

## **MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

### **REGULAR MEETING**

**OCTOBER 21, 1998**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, October 21, 1998, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Mark F. Schroeder; with the following present: Chairman Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Melody C. Miller; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Mr. David C. Spears, Director, Bureau of Public Works; Mr. John DuVall, Director of Operations, COMCARE; Mr. Marvin Krout, Director, Metropolitan Area Planning Department (MAPD); Mr. Renfeng Ma, Interim Director, Budget Department; Mr. Kenneth W. Arnold, Director, Capital Projects Department; Mr. John Nath, Director, Kansas Coliseum; Mr. Steve Lackey, Director, City of Wichita Public Works; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Rita M. Broadway, Co-Chairman, Wichita/ Sedgwick County Red Ribbon Coalition.  
Ms. Gloria West, Volunteer, Wichita Area Sexual Assault Center.  
Dr. Randy Bush, Director, Global Learning Center.  
Mr. Randy Johnson, Owner, Wichita Wings Soccer Team.  
Mr. Kelly Parks, 8005 N. Hoover, Valley Center, Kansas.  
Mr. Randall L. Parker, 1301 W. Sullivan Cr., Wichita, Kansas.

### **INVOCATION**

The Invocation was given by Mr. Chuck McCoy of the Christian Businessmen's Committee.

### **FLAG SALUTE**

### **ROLL CALL**

The Clerk reported, after calling roll, that Commissioner Miller was absent.

**Regular Meeting, October 21, 1998**

**CONSIDERATION OF MINUTES: Regular Meeting, September 30, 1998.**

The Clerk reported that Commissioner Hancock was absent at the Regular Meeting of September 30, 1998.

**Chairman Schroeder** said, "Commissioners, you received the Minutes of the meeting, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the Minutes of September 30, 1998

Commissioner Winters seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Abstain
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Absent at vote.
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Next item please."

**CERTIFICATION AS TO THE AVAILABILITY OF FUNDS**

**Ms. Becky Allen-Bouska**, Finance Director, greeted the Commissioners and said, "You have previously received the certification of funds for expenditures on today's Regular Agenda. I am available for questions if there are any."

**Chairman Schroeder** said, "Thank you, Becky. I see no questions. Next item please."

**Commissioner Miller arrived at 9:04 a.m.**

**Regular Meeting, October 21, 1998**

**PROCLAMATIONS**

**A. PROCLAMATIONS.**

**1. PROCLAMATION DECLARING OCTOBER 25, 1998 AS "UNITED NATIONS DAY."**

**Chairman Schroeder said,** "Commissioners, I have that Proclamation which I will read into the record.

**PROCLAMATION**

**WHEREAS,** the United Nations was founded 53 years ago with strong support from the United States of America and has been developed with the support of the United States and more than 180 member nations; and

**WHEREAS,** as citizens of the world and as citizens of Sedgwick County we face a multitude of problems which are transnational in scope, such as international terrorism, environmental degradation, nuclear arms proliferation, poverty, hunger and disease; and

**WHEREAS,** the United Nations system has made significant efforts to address these problems, even in the face of many financial difficulties and political set backs; and

**WHEREAS,** the Global Learning Center and co-sponsoring organizations have organized a community-wide event, open to the public, commemorating United Nations Day with a banquet and program, "International Terrorism", at 6:00 p.m. Sunday, October 25, 1998 at Friends University's Casado Campus Center which features Professor James McKenney, Wichita State University; Dr. Nabil Seyam, Sedgwick County; and Dr. Randy Bush, the Global Learning Center, as moderator;

**NOW THEREFORE BE IT RESOLVED,** that I, Mark Schroeder, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim October 25, 1998 as

**"UNITED NATIONS DAY"**

and urge all citizens of Sedgwick County to support the United Nations in helping people and nations throughout the world find greater freedom, security, peace and quality of life."

**Regular Meeting, October 21, 1998**

**MOTION**

Chairman Schroeder moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Hancock seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Fred, do we have somebody with us today?"

**Mr. Fred Irvin** said, "I'll make sure they get it."

**Chairman Schroeder** said, "Thank you, Fred. Next item please."

**2. PROCLAMATION DECLARING OCTOBER 23-31, 1998 AS "RED RIBBON WEEK."**

**Chairman Schroeder** said, "Commissioners, I have that Proclamation which I will try to read into the record."

**Regular Meeting, October 21, 1998**

**PROCLAMATION**

**WHEREAS**, alcohol and drug abuse in this nation has reached epidemic stages and the red ribbon symbolizes the nation's unified fight against drugs; and

**WHEREAS**, it is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

**WHEREAS**, Sedgwick County is committed through prevention education and awareness to the reduction of substance abuse among youth, delaying the age of first use by youth, and increasing perceptions that substance abuse is harmful; and

**WHEREAS**, the Wichita/Sedgwick County Red Ribbon Coalition encourages community members to organize and promote programs that will reduce the risk of drug involvement and protect Kansas youth; realizing that "DRUG FREE IS 'OZ'-SOME"; and

**WHEREAS**, Red Ribbon Week will be celebrated in every Kansas community promoting drug free youth, families, communities, schools, and workplaces;

**NOW THEREFORE BE IT RESOLVED**, that I, Mark Schroeder, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim October 23-31, 1998 as

**"RED RIBBON WEEK"**

and encourage all citizens to show support for a drug free community by wearing or displaying a red ribbon during that week."

**MOTION**

Chairman Schroeder moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Hancock seconded the Motion.

There was no discussion on the Motion, the vote was called.

**Regular Meeting, October 21, 1998**

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, “I apologize today, I’m just having trouble getting the words out. Today, we have Rita Broadway, Rita Chavez, Gloria West and Francis Ervin here to accept our proclamation.”

**Ms. Rita Broadway** said, “I’m Co-Chairman for the Wichita/Sedgwick County Red Ribbon Coalition. My colleagues and I are here today to accept the Proclamation on behalf of the coalition. The Red Ribbon Coalition is a community based group and represents schools, businesses, government agencies, and other concerned citizens that are interested in battling the destructive forces of alcohol and other drugs that affect our community, especially our youth. I have with me today some representatives from the Sexual Assault Center and the Regional Prevention Center, who our efforts are focusing during the last month of October on Red Ribbon, but our efforts do continue throughout the year.

“We do have numerous events that mark this week, including ‘Boo Night at the Zoo’, where we set up a drug free booth and pass out literature advocating a drug free lifestyle. ‘Red Ribbon Fever Kick-Off’ is at the mall this weekend, both Towne East and Towne West on Saturday. The DUI Victim Center has their ‘Red Ribbon Reception’ the 29th of October.

“We’re extremely grateful to the Sedgwick County Commission for this opportunity and truly appreciate the support from Mark Schroeder and the remaining members. Without the support of the community and the County leadership, our efforts for a drug free community would not be successful. Sedgwick County definitely cares about our youth and continually accepts the challenge to mobilize against drugs. Thank you for your continued involvement. Right now, Gloria West would like to provide some statistics on sexually related drug cases.”

**Chairman Schroeder** said, “Thank you. Good morning, Gloria.”

## **Regular Meeting, October 21, 1998**

**Ms. Gloria West** greeted the Commissioners and said, "Like she said I'm from the Wichita Area Sexual Assault Center. At the Sexual Assault Center we serve the community in two different areas, education and victim services. I'm primarily in the education area. I educate in the schools and in the community around Wichita. So far this year, as of Tuesday morning, we have responded to 260 hospital calls. Out of these, 69 have been confirmed drug or alcohol related. Although these mood altering drugs do not cause the abuse, they are a major factor. The drugs may give the person the courage to commit the sexual assault and they certainly make the victim more vulnerable. According to Seth Goldstein's book, The Sexual Exploitation of Children, the use of narcotics and drugs are common place among child molesters. In a 1986 study by David Finklehore, 30 to 40% of the time alcohol was used in father/ daughter incest. This month the Red Ribbon Coalition hopes to get the message out that drugs are a very real problem. I firmly believe that education is the main ingredient. We need to combat the crime connected to drugs. I want to thank you for your continuing support of the Red Ribbon campaign."

**Chairman Schroeder** said, "Thank you. Appreciate you all being here today. We really appreciate your efforts that we see so often in our community in trying to combat the problem of drugs in our community. Thank you again for being here. Commissioner Winters."

**Commissioner Winters** said, "I'd also like to add, I know these people do lots of other things. The Regional Prevention Center has certainly been very actively involved in our juvenile justice reform issues. So I know that as these tentacles go out to communities, it is more than one project or one event that they're working on. A number of these folks have been very helpful in this juvenile justice reform issue which has a connection to the drug world that is out there. Again, thanks very much."

**Chairman Schroeder** said, "Thank you. Other questions or comments? I've been told that Dr. Randy Bush, Executive Director of the Global Learning Center is here today to accept our previous Proclamation. Welcome Doctor."

**Dr, Randy Bush** said, "Thank you. I'd like to thank the Sedgwick County Commission for the Proclamation. I was searching for a parking place while it was read. We do appreciate your support and I'd just like to say two things. This is the 53rd anniversary of the founding of the United Nations. This year, the United Nations celebrates two other important anniversaries, the 50th Anniversary of the Universal Declaration on Human Rights, which I think, as Americans, is something that we all embrace and support the effort to extend human rights around the world. The second is the 50th Anniversary of the United Nations Peace Keeping Operations, which contribute significantly to global peace and security."

**Regular Meeting, October 21, 1998**

“The last thing I’d like to say is I think one thing as Americans, with respect to the United Nations that we should be concerned about, is the fact that the United States government is in arrears with its dues to the United Nations. I encourage the citizens of Sedgwick County to, in turn, encourage their delegates to the U.S. Congress and the U.S. Senate to support propositions to pay those dues so that the United Nations can continue its good work. Thank you for your support today.”

