000 Kansas Industrial Training (KIT) training grant.
- \$15,000 Kansas Economic Opportunity Initiative Fund (KEOIF) forgivable loan.

ZTM plans to finance the new equipment for their facility entirely with corporate funding. The forgivable loans will be used to help with the costs related to the wiring and installation of these large pieces of equipment that are traditionally more difficult to finance.

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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	2.09 to one
County	1.32 to one
State	6.86 to one

The proposed City forgivable loan proceeds in the amount of \$12,500 would be paid to ZTM, Inc. from funds currently budgeted in the Economic Development Fund for economic development incentives.

Economic Vitality. This economic development incentive will strengthen the area's aerospace industry and stimulate the economy through the creation of new jobs.

The Forgivable Loan Agreement and Ordinance have been approved as to form by the Law Department. The exercise of home rule authority requires the adoption of an ordinance for approval.

Mayor Brewer

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

Motion--
--carried

Skelton moved that the proposed forgivable loan economic development incentive agreement for ZTM, Inc., be approved and first reading of the home rule ordinance approved. Motion carried 6 to 0, (Longwell absent).

ORDINANCE

An ordinance of the city of Wichita, Kansas, authorizing, prescribing the form and authorizing the execution of a forgivable loan agreement and promissory note by and between ZTM, inc. and the city of Wichita, Kansas, introduced and under the rules laid over.

HEALTH PROGRAM

2008 HEALTH PROGRAM WORKING RATES.

Tom Smith

Finance Department reviewed the item.

Agenda Item No. 19.

The City uses a Health Insurance Advisory Committee (HIAC) to monitor health insurance programs for employees, and recommend new/renewal programs or changes in health coverage and cost, as required. The Committee includes representatives from the Fraternal Order of Police, International Association of Firefighters, Service Employees International, Teamsters unions, as well as the (non-union) Employees Council and Management staff.

The City Council directed staff to receive competitive bids for the City of Wichita's 2005/2006 health insurance plans. On October 12, 2004, the City Council accepted the recommendation of the Health Insurance Advisory Committee to approve Coventry Health Care of Kansas, Inc. as the medical and prescription drug provider for 2005 and 2006.

Coventry Health Care was selected as the preferred vendor as being most responsive to the Request For Proposal. Coventry was the low responder for the 2005 fully insured medical plan and insured prescription drug plan. The agreement also included an increase cap on 2007 premium rates using a blended (medical and drug) trend assumption of 11.1% per annum and a blended (medical and drug) retention assumption of 12.1% to calculate premium rates for the 2007 policy year. This was negotiated down to a 9.5% increase over the 2006 fully insured premium rate for 2007.

On November 21, 2007, the City Council approved a 2007-2009 Self-Insured quote from Coventry Health Care Insurance, Inc. and authorized staff to negotiate a Third Party Agreement (TPA) with Coventry to be effective January 1, 2007. On September 25, 2007, the City Council approved the 2007 Third Party Agreement and approved renewal of Coventry Health Care, Inc. to provide medical and prescription drug services for 2008. The City Council also approved a new "low option" Select PPO

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plan recommended by the Health Insurance Advisory Committee. The Select PPO Plan is strictly a voluntary plan and was provided so that employees had more choice.

Because the City's health plan is Self-Insured, the City must establish "working rates" as opposed to premiums. The City health and benefit consultant, Hilb, Rogal & Hobbs has calculated the 2008 working rates for the City's Premium PPO Plan and for its new Select PPO Plan. The Premium PPO Plan rates are based on actual claims paid through August 2007, assume a 10.5% annual medical/RX trend, a 4% increase to the base administrative fee, an 18% increase in stop loss fees and implementation of Step Therapy on new prescriptions 1-1-08. The Select PPO Plan rates are based on a variety of underwriting factors which will be evaluated annually such as the value of the benefit plan design and employee migration assumptions.

Based on these factors Hilb, Rogal & Hobbs recommend a 4.0% increase (excluding Vision) to the 2007 working rates for the existing Premium PPO Plan. The impact of the increase on the current Premium PPO Plan working rates will be as follows:

Current Premium PPO Plan Design Rates	Current (2007) Working Rates	Projected (2008) Working Rates
Individual	\$324.68	\$337.73
Family	\$974.06	\$1,013.22

Hilb, Rogal & Hobbs recommend the following contribution structure for 2008 for the Premium PPO Plan and the Select PPO Plan. The Health Insurance Advisory Committee on a 9-0 vote on September 20, 2007 unanimously approved the 2008 working rates for both health care plans.

