

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting  
9:00 A.M., January 13, 2004

City Council Chambers  
455 North Main

ORDER OF BUSINESS

- Call to Order
  - Invocation
  - Pledge of Allegiance
  - Approve the minutes of the previous meeting
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AWARDS AND PRESENTATIONS

Proclamations

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UNFINISHED BUSINESS

1. Petition to Pave Lulu, from 45th Street South to 44th Street South. (District III)  
(Continued from January 6, 2004)

RECOMMENDED ACTION: Approve the Petition with properties in the improvement district on the east side of Lulu being assessed at twice the rate as properties on the west side of Lulu, and adopt the resolution.

2. Petition to pave 45<sup>th</sup> Street South, from Lulu to Hydraulic. (District III)  
(Continued from January 6, 2004)

RECOMMENDED ACTION: Approve the Petition and adopt the Resolution.

3. SUB 2003-73-Plat of Hidden Glen Addition, Located on the West Side of Hydraulic, Between 44<sup>th</sup> Street and 45<sup>th</sup> Street South.  
(Continued from January 6, 2004)

RECOMMENDED ACTION: Approve the plat; authorize the necessary signatures; and adopt the resolutions.

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OLD BUSINESS

4. Repair or Removal of Dangerous and Unsafe Structures, 3054 North Park Place.  
(Requested by Vice-Mayor Fearey)

RECOMMENDED ACTION: Take appropriate action.

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NEW BUSINESS

5. General Obligation Temporary Note Sale (Series 210); General Obligation Bond Sale (Series 776 & 777); and General Obligation TIF Bond Sale (Series 957)

The City is offering for sale one series of General Obligation Temporary Notes totaling \$92,810,000 two series of general obligation bonds totaling \$23,575,000 for the purpose of providing temporary and permanent financing for capital improvement projects of the City, and one series of general obligation bonds totaling \$4,980,000 for the purpose of providing permanent financing for Tax Increment Finance (TIF) related projects of the City.

RECOMMENDED ACTION: (1) Direct the opening and reading of the bids;  
(2) award the sale of the Bonds and Temporary Notes; and (3) adopt the Bond and Note Ordinances and authorize the Mayor to execute the Request for Declaration of Emergency.

6. Proposed Changes to Sign Code.

Over the past several months, Staff and sign industry representatives have been meeting to review possible additions and amendments to the Sign Code. Staff and the sign industry have concurred on the proposed changes to the Code outlined below and delineated in the attached Ordinance.

RECOMMENDED ACTION: Approve first reading of the Sign Code Ordinance and authorize Staff, upon adoption, to notify the sign industry of the changes and begin implementation.

- 6a. Resolution recognizing the Vietnamese Community Flag.

RECOMMENDED ACTION: Adopt the resolution.

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CITY COUNCIL AGENDA

7. Discussion of Council Rules.  
(Requested by Council Member Lambke)

8. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

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CONSENT AGENDA

9. Report of the Board of Bids and Contracts Dated January 12, 2004.

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

10. Preliminary Estimate:

- a) Old Town Parking Lot Improvements - 132 North Mosley (472-83846/792393/435363). Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$175,760.75

RECOMMENDED ACTION: Approve and file.

11. Petitions for Public Improvements:

- a) Petition to construct a sanitary sewer to serve part of Four H Addition, north of Central, west of Tyler. (District V)
- b) Petition to construct a sanitary sewer to serve part of Westway Addition, south of Pawnee, west of Seneca. (District IV)
- c) Petition to pave Pine Meadow Court in Pine Meadow and Pine Meadow Second Additions, east of Greenwich, south of 13<sup>th</sup> Street. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

12. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

13. Agreements/Contracts:

- a) HUD Economic Development Initiative Grant-Evergreen Library.
- b) Federal Bureau of Investigation-Heart of America Joint Terrorism Task Force.
- c) Contract with Workforce Alliance of South Central Kansas for Youth Case Management and other youth services.
- d) Purchase of Service Agreement with Kansas Department of Social and Rehabilitation Services.

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

14. Design Service Agreement:

- a) East Bank Redevelopment – Amendment to Agreement

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

15. Change Orders:

- a) Douglas improvement, Seneca to McLean. (District IV)  
b) Storm water sewer in Southern Ridge Addition, south of Pawnee, west of Maize. (District IV)

RECOMMENDED ACTION: Approve Change Orders; authorize the necessary signatures.

16. Allocation of Home Funding.

RECOMMENDED ACTION: Approve the allocation.

17. Repair or Removal of Dangerous and Unsafe Structures.

<u>Address</u>	<u>District</u>
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| a) 323 North. Meridian | VI |
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RECOMMENDED ACTION: Adopt the resolution to schedule a hearing and place this matter on the agenda for a Hearing before the Governing Body on March 2, 2004 at 9:30 a.m. or soon thereafter.

18. Payment of Condemnation Award, Case No. 03 CV 3358-East Kellogg Project. (District II)

RECOMMENDED ACTION: Authorize payment to the Clerk of the District Court in the amount of \$7,013,611.00 for acquisition of property interests condemned in Case No. 03 CV 3358.