**Chairman Schroeder** said, “Thank you, Doctor. Appreciate you being here. Commissioners, we have an Off Agenda Proclamation. Would someone like to make a Motion?”

**MOTION**

Commissioner Gwin moved to take an Off Agenda Proclamation.

Commissioner Winters seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, “Thank you. I will read that Proclamation into the record.

**Regular Meeting, October 21, 1998**

**PROCLAMATION**

**WHEREAS**, Wichita Wings are the longest running professional soccer team in the United States, in operation since 1979; and

**WHEREAS**, the Wings are in the history books with 461 wins; and

**WHEREAS**, in two decades, the Wings have averaged 7,200 fans per game at the Kansas Coliseum for a total of 3.3 million fans; and

**WHEREAS**, in 16 of their 19 seasons, the Wings have made the play offs and have reached the conference finals five times despite playing in the smallest market in the league; and

**WHEREAS**, the Wings have donated thousands of tickets to underprivileged youth, goal achieving students and others, making soccer fun and affordable for everyone; and

**WHEREAS**, the partnership between the Wings and the Kansas Coliseum has spanned 20 years;

**NOW THEREFORE BE IT RESOLVED**, that I, Mark Schroeder, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim Thursday, October 22, 1998 as

**“WICHITA WINGS DAY”**

in recognition of 20 years of soccer and service for the citizens of Sedgwick County.”

**MOTION**

Chairman Schroeder moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

There was no discussion on the Motion, the vote was called.

**Regular Meeting, October 21, 1998**

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Today we have the owner, Randy Johnson and Rob Barzegar, and Jim Lindsay is also here. Welcome to all of you."

**Mr. Randy Johnson**, Owner, Wichita Wings Soccer Team, greeted the Commissioners and said, "Thank you. On behalf of the team, the front office, and Shirley and myself, we'd like to thank the Commission for recognizing this important milestone. I personally believe that the Wings are a lot more important than simple wins and loses we have on the field. I think we provide a mechanism which serves as a great role model for the community and that is the thing that Shirley and I are trying to do more than anything with the team this year, is get it reconnected back to the community and serve as that role model. We'll be doing a number of 'Soccer is a Great Lesson for Life' throughout the elementary schools, throughout the area. We'll be donating approximately 25,000 tickets to underprivileged or various different youth groups throughout the County this year. Again, thank you."

**Chairman Schroeder** said, "Thank you for being here. There are some comments. Commissioner Winters."

**Commissioner Winters** said, "I just wanted to comment again and thank the Wings and their association with the Coliseum. I think it has been a great association and from first hand experience of having a 25 year old son who grew up through AYSO (American Youth Soccer Organization) soccer, that would not have really been a spark to these kids. I think it has been a great youthful kind of activity that has been brought to the community. The Wings are certainly the spark plug for that. Thank you for your organization and thank you for your participation in this year, too."

**Chairman Schroeder** said, "Good luck in the season, Randy."

## **Regular Meeting, October 21, 1998**

**Commissioner Gwin** said, "Randy, I have a comment. As you are probably aware, I have been a fan for a long time. I think I was there the first night when Norman Piper scored the first goal ever scored for this organization. The Coliseum, as Tom said, has been delighted to be the host for the Wings. I think, as we wrote in the letter we sent to you all, that will hopefully be in the yearbook this year, we think the winners in this community are the children. As Tom said, I had a son who grew up playing soccer. Neither one of us grew up doing that. So we believe that what the Wings brought is a sport that teaches dedication and hard work and team work so that the kids can use the skills that they've learned to be the leaders of tomorrow. We appreciate what your team has done."

**Mr. Johnson** said, "One thing I'm not sure everybody knows is that this may be the first year we actually have a son of an original player playing for the team. Neal Ryan, his dad, Jimmy Ryan played in the first year and Neal will probably be playing in the first three or four games."

**Commissioner Gwin** said, "That's wonderful. We look forward to it and the announcements that you all have tomorrow, too. Thank you. Congratulations."

**Chairman Schroeder** said, "Thanks, Randy. Next item please."

### **DONATION**

#### **B. DONATION OF \$106.52 FROM THE WICHITA EMPLOYEES' FRIENDSHIP FUND TO COMPREHENSIVE COMMUNITY CARE'S (COMCARE) SUICIDE PREVENTION PROGRAM.**

**Mr. John Duvall**, Director of Operations, COMCARE, greeted the Commissioners and said, "COMCARE has received this donation from the Wichita Employees' Friendship Fund. These monies will be used specifically to aid the Suicide Prevention Program. Specifically, we're going to develop a number of educational presentations on the subject of suicide and present them throughout the community. COMCARE would like to publicly thank the Wichita Employees' Friendship Fund for this donation. I'd recommend the Commission accept the donation and authorize the Chairman to sign a letter of appreciation."

**Chairman Schroeder** said, "Thank you, John. Discussion on this item?"

**Regular Meeting, October 21, 1998**

**MOTION**

Commissioner Hancock moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

Commissioner Gwin seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you, John. Next item please."

**CITIZEN INQUIRIES**

**C. REQUESTS (TWO) TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING MOTOR VEHICLES ON PRIVATE RESIDENTIAL PROPERTY IN SEDGWICK COUNTY.**

! Presented by Kelly Parks, Valley Center, Kansas

! Presented by Randall Lyn Parker, Wichita, Kansas

**Chairman Schroeder** said, "Good morning."

**Mr. Kelly Parks**, 8005 N. Hoover, Rural Valley Center, Sedgwick County, greeted the Commissioners and said, "I'm going to tie in with something that Mr. Parker, who is going to speak after me, is going to speak to. We're going to both speak to the same thing. It is basically about individual liberties and property rights. I'll read a prepared statement and then I'll get off into what my particular situation is. I came here today to communicate with you and hope that I could in five minutes get enough time to convey to you what our problem is. If there isn't enough time, please feel free to contact me and talk with me on an individual basis afterwards."

### **Regular Meeting, October 21, 1998**

“The points I hope to make here this morning are many rural citizens have been victimized by Sedgwick County due to lack of communication. Two, laws, zoning, and other legal documents are changed without property owners notification. Three, many of us believe what is appropriate in urban Wichita is not appropriate for rural Sedgwick County. Four, I would ask that before you pass massive page documents, you read, study, and know what they are before passing them. Five, ask that you seek input from your constituents, not only from your staff, that recommend these things be passed, but from your constituents before passing laws.

“As you know, disabled vehicles, quote unquote ‘disabled vehicles’, are a hot enforcement item right now. I’m sure if you go to your Kansas Association of Counties meetings, that that’s something that is in the hot agenda right now. Speaking for myself, I think, too that massive unorganized junk yards with health problems should be eliminated. Weeds growing up, mosquito breeder traps, things like this, yes, I agree they should be eliminated. But there are people that have hobbies and that your current code goes too far and eliminates those hobbies from those people that have those.

“I read an article in the Eagle about the new regulation that you propose to pass. However, I don’t know that that’s factual because they did mess up this morning and had some erroneous information in there also. But it was a “Six Points of Light” or six items on vehicle control that I gave a copy to Commissioner Schroeder there. I asked before you pass this and get in conflict with another zoning ordinance or something that you study that and let Rich with your County Counselor’s Office there, he’s aware of some of these things that might be a conflict, read those and understand those before we get more conflict in the laws and ordinances.

“In my particular situation, I have had a hobby for the last 18 years of racing on clay tracks. I don’t race locally here but I race at Hutchinson Fun Valley when it is open, Mayetta, Enid, Oklahoma. It is commonly called dirt tracks, but I like the clay better. It is a hobby that I’ve not put a lot of money in. To race locally here, I’d have to have a \$10,000 car and I’d probably want it inside. These are cars that are called hobby class cars. They run, all my race cars run. I’d like to be able to keep them outside. I’m in a rural area. When I brought these cars to Sedgwick County some nine years ago I was told by a department head to put up a fence, you won’t have to worry about it. There have also been other businesses that have checked and inquired. In fact, my wife had to go back and get a Conditional Use Permit recently for a ‘Tack and More’, a business that was a home based business that Lawrence Mitchell in 1995 said it was fine to have that home based business without a Conditional Use Permit. Some of these laws changed. We went before . . . we jumped all through the hoops here. We went to the Metropolitan Area Planning Commission. In fact, one of those people on that board said why is she even here if she had that business before ‘95. I asked if there was a complaint on my residence when I had my race cars there. The Code Enforcement officer said I am the complainant.

### **Regular Meeting, October 21, 1998**

“In Section H of your Uniform Zoning Code, inoperable vehicle means any vehicle that is unable to operate or move under its own power. It also showed me any vehicle that is abandoned, wrecked, dismantled, scrapped, junked or partially dismantled. I offered, in a nice way, to give the Zoning Code Enforcement Officer a ride around my back pasture, he declined that, to show him that this wasn’t an inoperable vehicle. I know I’m probably up on my time.”

**Chairman Schroeder** said, “How much more time do you need?”

**Mr. Parks** said, “About 30 seconds.”

**Chairman Schroeder** said, “Okay, go ahead.”

**Mr. Parks** said, “Vehicle storage yard, that is another one you need to address. It is in the new law so I’d like to throw in my two cents worth on consolidation. Sometimes. . . I don’t like consolidation and I’ll tell you why. Because the rules that apply to downtown Wichita may not apply out in the outer areas. I didn’t even know myself that there was a Unified, or a Wichita/Sedgwick County Code Enforcement Officer. I didn’t know that those had been combined and consolidated.”