2007-CURRENT		2008-Two Plans		Employee Cost Change	
Monthly Rate	City Cost	Monthly Rate	City Cost	Employee Cost	Employee
Cost	Monthly Annual %				
PREMIUM PPO					
INDIVIDUAL	\$324.68	\$259.74	\$69.94	\$337.73	\$270.17 \$67.56 \$2.61
	\$31.33	4.0%			
FAMILY	\$978.06	\$779.25	\$194.81	\$1,013.22	\$810.57 \$202.64 \$7.83
	\$93.98	4.0%			
SELECT PPO					
INDIVIDUAL				\$276.94	\$256.94 \$20.00 (\$44.94)
	(\$539.28)		-69.2%		
FAMILY				\$830.84	\$770.84 \$60.00 (\$134.81)
	(\$1,617.72)		-69.2%		

Implementation of the Select PPO Plan will not increase costs for the City or the employees. If the 2008 working rates are approved, they are within the approved 2008 budget for Group Health Care. Employees who do not specifically enroll in the Select PPO Plan will remain in the existing Premium PPO Plan.

A financial summary of Coventry Health Care of Kansas, Inc. is on file in the Department of Finance.

The employee health insurance program is a part of the Internal Perspective goal. The Self-Insured health and prescription drug programs are also a part of the City's strategic plan to combine employee wellness programs, self-insured health and Rx plans and fully-insured benefit plans to minimize future insurance premium increases for the employee and the City and improve the long-term health of City employees.

Mayor Brewer

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

Motion--

Brewer moved that the recommendation of the Health Insurance Advisory Committee be accepted and the 2008 working rates for the Premium PPO Plan and the voluntary Select PPO Plan approved.

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--carried

Motion carried 6 to 0, (Longwell absent).

PLANNING AGENDA

SUB2007-55

SUB 2007-55-PLAT OF NGUYEN ADDITION LOCATED ON THE SOUTH SIDE OF HARRY AND EAST OF WEBB ROAD. (DISTRICT II)

Agenda Item No. 20.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (10-0)

This site, consisting of one lot on 2.43 acres, is located within Wichita's city limits. A zone change (ZON 2005-17) from "SF-5" Single-Family Residential District to "LC" Limited Commercial District has been approved, subject to platting.

Municipal services are available to serve the site. A Driveway Closure Certificate has been submitted to guarantee the closure of a driveway opening located in an area of complete access control. A Restrictive Covenant has been submitted that permits future cross-lot access with the abutting property owner to the east.

The plat has been approved by the Planning Commission, subject to conditions. Publication of the Ordinance should be withheld until the plat is recorded with the Register of Deeds.

Ensure Efficient Infrastructure.

The Driveway Closure Certificate and Restrictive Covenant will be recorded with the Register of Deeds.

Motion--
--carried

Schlapp moved that the document and plat be approved; the necessary signatures authorized; and the first reading of the Ordinance approved. Motion carried 6 to 0, (Longwell absent).

ORDINANCE

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, introduced and under the rules laid over.

HOUSING AGENDA

BOARD APPT.

HOUSING AUTHORITY BOARD MEMBER APPOINTMENT.

Mary K. Vaughn

Director of Housing and Community Services reviewed the item.

Agenda Item No. 21.

City Ordinance Number 189 provides that the Housing Authority Board members include the Mayor and City Council along with one additional member who is a tenant receiving public housing or Section 8 assistance from the City of Wichita. The last tenant member of the Housing Authority Board resigned that position in May, 2007.

The Housing and Community Services Department solicited applications from Public Housing tenants and Section 8 voucher holders, to serve on the Housing Authority Board. Allan Murdock was selected from the applicants, to serve in this capacity.

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Ordinance Number 189 grants the Wichita Housing Authority Board all powers and authority to govern the Wichita Housing Authority.

The tenant member of the Housing Authority Board will serve without remuneration.

The Wichita Housing Authority impacts the goal of Economic Vitality and Affordable Living.

Housing Authority Board membership is defined in City Ordinance No. 189.

Allan Murdock

Mr. Murdock stated that he is proud to be serving on this board and thinks it is a privilege and honor to work together with the Council.

Motion--

Brewer moved that the Housing Authority Board appoint Allan Murdock to the Housing Authority Board and authorize him to be sworn in and assume his appointment upon approval of this action.

--carried

Motion carried 6 to 0, (Longwell absent).

Motion--

Fearey moved to move items 22 and 23 to the end of this morning's Council agenda and go ahead with item 24 to allow time for the necessary paperwork to swear in Mr. Murdock. Motion carried 6 to 0, (Longwell absent).

--carried

CITY COUNCIL

(Item 24)

BOARD APPTS.

BOARD APPOINTMENTS.

Council Member Fearey

Council Member Fearey requested that Scott Adler be appointed to the Electrical Board in the position of the elevator mechanic and for the Community Corrections Advisory Board, Nile Delmore and Jaya Escobar , and to the Juvenile Corrections Advisory Board, Shawna Mobley and Marvin Stone.

Council Member Schlapp

Council Member Schlapp requested that Nick Pompeo and Sam Jones be appointed as youth appointments to her DAB.

Council Member Williams

Council Member Williams requested that Bill Wynne be appointed to the Police and Fire Retirement Board.

Motion--carried

Brewer moved that the appointments be approved. Motion carried 6 to 0, (Longwell absent).