19. Payment of Condemnation Award, Case No. 03 CV 3355-East Kellogg Project. (District II)

RECOMMENDED ACTION: Authorize payment to the Clerk of the District Court in the amount of \$2,013,611.00 for acquisition of property interests condemned in Case No. 03 CV 3355.

20. Settlement of Claim.

RECOMMENDED ACTION: Authorize payment of \$125,000.00 as a full settlement of all possible claims arising out of the transactions which are the subject of the claim.

20a. Resolution supporting the preservation of the four military bases in Kansas.

RECOMMENDED ACTION: Adopt the resolution.

21. Second Reading Ordinances: (First read January 6, 2004)

a) Amendment of Industrial Revenue Bond Documents, Big Dog Motorcycles, L.L.C. (District I)

An Ordinance prescribing the form and authorizing execution of a Supplemental and Amending Trust Indenture by and between the City and BNY trust company of Missouri, St. Louis, Missouri, as Trustee with respect to the City of Wichita, Kansas Taxable Industrial Revenue Bonds, Series V, 2000 (Big Dog motorcycles project), taxable industrial revenue bonds, series iii, 2002 (big dog motorcycles project), and Taxable Industrial Revenue Bonds, Series IV, 2003 (Big Dog Motorcycles Project); prescribing the form and authorizing the execution of a Supplemental and Amending Lease by and between the City and Waterview Realty, LLC; approving the forms of guaranty agreements; approving the form of a Limited Individual Guaranty Agreement by and between Sheldon E. Coleman as Limited Individual Guarantor, and the Trustee; approving the Supplemental and Amending Sublease between Waterview Realty, LLC and Big Dog Motorcycles, LLC; and authorizing other documents necessary to comply with the provisions of this ordinance.

b) Health nuisance – lot clean up.

An Ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas.

c) Weed mowing.

An Ordinance making a special assessment to pay for the cost of abating certain public health nuisances (lot clean up) under the provision of Section 7.40.050 of the Code of the City of Wichita, Kansas. Be it ordained by the governing body of the City of Wichita, Kansas.

d) A03-26-northwest corner of the intersection of 21st Street North and 143rd Street East. (District II)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A03-26

e) A04-01 - generally located at the northeast corner of 143rd Street East and Kellogg. (District II)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A04-01

- f) A04-02 - generally located near the southeast corner of the intersection of K-96 and Ridge Road.  
(District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A04-02

RECOMMENDED ACTION: Adopt Ordinances.

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PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- Consent Items

22. \*VAC2003-00048-Request to Vacate Portion of Platted Setbacks Located Southwest of Seneca Street –Pawnee Avenue Intersection.

RECOMMENDED ACTION: Approve the vacation order and authorize the necessary signatures.

23. \*VAC2003-00050-Request to Vacate Portions of Platted Alley Right-of-Ways Located Southeast of the Douglas Avenue-Oliver Avenue Intersection. (District II)

RECOMMENDED ACTION: Approve the vacation order and authorize the necessary signatures.

24. \*VAC2003-00056-Request to Vacate a Platted Easement Located Southeast of the Tyler Road-29th Street North Intersection. (District V)

RECOMMENDED ACTION: Approve the vacation order and authorize the necessary signatures.

25. \*VAC2003-00057-Request to Vacate Multiple Platted Easements Located Wouthwest of the Maize Road-Pawnee Avenue Intersection. (District V)

RECOMMENDED ACTION: Approve the vacation order and authorize the necessary signatures.

26. \*VAC2003-00058-Request to Vacate Easements Dedicated by Separate Instrument Located Southeast of the Edwards-Lydia Intersection. (District IV)

RECOMMENDED ACTION: Approve the vacation order and authorize the necessary signatures.

27. \*SUB 2003-43-Plat of King's Maple Street Second Addition, Located on the Southeast Corner of Maple and Ridge Road. (District V)

RECOMMENDED ACTION: Approve the Plat; authorize the necessary signatures; adopt the Resolutions; and place the Ordinance on first reading.

28. \*SUB 2001-107-Plat of King's Maple Street Third Addition, Located on the East Side of Ridge Road, South of Maple. (District V)

RECOMMENDED ACTION: Approve the Plat; authorize the necessary signatures; adopt the Resolutions; and place the Ordinance on first reading.

29. \*SUB 2003-05-Plat of University and Ridge Addition, Located on the East Side of Ridge Road, South of Maple. (District V)

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures; adopt the Resolutions; and place the Ordinance on first reading.

30. \*SUB 2003-103-Plat of Universal Fifth Addition, Located North of Kellogg, West of Greenwich Road. (District II)

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

31. \*SUB 2003-124: Plat of Cy Wiggans Addition, Located West of Hillside and North of Kellogg. (District I)

RECOMMENDED ACTION: Approve the plat; authorize the necessary signatures; and place the Ordinance on first reading.

32. \*A04-03 – Request by Southwind Fellowship to Annex Land Generally Located near the Northeast Corner of the Intersection of 44th Street South and Hoover Road. (District IV)

RECOMMENDED ACTION: Approve the annexation request and place the Ordinance on first reading.

Adjournment

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