**Chairman Schroeder** said, “We have not combined Code Enforcement with Wichita’s Central Inspection. We do have a Unified Zoning Code, but we have not combined the two departments. I will say that the County is a little bit different. It is a rural area and our people basically work on a complaint oriented basis. We’re a little bit different than Central Inspection in the City of Wichita. But we have not combined the two departments at this point.”

**Mr. Parks** said, “I did see a motor vehicle, a small white pickup, that said Wichita/Sedgwick County Code Enforcement.”

**Chairman Schroeder** said, “Then we’ll have to talk to our motor pool guys about that one.”

**Mr. Parks** said, “If that is erroneous, I stand corrected there, also.”

**Chairman Schroeder** said, “Could it have been the Health Department? Wichita/Sedgwick County Health Department?”

**Mr. Parks** said, “No, it was Code Enforcement. I’ve visited with him several times. I did comply, but I would like to get them back there.”

### Regular Meeting, October 21, 1998

**Chairman Schroeder** said, "Very good, thank you. Commissioner Miller, did you have a question?"

**Commissioner Miller** said, "Actually, I'd like to reserve my comments until we hear from Mr. Parker."

**Chairman Schroeder** said, "All right. Next speaker."

**Mr. Randall Lyn Parker** said, "While driving here this morning in five minutes, my eloquence in the car was flawless and you would have been warm putty in my hands. I used to teach at Craig University and I don't know what I said in five minutes that changed anything much. Anyway, there was an article in the paper a couple of weeks ago. If you lived on the east side, you got to have the two photographs full color of my situation here. I was the only one they could find that would let a photographer come out and the only one available they could find to be quoted. You that know me, know that I'm kind of a character around town in a lot of parades and things like that, but I've always appreciated things. Here they call me an accumiologist, which is very true. But preservation of vehicles is very important.

"I went back to my high school reunion last year, '57. I didn't know those cars in the parking lot were going to be so valuable. But they are only valuable nowadays because they got to sit around in yards and fields and things and get valuable, those Chevys and things that people restore. But it had to do with preservation of things. This woman here tells me her three cars, antiques, had to be hauled off and crushed. They were DeSotos were they or Kaisers? Kaisers. I got some calls from people after this article ran. In there I said I don't want to get involved folks. I know how much a problem it is. I said how can I last and make some kind of impression here, so I did some charts. Basically, it has to do with rights and privileges. Here we have a field where this law, this would represent the laws we have protecting us from all the bad out here. Here is a chain that goes out to the edge of it. We introduce our family here and we're going to protect them from these . . . this all rotates you see, these things come closer and closer. As they get closer, we need to make laws to protect them so I envision it as parts of the chain are pulled or removed, so then we pull the people back from that dangerous perimeter and the problems pass past them, however bigger problems come along so we pass new rules and laws about things and the chain gets a little shorter and that's okay. The children grow up now, the chain is shorter but they're missing all these dangers, such as a car parked in a neighbor's yard. Well, pretty soon, the story is obvious. The parents pass on, the law makers pass on, and we're left with the children that have grown up and they're closer and closer to the stake. They're protected from all this evil out here, but their freedoms now, they're free as they were they think as their parents but they've got to run around in this circle.

### **Regular Meeting, October 21, 1998**

“I took a dog to a brand new pound. Shiny new, two months old. They promised me all these wonderful things. I get back two weeks later and here is my dog, wrapped around a chain in the hot sun on the concrete, couldn't get to his water bowl because all the things they promised me about this doggie, he just got wrapped up closer and closer and closer. There is something wrong going on with this car thing. I know it is too late to do anything. We who wish the laws would not effect us in an adverse way. There are those who know how it all works and it is all marvelous and people make money off of it and there are people who get elected and who get into office with a lot of good ideas and honest things, but you have to dance this minuet. The laws come naturally and pretty soon we're tighter and tighter bound to the stake in the center.

“This car thing. I proposed that we have some sort of retired persons, putting yard tags on cars perhaps, so when the car is reported and someone comes out there other than law enforcement and says kill that car. You go from being a nice guy with an old car to a bad guy with a car that doesn't work and you're a criminal, get rid of it, crush it. You know, a \$100 a day for every car on your lot, blam blam, it's not very friendly. People won't show up. They're afraid of the black helicopters. That's why I got here to speak. My point is, I guess, we should be applauding those people who keep those cars. Those cars we're driving today, those marvelous wonderful deluxe cars with all the computers aren't going to last 30 years. When your grandchildren or great grandchildren want to restore something and it takes an \$800 computer it is not going to happen. I just think we're taking away something all in the best of interest of cleanliness.

“I built a fence five years ago that made everything legal. I was having some donkeys so it wasn't a complaint. The guy came out and I had a pile of shingles there and he told me to pick them up and I did but before he got back to inspect them, the donkeys thought that was a mountain and they scattered them all over again. Well, then he said put up a fence around the car so I did and that's legal. Now I'm told I've got to put a roof over the thing. But then you call the code people there and it can't be in a flood plain, it can't be on site manufactured rafters, it has got to stand up against an 80 mph wind. That's from the building code, but the Health Code guy says just put any kind of cover over it and it makes it legal because they can't see it. My particular piece of property backs upon a berm along the Little Arkansas River where there is no trespassing. You're not supposed to look down from this berm, you're not supposed to be there. So I have a fence around my cars, which is now illegal, to keep people from breaking the laws to see in my cars, which used to be legal but is not legal now. So you come in front of learned bodies that know a lot more about the whole government works than I do and you just want to caution them that, be careful of the laws you enact because you could get what you want and then the whole world crashes into the moon.

### Regular Meeting, October 21, 1998

“It’s not that serious, but I think a lot of people out there would like to be here and be a lot more serious speaker than I about this problem of hobby cars and mañana cars, cars that don’t run today but maybe they’ll run tomorrow. But 72 hours? There is a guy over east here that has six cars hooked up, chained together. He pulls them forward with this pick-up every 72 hours to keep legal and then he pushes them back and he is within the law. What are we doing here? If your grandchildren want to find a car that has little things that go like this for \$1.29, no, it is going to be \$750 or something. All I can say is help us. When we’re hobby people, we aren’t out to breed mosquitos and we aren’t out to trash out the environment. I don’t know why a privacy fence isn’t kind of a nice place to keep a car for a few years. Thank you, very much.”

**Chairman Schroeder** said, “Thank you. There may be some questions here Mr. Parker. Commissioner Miller.”

**Commissioner Miller** said, “Thank you, Mr. Chairman. I’m not sure the I have any questions. I didn’t have an opportunity I don’t believe, to speak to you Mr. Parker but I know that I spoke with Mr. Parks. In our conversation, you really do seem to begin to look inside of yourself and say just what are we attempting to do here? That was the question that I for the most part kept in the forefront. I know I saw Marvin Krout earlier in our office, I don’t know if he is still here. He may very well be gone. But I do see Irene Hart here that I think can give some introspect for me and possibly even legal.

“When I read the news articles, to me there was some erroneous information in there. It certainly was not from a County perspective. I needed to know exactly what it was that the County is doing currently in terms of Code Enforcement regarding hobby vehicles. I needed to know, understanding that yes there is a Uniform Code in place, and its mission is to attempt to minimize the confusion that can occur when you have two governing bodies that are passing Ordinances versus Resolutions and codes that sometimes collide. To attempt to get that to a level where the average person out there doesn’t have to walk two systems sometimes. I think I understand that mission but I’m not sure just how that overlays in the push or recommendation that the City of Wichita is attempting to do in terms of changing their Ordinance. I either need to look to Irene Hart, which she seems to be beckoning to come up to the mic and speak or possibly Rich Euson that could give some clarification on this from a County perspective.”

### **Regular Meeting, October 21, 1998**

**Mr. Parker** said, "I don't think there is anything to do about hobby cars. They don't run, they're bad. I don't think you have any coverage for that sort of activity if somebody who is mad at you next door complains. I was in the City until two or three years ago and then I opted to be annexed into Wichita. So I've seen both of them and some of the rules frankly are kind of confusing. My neighbor had a rooster and I tell you that rooster was taking me to the point that I was going to start dropping pianos off of tall buildings to knock off the hats of passing gentry except there is an Ordinance against that much noise. But he can have 25 roosters next door to me. Twenty-five roosters, ha ha ha. I have two donkeys in the County. I can have two animal units in the County. I get annexed and they said no grandfather clause Mr. Parker, no, no, no. But if you give us \$10 a year, you can have five donkeys. So in the City I can have five donkeys and in the County I can have two and it is a little confusing. All I'm saying is have a benevolent look towards people whose cars that are sitting there that are mañana cars and are not just junk per se. Although some of the parts off of them can be fantastically valuable when you get down to it. Some of these cars that are getting older and older are getting harder to restore.

"I have in this article a '58 Karman Ghia convertible, what a collectors item, really. It sat in this yard for years and years. I guess, so I don't ramble on and on, have some qualification for people who are generally into hobby cars and not just setting them there because it is cheaper than having them hauled off. I've seen those pictures. I've seen those alleys with cars junked all over. They look pretty horrible, but not necessarily in the eye of the beholder that owns them. You have a very difficult job here, as would anybody in the City also. I don't know what the answers are. I don't have those answers. I'm just saying that maybe a way to have a person in between the authority figure that says move that car or die and somebody who says I understand your situation and maybe we can get you some help on it. Charge us tax. Set them in the yard and charge us \$2.50 a year, ha ha. Charge us some money. I know money makes everything work. A couple of bucks a month or something and then maybe somebody can come around and help people like that. We're looking for government to solve our problems and not make us afraid of you."

**Commissioner Miller** said, "I'd like to still hear from Marvin Krout. It looks as though Marvin is here. Marvin, there are some questions that I have of you. My first question, Marvin is, is this indeed a city initiative? Did Sedgwick County initiate any of this change?"