RECESS

Motion--

--carried

Brewer moved to recess the Council Meeting for 10 minutes and to resume the meeting at 10:50 a.m. Motion carried 6 to 0, (Longwell absent).

RECONVENE

The City Council reconvened at 10:50 a.m.

(Item 22)

AGENCY PLANS

PUBLIC HEARING-FIVE YEAR AND YEAR 2008 ANNUAL AGENCY PLANS.

Mary K. Vaughn

Director of Housing and Community Services reviewed the item.

Agenda Item No. 22.

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On October 21, 1998, the Quality Housing and Work Responsibility Act of 1998 (QHWRA) was signed into law as part of the FY 1999 Appropriations Bill. One provision of the Act is the mandate for public housing authorities to prepare a five-year plan showing the needs and goals for that period and a more detailed annual operating plan. The annual plan must include, among other things, information on the housing needs of the locality, population served, method of rent determination, operation policies and procedures, capital improvements, unmet housing needs of families with income less than 30 percent of median income and efforts to coordinate programs and other items.

Section 511 of the QHWRA requires the board of directors of housing authorities to conduct a public hearing to discuss the housing authority plans and to invite public comment regarding the plans. In the event that the Housing Authority Board receives public comment, written or oral, which is deemed significant enough to amend the plans, the Housing Authority Board may amend the plans and certify the plans as amended. After the Housing Authority Board has considered comments submitted at the hearing and approved the WHA Five-Year and Year 2008 annual Plans, subject to any amendments, the WHA staff will transmit the policies and programs via an electronic template for submission. The relative Plan template is attached.

The 2008 Annual Plan includes the addition of an additional waiting list preference for the Public Housing Program, which will give those applicants, who are working families and those unable to work because of age or disability, a higher preference on the waiting list. The formal change to add the preference will occur in a separate action by the Housing Authority Board as an amendment to the Public Housing Admissions and Continued Occupancy Policy.

The certification of the Five-Year and Year 2008 Annual Plans will bring the Wichita Housing Authority (WHA) into compliance with the Quality Housing and Work Responsibility Act of 1998.

The 2008 Capital Fund Budget request is a part of the 2008 Annual Plan and represents the submission approval of the WHA's Governing Board.

Promote Economic Vitality and Affordable Living

Motion--
--carried

Brewer moved to conduct the Public Hearing, close the Hearing, adopt the Resolution and authorize the necessary signatures relative to required certifications for the submission of the Wichita Housing Authority Five-Year and Year 2008 Annual Agency Plans. Motion carried 7 to 0, (Longwell absent).

(Item23)
BASED BUDGET

BOARD RESOLUTION APPROVING 2007 PROJECT BASED BUDGET.

Mary K. Vaughn

Director of Housing and Community Services reviewed the item.

Agenda Item No. 23.

Congress directed HUD to contract with Harvard University to conduct a study to determine the cost to operate well-run public housing; the result of the study is the "New Public Housing Operating Fund" Rule (24 CFR 990). The final rule included 2 major provisions: It establishes a new formula "Operating Fund Program" for determining operating subsidy and it introduces a new business model, called asset management. Implementation of asset management is expected to lead to better management and oversight of public housing by providing greater information about the operating costs and performance level of each public housing project. Asset management will also facilitate future investment in public housing by public and private entities. This program represents a major overhaul of the structure and operations of Public Housing Authorities (PHA).

The Wichita Housing Authority (WHA) is considered a "stop loss" agency under the new Program; our subsidy is scheduled to decline \$179,000 under the new formula. A stop loss agency is a PHA that (1) loses funding under the new "Operating Fund" formula; and (2) wishes to submit documentation of successful conversion to asset management in accordance with the requirements for the first stop-loss deadline of October 15, 2007. PHAs that are "stop loss" will have their lower subsidy levels phased-in

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over a 5-year period. These subsidy levels determine how much an agency is “eligible” to receive. Subsidy eligibility is then subject to annual congressional appropriations. In 2006, we received 86% of our eligible funding and that determination was made on September 22, 2006. WHA is scheduled to receive only 83% of what we are eligible for in 2007.

City Council has approved the Housing Authority annual budget but HUD has requested that we put the last three months of the annual budget into a project based budget format.

HUD requires Housing Authorities to move to asset based management model and to create project based budgets in order to minimize budget reductions. Submission of the three-month project based budget does not represent a change in the budget allocation.

Economic Vitality and Affordable Living

The proposed Project Based Budget brings the Wichita Housing Authority into compliance with new federal regulations.

Motion--
--carried

Brewer moved that the resolution approving the Project Based Budget be adopted and the necessary signatures for submittal to HUD authorized. Motion carried 7 to 0, (Longwell absent).

ADJOURNMENT

Motion--
--carried

Brewer moved to adjourn the City Council Meeting at 10:53 a.m. and to reconvene in the Council Chambers at noon for the workshop. Motion carried 6 to 0, (Longwell absent).

Workshop followed in the City Council Chambers