## Regular Meeting, October 21, 1998

**Mr. Marvin Krout**, Director, Metropolitan Area Planning Department, said, "The discussion that you've been reading about in the newspapers was initiated by City Neighborhood Associations and the City's CPO (Citizens Participation Organization). It was based on the fact that we do have in the Unified Zoning Code and I do believe that this has been, although it may not have been strictly enforced in previous years, I think that there have been both in the previous County Zoning Resolution and in the old City Zoning Ordinance, basically, a ban against having inoperable vehicles in residential yards.

"The Zoning Code also says that you basically can't have operable vehicles that are sitting there on a permanent basis either, that are being stored versus being temporarily parked. That is basically what the City is looking at now. But there are issues with boats and Rvs (recreational vehicles). There are issues with inoperable and operable vehicles. We've been waiting for the City CPOs to complete their background work. Any change in the amendment to the Zoning Code is an amendment that both the City Council and the County Commission need to consider. Although most of the rules in that Unified Zoning Code are the same, there are differences. For example, there are rules that are more liberal in the County, you can have Rural occupations. You can have welding businesses and if you have enough acreage, do a lot of things as home occupations that you can't do in Urban areas. The City is looking at tattoo parlors. After they finish looking at tattoo parlors, we'll bring that issue to you. You don't necessarily have to have the same rules, although you have to think about the fact that sometimes one simple rule, even in the unincorporated area, may not make sense too, because we have Urban areas, Suburban areas, and Rural areas out there beyond the Wichita city limits. So it is possible to have different sets of rules and I think that those will be your decisions.

"This is definitely going to come through the process. There will be MAPC (Metropolitan Area Planning Commission) hearings. Then both the City Council and County Commission will decide what to do with these rules. Right now the strict rule, although it hasn't been enforced, is that you don't store for long lengths of time vehicles, whether they're operable or inoperable outside."

**Commissioner Miller** said, "That's County and City?"

**Mr. Krout** said, "That's right. But it hasn't been strictly enforced until recently."

**Commissioner Miller** said, "Okay. That's where we're hearing the comments made about grand fathering in. Do you want to speak to that issue also, in terms of home occupations and changes?"

### **Regular Meeting, October 21, 1998**

**Mr. Krout** said, "I can tell you that maybe Lawrence Mitchell misinterpreted what the use was back in 1995, but we've never allowed retail uses in residential districts without some kind of a process. In fact, until 1996, until the Unified Zoning Code, we made it easier rather than harder. They would have had to get Retail zoning to have a retail operation that has a sign and advertises up until 1996. With the Unified Zoning Code, they only had to get a Conditional Use because it was classified as an agricultural related use. So we actually simplified the process for getting that use. It was maybe a misinterpretation on the part of a planner who is not with us anymore, but that use was never permitted by right unless you go back before 1985 when there was no zoning in the County."

**Commissioner Miller** said, "Once again, just for my point of clarification, I'm hearing that yes, it is a Unified Zoning Code, but, there can be differences in what is actually adopted."

**Mr. Krout** said, "There are differences already and there can be additional differences."

**Commissioner Miller** said, "Thank you. Thank you, Mr. Chairman."

**Chairman Schroeder** said, "Thank you. Commissioner Hancock."

**Commissioner Hancock** said, "Thank you, Mr. Chairman. Marvin, you might be aware, I don't have any questions for you or anything, but you might be aware that I've been visiting with Rich Euson and Legal and our own Code Enforcement Director, Glen Wiltse on this matter. I have a case down in south Wichita, just across the street from the City of Wichita but yet in the County, of an individual who has a number of automobiles and he is a hobbyist. Quite frankly, his home location is very attractive with a fence around it and so forth and so on. You wouldn't know that the autos were back there unless you were really looking for them and wondering what's behind the fence. I understand this particular complaint was sparked by a denial of a zoning request for a salvage yard. Then those individuals went around and started making complaints. We've generally operated around the County that we try to give folks as much breathing space as possible, as much freedom as possible. Usually if there is a complaint, we'll act on it, although you don't go around looking for trouble unless it is just obvious that someone is violating a code or resolution of some kind."

### **Regular Meeting, October 21, 1998**

“To make a long story short, I am concerned about what goes on in the unincorporated area, especially in the County. I think we should allow as many freedoms as possible and I’d like to continue to work with Glen. Glen has brought to me a couple of ideas that were pretty good concerning what we might do to guarantee the freedoms that hobbyists would require and yet not be in a position to annoy their neighbors. I can tell you, sometimes it is very annoying. I have lived in the unincorporated area of the County, virtually, all of my life. It is getting more and more crowded in my neighborhood. I guess for some of us old timers it is getting a little annoying also. Not so much the folks that are there but the things that they feel the need to bring with them, in terms of cars that they are compelled to keep and big dogs they require that bark half the night and so forth and so on. So the consequence, as we get closer together we’re not so happy and some of the expectations that we have in the unincorporated area just aren’t there anymore. Yet folks still have rights. Anyway, one in response to some of the comments, citizens do have input. We go through a lengthy process through publications and notices and hearings through our Metropolitan Planning Commission, research in our Planning Department. In those cases, they do notify folks of most of these things. I don’t know whether the City does that as much as we do. We make an effort to notify folks who are effected by changes in zoning resolutions.

“It isn’t too late to do anything. That was one comment that I heard just now. It is not too late to do anything. But it will require that if you are a hobbyist, and I’m not talking about the folks who just collect junk in their front yard, I’m talking about someone who is a hobbyist and desires to preserve automobiles that are meaningful to them for fun or profit, that they have an opportunity to do that. But we are in close proximity to each other. What is perceived as great to one individual isn’t perceived the same to another. So we’re going to have to lay down some rules about how we’re going to do that and yet allow that. As I said earlier, I am particularly interested in the unincorporated large lot areas of Sedgwick County. Six or seven thousand square foot lots in the City of Wichita or any other place, whether it is a subdivision in the County or any other city, it is just not a good idea to move in two or three or four cars even for a hobbyist. It is indeed an annoyance for the community. It is a rare situation where everybody is happy with the situation, with what’s going on. There are sensitivities and I think hobbyists should be made aware that folks out there are sensitive to it. They like to have their communities appear and look nice. A race car, in my view, is not an amenity in my neighborhood sitting in front of someone’s yard or their driveway is not particularly something I’d like to see quite frankly. I appreciate what they can do, but I can tell you most folks don’t want, unless it is a pretty nice race car. But as you say, I don’t think there are a lot of really great looking race cars that do a lot of dirt track racing. That’s just my view. That view could be changed, but I come loaded from my own experiences.

### **Regular Meeting, October 21, 1998**

“Anyway, what I’m trying to convey to you is it is not over yet. I’m still interested in working on this. I want to give everybody the opportunity to do the things that they want to do. I can’t control what goes on in the City of Wichita, but I can deal with what is available to us in the unincorporated areas. I can say with a certain amount of certainty that what we’re going to do is allow folks who want to do this in the areas that we have control over, in the unincorporated area, an opportunity to do it. I can also predict that what they are doing will be guided by certain rules. I don’t think that is an unreasonable requirement or unreasonable expectation by anyone. Anyway, we’re still working on it. It is a work in progress. Hopefully we can accommodate folks who like to collect cars and work on them and have them around. Thank you, Mr. Chairman.”

**Chairman Schroeder** said, “Thank you. Let me say to both speakers, I think this Commission well understands what your problem is. We’ve been following, as Commissioner Hancock says, what the City has been doing and all of us have had complaints from time to time on both sides of the fence on this issue, I have. I had at least six or seven phone calls in the last two to three weeks because a person in this neighborhood turned in all of his neighbors because they had hobby cars. Some of them may have gone a little bit over the line. I understand your concerns, your problems, and your love for those cars. I’ve had Mustangs. I’ve had a ‘67 and a ‘68 Mustang. I went to the car show at the Coliseum. To me, that is very interesting and a lot of fun. To other people it means nothing.

“You heard the old saying, one man’s trash is another man’s fortune. That’s just what we’re dealing here. To some people it is a nuisance and to others it is something that they value. Commissioner Hancock hit the nail on the head when he talked about having a race car parked out in front of somebody’s house in your neighborhood. You have to decide whether that is appropriate or not. Like he said, whether it is a good looking race car, really nice, you might tolerate it. Otherwise, it is something that is not a lot of fun to look at.

“I told the people that called me and I’ll tell you, I said, I live in the City of Wichita and I can’t imagine what my neighbors would think if I put four or five cars in my back yard. I know I would get complaints and probably well deserved. However, if somebody wanted to store those inside where I don’t see them, I have no problem with that. It doesn’t bother me at all. But I think Commissioner Hancock is on the right road to trying to find some kind of a common ground where we can all live together.

### **Regular Meeting, October 21, 1998**

“This is a process and a problem that we encounter on a daily basis here in Sedgwick County and the City of Wichita. It will never go away. I do applaud those people who keep those cars around and rebuild them and give us something to enjoy. It’s great. I like seeing our history preserved. That’s exactly what that is. It is very costly and time consuming and people are proud of what they’ve accomplished. However, you do have those that say someday I’ll get around to it. It’s been out there for 20 years in the back yard.

“So those are the problems that we encounter. I understand your concerns. We have not made any changes in our zoning regulations at this point in the County. We are following what the City is doing and hopefully if we need to do something, we will do something that is amenable to both parties on both sides of this issue. But I do appreciate both of you being here today and telling us what you think about this from your point of view. Input from our constituents, as you’ve heard up here, is very valuable to us. That’s how we make decisions, based upon what our people think that we represent as your elected officials. This process will go on and hopefully at some point in time we will make those changes if we deem them appropriate. We will most certainly try to keep you involved, either by way of media or contact personally. We will try to address these problems as we move on. We really appreciate you being here today. Thank you so much for taking the time and the concern that you have for your friends and neighbors. We really appreciate it.”

**Commissioner Gwin** said, “Mr. Chairman, I would suggest that Mr. Krout take both Mr. Parks and Mr. Parker’s names and addresses.”

**Mr. Parks** said, “Recreational vehicle, that sounds like what I have here. You may ski, camp, or golf, I recreate my race car. To keep this to 30 seconds, I have a question of Mr. Krout. You said when City and County will be notified on this, will other cities and County Planning Commissions also be notified about this because of the three mile limit they control also?”

**Chairman Schroeder** said, “You can take up that discussion with him later. Okay, thank you both for being here. Really appreciate your interest and your concerns. Thank you, Marvin. Norma, thank you for being here today. Nice to see you. Good to have you in the audience today. Commissioners, I don’t think we need to take any action on this. Next item please.”

**Regular Meeting, October 21, 1998**

**NEW BUSINESS**

**D. DIVISION OF HUMAN SERVICES.**

**1. AGREEMENT WITH BIG BROTHERS AND SISTERS OF SEDGWICK COUNTY TO PROVIDE A "CLUB BUDDIES" MENTORING PROGRAM FOR CHILDREN AT RISK FOR SOCIAL, EDUCATIONAL AND EMOTIONAL DYSFUNCTION.**

**Mr. DuVall** said, "This particular Agreement with Big Brothers and Big Sisters will facilitate the 'Club Buddies' Program. This is a collaborative effort between Big Brothers and Big Sisters and the Boys and Girls Club. The program provides a one on one mentoring for, in the first year, about 150 high risk youth, combining with volunteer adults. Mentoring will take place actually at the Boys and Girls Club. The overall goal is to reduce by at least 15% a variety of problems over a three year period, drug and alcohol usage, juvenile crime, teen pregnancy, gang involvement and school program. The program is jointly funded by Sedgwick County in its effort through the prevention funds, the City of Wichita plus a grant from the United Methodist Health Ministries. I would recommend your approval of this Agreement."

**Chairman Schroeder** said, "Okay, thank you, John. One question, is this \$15,000? Is that what our cost is in this?"

**Mr. DuVall** said, "Yes, \$15,000."

**Chairman Schroeder** said, "All right, thank you. Other questions or comments? If not, what's the will of the Board?"

**MOTION**

Commissioner Miller moved to approve the Agreement and authorize the Chairman to sign.

Commissioner Winters seconded the Motion.

There was no discussion on the Motion, the vote was called.

**Regular Meeting, October 21, 1998**

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you. Next item."

**2. AGREEMENT WITH VIA CHRISTI REGIONAL MEDICAL CENTER, INC. AND SUPERIOR SERVICES, INC. TO PROVIDE TRANSPORTATION OF PSYCHIATRIC PATIENTS TO STATE HOSPITALS.**

**Mr. DuVall** said, "This particular Agreement is with Via Christi and Superior Services. It is actually a renewal of an agreement we have had previously. It provides transportation from Sedgwick County to the State Hospital and, more often than not, there are times when we need to bring individuals back to Sedgwick County for court hearings and those kinds of matters. The costs are shared between Via Christi and Sedgwick County. Superior Services has done an excellent job. They transport patients in the least restrictive manner. They've done an excellent job for us so we recommend your approval of this Agreement."

**Chairman Schroeder** said, "Thank you, John. Discussion on this item? If not, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the Agreement and authorize the Chairman to sign.

Commissioner Miller seconded the Motion.

There was no discussion on the Motion, the vote was called.

**Regular Meeting, October 21, 1998**

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you. Next item."

**3. PROPOSAL FOR TEMPORARY ADDITIONAL PSYCHIATRIC COVERAGE BY ADVANCED REGISTERED NURSE PRACTITIONERS.**

**Mr. DuVall** said, "Currently COMCARE has on-call coverage for psychiatric services each week night from 5:00 p.m. to 8:00 a.m. the next morning. On weekends, the call is taken from 5:00 p.m. Friday through Monday a.m. at 8:00. Currently, four out of seven weekdays and four out of seven weekends the on call is taken by an ARNP, which stands for Advance Registered Nurse Practitioners, who work under the supervision of a psychiatrist. As of November 1, COMCARE will only have one full-time psychiatrist on staff. We've had a resignation. We have an individual that is on family medical leave. To facilitate our on-call, we will supplement our psychiatric services during the day by two part-time COMCARE psychiatrists. To alleviate the on-call problem during the evening and weekend hours, COMCARE is suggesting to have ARNP staff on-call each week night plus weekends. To accomplish this, we are requesting permission to pay our ARNP individuals additional monies for additional on-call time we are asking them to take over and above their normal 8 to 5 duties. Compensation would be \$100 for week night and \$300 for a weekend call. The arrangement would only run from November 1, 1998 through December 31, 1998. The benefit of this is that the ARNP are individuals that are currently familiar with COMCARE patients, active in their current treatment modalities and familiar with the current call supervision.

"I would stress here that the ARNPs do work under the supervision of our psychiatrist. The other obvious benefit is that good patient care will continue to be provided, which is always the goal of COMCARE. I would recommend your approval of this particular Proposal."

**Chairman Schroeder** said, "Thank you, John. We do have lights on. Commissioner Miller."

**Commissioner Miller** said, "Thank you, Mr. Chairman. John, that December 31 date, is that a deadline date that you intend to have someone else hired or . . . because you're saying that this temporary contract is intact through December 31, is that correct?"

**Regular Meeting, October 21, 1998**

**Mr. DuVall** said, "True."

**Commissioner Miller** said, "So following that, do we intend to have someone else hired or to extend the contract? Maybe I'm just asking a blank question."

**Mr. DuVall** said, "No, your point is well taken. By December 31 a couple of things we're reasonably sure is going to happen. One, our current medical director, who is on family medical leave will return January 1. Secondly, we're currently doing some negotiations with the University of Kansas School of Medicine to provide for some additional psychiatric coverage. We are reasonably sure that the problem of not having enough coverage will be taken care of by December 31."

**Commissioner Miller** said, "Through those two avenues."

**Mr. DuVall** said, "Right."

**Commissioner Miller** said, "Okay, thank you. Thank you, Mr. Chairman."

**Chairman Schroeder** said, "Okay, any other questions or comments? If not, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the Proposal.

Commissioner Miller seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you, John. Next item please."

**Regular Meeting, October 21, 1998**

**E. AMENDMENT OF 1998 BUDGETS FOR EMERGENCY MEDICAL SERVICE (EMS) AND WICHITA STATE UNIVERSITY (WSU) PROGRAM DEVELOPMENT.**

**Mr. Renfeng Ma**, Interim Director, Budget Department, greeted the Commissioners and said, "Legislators up there in Topeka recognize the need for local governments to amend their budgets from time to time to better reflect what is going on financially within each fund. They have a process for us to follow in amending the budget. This basically it is a three step process. First of all, we have to publish a notice of public hearing and wait for at least ten days. Then, hold the public hearing and amend the budget formally and finally file the amended budget with the County Clerk's Office. Today we have two budgets that we need to amend to better reflect what is going on financially in each fund. That is the EMS budget and the WSU Program Development budget. The action that we are asking you to take today is to authorize the County Manager to publish a notice of public hearing to be held on November 4 regarding the amendment of 1998 budgets for WSU Program Development and Emergency Medical Services."

**Chairman Schroeder** said, "Okay, thank you, Renfeng. Any discussion on this item? If not, what's the will of the Board?"

**MOTION**

Commissioner Miller moved to authorize the County Manager to publish Notice of Public Hearing to be held November 4, 1998 regarding amendment of the 1998 EMS and WSU Program Development budgets.

Commissioner Hancock seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you. Next item please."

**Regular Meeting, October 21, 1998**

**F. WAIVER OF POLICY TO HIRE DIRECTOR OF HUMAN RESOURCES AT RANGE 30, STEP 6.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "We have proceeded to advertise for the Director of Human Resources for Sedgwick County. We did that nationally. We interviewed five different candidates, some from around the country. We have offered the position to Mr. Doug Russell. For him to accept, I'm asking for the waiver of the policy to hire him at a Range 30, Step 6."

**Chairman Schroeder** said, "Thank you. Discussion on this item? I will say that Doug is our Director of Aging and he's been with us about six or seven years or so?"

**Mr. Buchanan** said, "Three or four."

**Chairman Schroeder** said, "Sorry, it seems like longer. He's done a wonderful job and he obviously made a good candidate and he will do a good job for us as Director of Human Resources. I thought maybe he might be here today to introduce him. We'll get him another time. Further discussion? If not, what's the will of the Board?"

**MOTION**

Commissioner Winters moved to approve the Policy Waiver.

Commissioner Gwin seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you. Next item please."

## Regular Meeting, October 21, 1998

### G. CAPITAL PROJECTS DEPARTMENT MONTHLY REPORT.

**Mr. Kenneth W. Arnold**, Director, Capital Projects Department, greeted the Commissioners and said, "My report is on pages 33 through 41 of your back-up. I am going to highlight a couple of projects and would be happy to answer any questions. On page 35, the fourth item is a Boys Ranch replacement of the windows and sprinkler system at that facility and we are almost complete on that project. It has come together very well and I think it will serve that department very well. On the next page, page 36, at the bottom of the page, the mechanical system work is progressing well at the Munger Building. That will upgrade that facility. It should be completed right after the first of the year. I'd be happy to answer any questions you have."

**Chairman Schroeder** said, "Thank you. Questions or comments? Commissioner Miller."

**Commissioner Miller** said, "Thank you, Mr. Chairman. Ken, a couple of questions on a couple of projects that I'm familiar with. One would be the 21st Street Redevelopment Project. It I recall, we cut a check to the tune of about \$380,000 plus dollars that went to the City of Wichita. We still have, with the inclusion of some land sales, \$85,139. Is that simply set aside to still reimburse? Is it just sitting there? Is it earmarked for anything in particular?"

**Mr. Arnold** said, "It is my understanding that the funds are sitting there and available. There are some related projects up there that are being looked at. I can find out the particulars for you on that."

**Commissioner Miller** said, "I would like to know. Mr. Manager, are you familiar with some pending projects, 21st Street redevelopment to the tune of \$85,000 that the money is just sitting there?"

**Mr. Buchanan** said, "Our agreement with the City, if I recall, was to pay for 50% of the demolition of those buildings and the construction. That came to be less than what was budgeted. I think the money has been moved out of there. We thought our portion of the project was complete. I'll check though."

**Commissioner Miller** said, "Okay. It is \$85,000. If it is moved out . . ."

**Mr. Buchanan** said, "The agreement with the City was to do a specific task, that was done, that's all over. So if there is a suggestion that there are new projects, I have no knowledge of that."

### **Regular Meeting, October 21, 1998**

**Commissioner Miller** said, "Okay. If there are new projects that you're aware of, I'd like to know those."

**Mr. Arnold** said, "We'll check into that."

**Commissioner Miller** said, "Thank you. Then the other question is regarding the Ark Valley Lodge and this probably goes to Mr. Buchanan. Refresh my memory. I know that it would not be the 1999 budget year, was it 1998 budget cycle that we elected to basically utilize 425 . . . buy down our debt to the tune of \$425,000 by moving monies from this project that has been encumbered into our coffers?"

**Mr. Buchanan** said, "Commissioner Miller, I believe that's . . . I'll also have to check that one. I believe what we've done is, as you stated, in the 1998 budget we used some of those funds for the 1998 with the commitment to take a look at the year end, this year end, and see what the fund balance might be so that the transfer would occur back into the Ark Valley. I think that was the 1998 budget, but let me check for sure and get back to you."

**Commissioner Miller** said, "Okay, so we're going to check and see if indeed we have accumulated those funds so that that project can be brought back up to its original status."

**Mr. Buchanan** said, "Yes."

**Commissioner Miller** said, "Thank you. Thank you, Mr. Chairman."

**Chairman Schroeder** said, "Thank you. Commissioner Hancock."

**Commissioner Hancock** said, "We had budgeted something for the Ark Valley Lodge? I thought that was in conjunction with the church move?"

**Mr. Buchanan** said, "In about . . . I can't tell you Commissioner which year it was, but a couple of years ago we did budget \$800,000 or so for the rehabilitation of the Ark Valley Lodge. Those dollars were carried over for one or two years in the budget and I think Commissioner Miller is accurate and it was 1998 that we took some of that funds, I think \$400,000 of those funds to balance 1998. The issue is yes we did. That was a part of the rehabilitation tied to the move of the church and the construction of the jail. Subsequent to that decision being made to leave the church, museum, where it was, in a subsequent year's budget we also budgeted monies to rehab that building. So at some point we did take action to budget money for that building."

**Regular Meeting, October 21, 1998**

**Commissioner Hancock** said, "Okay, thank you. Thank you, Mr. Chairman."

**Chairman Schroeder** said, "Thank you. Other questions or comments? If not, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to receive and file.

Commissioner Miller seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you. Thanks, Ken. Next item please."

**H. KANSAS COLISEUM MONTHLY REPORT.**

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, "For the month of September, we had nine separate events, twenty three performances, and a total attendance of over 18,000 people. Highlights for the month of course were the Kansas Junior Livestock Show, Fall Circuit and Futurity, and we actually had a very good turnout for the September 12 Flea Market with over 4,000 people in attendance. We got a heck of a month coming up this month with Shania Twain next Tuesday. We had a great run with Wizard of Oz on Ice. We went on sale two weeks ago with WCW (World Championship Wrestling), which is a national televised event, sold it out in a couple of hours. It is nice to be able to be featured on live TV.

### **Regular Meeting, October 21, 1998**

“At the beginning of the year, we set some goals that we wanted to meet. One of the things that we wanted to do was try to more accurately determine what the expectations of our guest are. What we’ve done is commissioned a survey by the research center. They’re currently compiling the information. We should have that in the middle of next month. We also wanted to be able to say that we are selling 25% of all our tickets through Select-A-Seat and phone room. Right now we’re averaging about 16% overall. However, for the more popular events, the tickets that are higher in demand, such as Shania Twain and the WCW, we’re averaging about 23 to 24% of tickets sold over the phone. We’re currently operating at 71% of our goal of exceeding our budget by \$100,000. Right now we are 2% of our goal of 5% in an increase of events. If you have any questions, I’d be happy to answer them.”

**Chairman Schroeder** said, “John, appreciate your report. I had an opportunity to attend the ‘Oz on Ice’. I just wish you guys would do a little bit better security in keeping some people out of there. I had a lady in front of me with her kids and it was awful. Anyway, we had a great time other than the people setting around us. No, Betsy and I both were there with our families. It was a wonderful event. It was a great time. The kids enjoyed it. I just hope when it comes back that more of the community will see the fun in that and attend it. It was really a great performance.”

**Commissioner Gwin** said, “I’m going to challenge Mark to a tag team death match or something when the wrestling people come. You’ve got some other tickets going on sale Saturday.”

**Mr. Nath** said, “Saturday we have Aerosmith going on sale. It is going to be February 11.”

**Commissioner Gwin** said, “I’m ready.”

**Mr. Nath** said, “That’s two of the hottest tours in the country right now, Shania Twain and Aerosmith.”

**Chairman Schroeder** said, “Well, you’re doing a great job out there. Commissioner Miller.”

**Commissioner Miller** said, “Back to the ‘Oz on Ice’, it was an excellent performance. Everyone that I know went enjoyed it. Just as Mark was saying though, it seemed to not be as attended, is it because it is new for this area or what?”

**Regular Meeting, October 21, 1998**

**Mr. Nath** said, “Seven performances, it was simply very difficult to fill up all seven shows. I sometimes think that five performances would fit better in this market rather than seven. I think you get the same attendance over the five rather than spreading it out over seven. The show feels their performers are on contract and they’re contracted to perform seven shows so they are going to get everything out of it. We’re paying you, you’re going to do it.”

**Commissioner Miller** said, “Okay.”

**Chairman Schroeder** said, “It was a great time. Other questions or comments? If not, what’s the will of the Board?”

**MOTION**

Commissioner Miller moved to receive and file.

Commissioner Gwin seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, “Thank you, John. Next item please.”

**I. FLOOD CONTROL MONTHLY REPORT.**

**Mr. Steve Lackey**, Director, Wichita Public Works, greeted the Commissioners and said, “That’s a tough act to follow. Please bear with me. The monthly activities report for September for flood control includes mostly routine maintenance activities. I will tell you the first part of October, when we had heavy rains north of Wichita, the Big Ditch functioned and diverted a lot of the flood waters around the City. So we did have some flood waters that we had to manage.”

### **Regular Meeting, October 21, 1998**

“We have a contract with a farmer on part of our flood control right-of-way in that he will bale some of the grasses and hay on the project and we get a percentage of his product. So the number one item on your report indicates that we received 292 bales of hay from him. We store those and use them for erosion control and also to cover seed after we reseed certain areas of the floodway. That is a product that we derive from recycling actually.

“We inspected and cleaned 70 flap and sluice gates on the project. Our crews repaired eight gates along the west side of the floodway from 53rd Street North to 83rd Street South. On the north side of the floodway south of the intersection of Broadway and 63rd Street South. Repair work was also conducted on levees on 85th Street North and Hoover and 93rd Street North and West Street.

“Crews removed 362 cubic yards of debris from the Central Avenue log boom and on bridges on the Little Arkansas from 81st Street North to the Nims Street bridge. Also removed debris in the area of Murdock and also one of the levees out on Central that is associated with the flood control project.

“Crews also repaired over 7,000 linear feet of road and levees near 71st Street South and Hydraulic and also repaired slopes and levees near Haysville and the Seneca Street bridge. In addition, our employees read 220 stream and rainfall gauges along various locations on the project. A little over 500 acres of property was mowed on the project. If you have any questions, I’d be glad to answer those at this time.”

**Chairman Schroeder** said, “Steve, I see no questions, but I am curious. When you talk about the reading of the gauges, is that for our purpose or is that something that is required by the Corp of Engineers?”

**Mr. Lackey** said, “It is both. We do it for our purposes, to help us forecast where certain flows are going to occur, but we also transfer that information down to Tulsa to the Army Corp of Engineers and they use that in their forecasting through the whole water shed of the project. That is part of the agreement we have with the Corp on this project.”

**Chairman Schroeder** said, “Very good, thank you. Questions or comments? If not, what’s the will of the Board?”

**Regular Meeting, October 21, 1998**

**MOTION**

Commissioner Hancock moved to receive and file.

Commissioner Miller seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, “Thank you, Steve. Next item please.”

**J. METROPOLITAN AREA PLANNING DEPARTMENT MONTHLY REPORT.**

**Mr. Krout** said, “That black helicopter got me right back in here. We have, in the current Plans Division, another 49 cases in September. We have 480 cases filed, that compares to 508 in all of ‘97, so we continue a rapid pace of development. One of those cases is in the County, an expansion for the Sports World facility on Webb Road. That case will be on your Agenda next Wednesday.

“The Planning Commission also held hearings at the City Council’s request on possible changes to the regulations in the zoning code that concern tattooing and body piercing. You may have heard about that. The Planning Commission has recommended they be treated like other personal care services, which include chiropractors and licensed massage therapists and beauty and barber shops and would be permitted in Retail and Commercial and Industrial Districts. The City Council considered that issue. They’re in favor, apparently, of some more restrictive regulations, so they’ve sent that issue back to the Planning Commission because to override the Planning Commission required five votes on first consideration yesterday and they didn’t have five votes, as you may have read. So after the Planning Commission reconsiders it, the City Council will then take that issue up again in early November. Then we’ll be bringing that issue to you.

“As with vehicle storage, you have a choice as to whether or not to adopt rules that are recommended by the Planning Commission or rules that were adopted by the City Council.

### **Regular Meeting, October 21, 1998**

“The County Board of Zoning Appeals, which has seen not a lot of activity in recent years, did have a controversial case which lasted for a total of three months and finally did make a decision at their meeting last month. This involved an appeal of an administrative decision by County Code Enforcement as to whether or not a Non-Conforming Use had expanded its Non-Conforming Use rights. What we had was a metal recycling type of facility out in the Woodlawn and K-42 area, K-254 area. The County Board of Zoning Appeals upheld County Code Enforcement and decided that that use had gone beyond the bounds of what was permitted under the grandfathered use. We’ll see if that case continues on to court or not.

“In land use and research, in the Comprehensive Plan, we’ve been working on developing a couple of scenarios of future growth, long term growth for the community, trying to begin to figure out and develop assumptions for where and how the additional over 40,000 new dwelling units and over 100,000 people we expect over the next 30 years in the community, how they might be distributed. We’re going to be bringing that to the Advance Plans Committee for an initial review and comments at their meeting tomorrow.

“You may have heard also, you should have received our report, we contracted with the Research Center to conduct the survey and analyze the results of the citizen survey that dealt with planning and development issues. The Research Center presented the highlights of that survey and the results at the Planning Commission’s meeting last Thursday. I think there is a lot of interesting information in that. We’re still going through and beginning to look at tabulating some of that information by different geographic areas and different demographic variables. I think that will be an important input for the Planning Commission as they continue their work on updating the Comprehensive Plan.

“We also in September had a special stakeholders meeting. If you remember, we had seventeen meetings with various groups in the winter and spring months. We had an eighteenth meeting and this dealt with the area between Wichita and Derby. We called it the South Rock Road corridor, and it was really stimulated by an inquiry we had about a large scale development in that corridor in an area that doesn’t currently have municipal water or municipal sewer. We invited the stakeholders, people we thought were key stakeholders, who ought to be involved in those discussions. That included residents in that area, large property owners in that area, the City of Derby, Derby School District, McConnell Air Force Base, which owns a lot of property and a key stakeholder in that area and certainly has some views about development in that corridor.

### **Regular Meeting, October 21, 1998**

“We had an evening discussion. I can’t say that we reached a consensus on a particular approach to development in that area, but I think we had a lot of good discussion and are more aware about what the issues are. The residents in that area took seriously a challenge from one of the Planning Commissioners to try to sharpen their vision of what they would like to see for the future of that corridor and are working on a sort of citizen based plan that they would like to present to the Planning Commission in the next month or so. That will be, again, one of the inputs to the Comprehensive Planning process.

“The land use research people have also been involved in redistricting for the City Council over the past month. You probably have read about that, too. We hope that will come to a fairly speedy conclusion.

“In transportation plans, they spent a lot of time in the last month preparing fifteen different applications, working on the processing and all the meetings that led up to the development of applications for the Transportation Enhancement Grant. Fifteen different applications including several applications that the County has endorsed. Those have been completed and submitted to KDOT (Kansas Department of Transportation). I think we won’t hear until about March of next year as to which of those will be winners in the competition. We continue to work on railroad related issues. Both the central corridor, which the City endorsed the concept of sending out requests for proposals to begin the engineering for that process and also has continuing to work on the relocation of the trains that are now on Bailey Street. The eventual improvement of that corridor, but for the short time as you may have read, there will be an increase in traffic through this downtown and midtown area as the tracks are being improved.

“The Transportation Planning Division also reviewed some new material we received and we organized a presentation by the consultants working on the northwest corridor. The idea of transportation improvements included a possible new freeway out in the far northwest area, west of Wichita organized a presentation that was made by the consultants to the Planning Commission to keep them up to date on the status of that process. We expect that steering committee is going to be meeting sometime in November and the consultants indicated another public hearing probably scheduled sometime in December on that project.

### **Regular Meeting, October 21, 1998**

“We also worked with City and County Engineering to revise the mandated federal construction plans, both the five year plan and the three year TIP, Transportation Improvement Program, that is required to be submitted to KDOT and the Federal Highway Administration to account for the fact that we are now receiving both in the City and County side more federal funds. So the idea was to transfer some of the projects from local funding to federal funding to take advantage of that increased funding. That was accomplished also last month. If you have any questions, I’d be glad to answer them.”

**Chairman Schroeder** said, “There are some question, Marvin. Commissioner Hancock.”

**Commissioner Hancock** said, “Thank you. Marvin, a couple of things. First of all, I know you’ll be bringing the body piercing/ tattoo issue to the County. In preparation for that, could I suggest a couple of things that you may really want to take your staff or take to the Planning Commission or both, I’m not sure whose in charge of making those recommendations, but one I think you need a plan from the State Board of Cosmetology on how they plan to inspect these. They have a tough enough job doing what they have to do now. It is my view that this should come under the Kansas Department of Health and Environment and let them license them and inspect them. Two, and I’m wondering when we’re talking about licenses, how that is done, I know the State Board of Cosmotology issues a license, but I don’t know of any institution in the State of Kansas that teaches it so that they can take their examination for licensing. I’m not sure how that’s done. I’d like to know how that is performed in the State of Kansas. It may just be a case where those who are doing it now are automatically licensed, I don’t know. I’d like to know those two things in advance of our hearing that case for those located out in the County.

“The third thing is, and this is a little complaint from me. I think the Planning Commission ought to just go ahead and just zone most of south Wichita Mobile Home Park because just about every street that I go north on, there is another one being constructed. I’m just wondering when it is going to stop? When are we going to start locating some of these denser subdivisions, like mobile home parks in other parts of the City?”

**Mr. Krout** said, “That was one of the . . . I’ll pass that on to the Planning Commission.”

## Regular Meeting, October 21, 1998

**Commissioner Hancock** said, "Just go ahead and rezone it and get it over with because it just keeps creeping into neighborhoods everywhere. It doesn't make any difference whether they're houses or not. If it is in the south end and it is an open field, it is going to get a mobile home park, Marvin. I don't think it is fair for my citizens and constituents down there to have to deal with this density when nobody else is doing it. Now if you'll do a map of the County and see where those are located, I think you'll probably find 80% of those lots are located in one district, mine. I can't do anything about it in the City of Wichita, but I can darn well do something about it out in the County and I won't vote for one out there right now."

**Mr. Krout** said, "I understand your concern. The issue on South Rock Road was someone wanting to bring one to Chairman Schroeder's district, so maybe that would spread the wealth around a little bit for you. We did have people from the manufactured housing industry who were also at that meeting. In fact, they strongly attended it. There is a strong demand and we get calls all the time and I wouldn't say that we've been encouraging any of the requests."

**Commissioner Hancock** said, "Well no one wants to go out and challenge east or west because these guys have the bucks to hire the lawyers and fight the fight. The folks I'm talking about down there don't have the organization, they're older communities, there is no association down there and they don't have the money to hire the lawyers and fight the fight. Besides that, every time they do, you come back with 'well we have a long history of mobile home parks in the area, similar housing exists all over, so why not do it.' Well the excuse is not holding up for me any more. I'm getting tired of it down there. Spread them around. I'm sorry, Marvin, I apologize."

**Mr. Krout** said, "I would say we haven't recommended very many mobile home parks and especially in that area. There is probably a study I neglected to send to you because it was a City case where we indicated that there were several logical expansions where we didn't think anything else but an expansion of a mobile home park was a logical use but we also indicated in that study and again as we talked about the South Rock Road area, that there is still substantial vacant land that has been zoned for a long time for mobile home parks and can be used without zoning more land in that area. So we have used that to turn down other requests."

**Commissioner Hancock** said, "Thank you. That's all I had, Mr. Chairman."

**Chairman Schroeder** said, "Thank you. Commissioner Gwin."

**Commissioner Gwin** said, "Marvin, I started reading the survey that the Research Center did and I've received packet one or book one. It indicates that there is a second phase or second part of that that contains verbatim comments by district. When will we be getting that?"

### **Regular Meeting, October 21, 1998**

**Mr. Krout** said, "We're copying that as we speak. We'll be sending you copies of the verbatim comments."

**Commissioner Gwin** said, "Okay. I reviewed the first part and look forward to the second. Thanks. Thank you, Mr. Chairman."

**Chairman Schroeder** said, "Thank you. Commissioner Miller."

**Commissioner Miller** said, "Marvin, you've already commented on this, but in your actual back-up information it said that you've completed final alternative plans for the City Council redistricting."

**Mr. Krout** said, "Maybe at the time we thought it was the final plan. That was in September, that was the September final plan. Now we think maybe we have an October final plan."

**Commissioner Miller** said, "You do? MAPD or the CPO (Citizen's Participation Organization) or the Council?"

**Mr. Krout** said, "Well, the Planning Department recommended an option for the City Council and it was tied to what the Council did yesterday, which was to provide themselves more flexibility on the range of population within any City Council District. It was very narrow before, it was only 2%. So it had to be within 1,000 people more or less of that average of 55,000. An average election precinct is larger than 1,000 people, so it was very difficult to try to achieve that balance. By opening up the flexibility to 5%, which the Council did, they allowed us to look at other options. So there is a map in the newspaper this morning that describes our recommendation, which I think resolves the problem that the Willowbend and Teal Cove homeowners have. It probably means that there are still more changes ahead the next time we redistrict, but that will be on the basis of census information and not for another four or five years."

**Commissioner Miller** said, "Okay. Then, there was another comment that I wasn't aware that MAPD did, if I can find it. It had to do with environmental study that you did for the YWCA."

## Regular Meeting, October 21, 1998

**Mr. Krout** said, "The Planning Department gets about \$10,000 in funding to pay for a portion of one person's position and it is community development funding and his job is to do the mandated environmental reviews for all projects that go through the federal process. They involve physical alterations. They do need to go through an environmental review process. The process sometimes is very simple. It is usually very simple. It can become very complicated, for instance if the City uses money on the Eaton Hotel that will be a much more complicated environmental review. In this particular project the City had agreed to use community development funds to assist with some infrastructure improvements, sewer and road improvements adjacent to the new YMCA site on South Meridian."

**Commissioner Miller** said, "On this one? Is it YM or YW? I thought I saw YW, so that was why I was . . . that's the reason why I guess . . . YWCA. So it is not the YWCA, it is the YMCA. Okay, that maybe explains it then. Thank you."

**Chairman Schroeder** said, "Thank you. Marvin, with the redistrict issue with the City of Wichita, I'm not quite sure if I understand the timing of that. Why would . . . with elections around the corner, if they go much longer into the year, I would be a little bit concerned that maybe something like that shouldn't wait until after the current elections that are coming up. What does the law say? Are you folks aware?"

**Mr. Krout** said, "The City's Charter Ordinance requires them to complete their review and make their changes by the end of December. That still gives the election commissioner most of January to put any changes that she needs to put together and the very first meeting. It is up to the election commissioner to make sure they understood the process and they understood what her concerns were as we got closer to an election year. Hopefully it won't drag out that long."

**Chairman Schroeder** said, "That's good, because I know that could be a problem for them and for candidates and for residents. If this comes down to the wire and it becomes very confusing and there is a lot of misinformation, a lot of problems associated with a district change right before an election. It may not seem like it is right before, but three months from an election is pretty close. I just had some concerns about that."

**Mr. Krout** said, "The primaries will be earlier."

**Chairman Schroeder** said, "Yeah, I'm talking about the general that comes in April. Thank you, Marvin. Any other questions or comments? If not, what's the will of the Board?"

**Regular Meeting, October 21, 1998**

**MOTION**

Commissioner Gwin moved to receive and file.

Commissioner Winters seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thanks, Marvin. Next item please."

**K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' OCTOBER 15, 1998  
REGULAR MEETING.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the October 15 meeting of the Board of Bids and Contracts. There are six items for consideration.

**(1) ROUTER - INFORMATION SERVICES  
FUNDING: INFORMATION SERVICES**

"Items one and two are routers for Information Services for the external subscriber data bank. Item one, it was recommended to accept the only bid received of Cisco Systems to match existing equipment, \$19,448.

**(2) ROUTERS - INFORMATION SERVICES  
FUNDING: INFORMATION SERVICES**

"Item two, also from Cisco Systems, \$22,392.

**Regular Meeting, October 21, 1998**

**(3) FIFTH WHEEL TRACTOR WITH WINCH - FLEET MANAGEMENT**  
**FUNDING: FLEET MANAGEMENT**

“Item three is a fifth wheel tractor with winch for Fleet Management and the Bureau of Public Works. It was recommended to accept the low responsible proposal of Doonan Truck & Equipment of Wichita. That amount with trade-in is \$66,168.

**(4) FOUR DOOR SEDANS - FLEET MANAGEMENT**  
**FUNDING: FLEET MANAGEMENT**

“Item four, four door sedans for Fleet Management and the Department of Corrections and the Bureau of Public Works specifically. It was recommended to accept the low bid of Mel Hambelton Ford. That amount with trade is \$27,250.

**(5) ARTICULATED MOTOR GRADER - FLEET MANAGEMENT**  
**FUNDING: FLEET MANAGEMENT**

“Item five is an articulated motor grader for Fleet Management and the Bureau of Public Works. It was recommended to accept the low proposal of Murphy Tractor. That amount is \$125,521.77. Four pages of synopsis of the recommendation follows.

**(6) PERSONAL COMPUTER HARDWARE & SOFTWARE - FLEET MANAGEMENT**  
**FUNDING: FLEET MANAGEMENT**

“Item six, personal computer hardware and software for Fleet Management for their network. It was recommended to accept the low bid of Computerland East for computer items, \$15,664, and the remaining items, including installation from Ikon Technology Services, that amount \$25,987.38. The grand total is \$41,651.38. A complete tabulation follows.

**Regular Meeting, October 21, 1998**

**ITEMS NOT REQUIRING BOCC ACTION**

- (7) **EQUIPMENT MAINTENANCE - INFORMATION SERVICES**  
**FUNDING: INFORMATION SERVICES**
  
- (8) **PREVENTION EARLY INTERVENTION GRANT FUNDS - DIVISION OF HUMAN SERVICES**  
**FUNDING: DIVISION OF HUMAN SERVICES**

“There are two items that do not require action at this particular time, those include equipment maintenance for Emergency Services. Those proposals are tabled and are being review. The receipt of proposals for the Prevention Early Intervention Grant Funds for Division of Human Services, those items are also being reviewed. I’ll be happy to take questions and recommend approval of the Minutes provided by the Board of Bids and Contracts.”

**Chairman Schroeder** said, “Thank you, Darren. Questions? If not, what’s the will of the Board?”

**MOTION**

Commissioner Hancock moved to approve the recommendations of the Board of Bids and Contracts.

Commissioner Gwin seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, “Thank you. Next item please.”

Regular Meeting, October 21, 1998

**CONSENT AGENDA**

**L. CONSENT AGENDA.**

**1. Right-of-Way Instruments.**

Four Easements for Right-of-Way, six Temporary Construction Easements and two Easements for Drainage for Sedgwick County Project No. 827-V, W; Oliver between 47th and 63rd Streets South. CIP #R-212. District #5.

**2. Section 8 Housing Assistance Payment Contract.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V98046	\$250.00	2	Sarah Lane Apartments

**3. The following Section 8 Housing Contract is being amended to reflect a revised monthly amount due to a change in the income level of the participating client.**

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
C74002	\$327.00	\$418.00

**4. Agreements (three) with Zachary House, Inc., RISE, Inc. and Family First Health Care, Inc. to provide Developmental Disability Community Service Provider status.**

**5. Agreement with Davis & Jack L.L.C. to provide on-line access to Sedgwick County's electronic data.**

**6. Donations totaling \$145 to COMCARE's Homeless and Suicide Prevention Programs.**

**7. Establishment of an imprest (petty cash) fund in the amount of \$100 for the Kansas Coliseum.**

**Regular Meeting, October 21, 1998**

- 8. Order dated October 14, 1998 to correct tax roll for change of assessment.**
- 9. Consideration of the Check Register of October 16, 1998.**
- 10. Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
980507	County Clerk	Transfer
980508	District Attorney	Transfer
980509	Capital Projects	Supplemental Appropriation
980510	Sheriff	Transfer
980511	Election	
	Commissioner	Transfer
980512	Purchasing	Transfer
980513	Emergency	
	Medical Service	Transfer
980514	District Attorney	
	Project Freedom	
	Truancy	Supplemental Appropriation
980515	Corrections	Transfer
980516	Corrections	Transfer
980517	Corrections	Supplemental Appropriation
980518	Aging	Supplemental Appropriation
980519	Aging	Supplemental Appropriation
980520	Aging	Appropriation Reduction

**Mr. Buchanan** said, "Commissioners, you have the Consent Agenda and I would recommend you approve it."

**MOTION**

Commissioner Hancock moved to approve the Consent Agenda as presented.

Commissioner Gwin seconded the Motion.

There was no discussion on the Motion, the vote was called.

**Regular Meeting, October 21, 1998**

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you. I'll recess the Regular Meeting."

**The Board of Sedgwick County Commissioners recessed to the Fire District meeting at 10:36 a.m. and returned at 10:41.**

**Chairman Pro Tem Hancock** said, "I'll call back to order the Regular Meeting of the County Commissioners. Is there any further business?"

**M. OTHER**

**MOTION**

Commissioner Hancock moved that the Board of County Commissioners recess into Executive Session for 20 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to legal advice and preliminary discussions relating to acquisition of real property for public purposes and that the Board of County Commissioners return from Executive Session no sooner than 11:05 a.m.

Commissioner Winters seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Regular Meeting, October 21, 1998**

**Chairman Pro Tem Hancock** said, "We are recessed into Executive Session."

**The Board of Sedgwick County Commissioners recessed into Executive Session at 10:41 and returned at 11:27 a.m.**

**Chairman Schroeder** said, "We're back in session. Let the record show there was no binding action taken in Executive Session. Any other business? If not, we're adjourned."

**N. ADJOURNMENT**

**Regular Meeting, October 21, 1998**

There being no other business to come before the Board, the Meeting was adjourned at 11:28 a.m.

**BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS**

\_\_\_\_\_  
**MARK F. SCHROEDER**, Chairman  
Fifth District

\_\_\_\_\_  
**PAUL W. HANCOCK**, Chairman Pro Tem  
Second District

\_\_\_\_\_  
**BETSY GWIN**, Commissioner  
First District

\_\_\_\_\_  
**THOMAS G. WINTERS**, Commissioner  
Third District

\_\_\_\_\_  
**MELODY C. MILLER**, Commissioner  
Fourth District

ATTEST:

\_\_\_\_\_  
**James Alford**, County Clerk

APPROVED:

\_\_\_\_\_, 1998