

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

### **REGULAR MEETING**

**DECEMBER 22, 1999**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, December 22, 1999 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Bill Hancock; with the following present: Chair Pro Tem Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Marilyn Cook, Assistant Director, Division of Human Services; Ms. Annette Graham, Director, Department of Aging; Ms. Irene Hart, Director, Division of Community Development; Mr. Kenneth W. Arnold, Director, Capital Projects Department; Ms. Ellen House, District Court Administrator, Eighteenth Judicial District; Mr. Jim Weber, P.E., Director, Sewer Operations & Maintenance; Dr. Charles Magruder, M.D., MPH, Director, Community Health; Mr. Marvin Krout, Director, MAPD; Mr. John Nath, Director, Kansas Coliseum; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Heather J. Knoblock, Deputy County Clerk.

### **GUESTS**

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C.  
Ms. Natalie Stephenson, 1540 Freedom Road, Wichita, Ks.  
Mr. John Kraft, 1551 N. 143rd St. E., Wichita, Ks.  
Mr. Dennis Hanson, 1441 Sport-of-Kings, Wichita, Ks.  
Mr. Kyle Stephenson, 1540 Freedom Road, Wichita, Ks.  
Mr. Bill Malabak, 1421 N. Sport-of-Kings, Wichita, Ks.  
Mr. Tim Durkin, 1415 N. 143rd St. E., Wichita, Ks.  
Mr. Larry Drews, 15101 Sundance, Wichita, Ks.  
Mr. Jeff Flack, 14621 Sport-of-Kings, Wichita, Ks.  
Ms. Geri Appel, 1668 N. Sagebrush, Wichita, Ks.  
Mr. Andrew Mittag, 14801 Sundance, Wichita, Ks.  
Ms. Lisa Vayden, 1440 Sport-of-Kings, Wichita, Ks.  
Mr. Bob Asmann, 14301 Wentworth, Wichita, Ks.  
Ms. Carol Ramsey, 940 N. Sagebrush, Wichita, Ks.  
Mr. Archie Adams, 14909 Tipperary Circle, Wichita, Ks.  
Mr. Dick Kunkle, 718 S. Maize, Wichita, Ks.  
Mr Robert Ramsey, 940 N. Stagecoach, Wichita, Ks.

**Regular Meeting, December 22, 1999**

Mr. Jim Reilly, 800 N. Stagecoach, Wichita, Ks.  
Mr. Michael Murphy, 14021 North Point Drive, Wichita, Ks.

**GUESTS (Con't)**

Mr. Paul Stephenson, 14031 North Point Court, Wichita, Ks.  
Mr. Allen Humbolt, 14921 Sharon Lane, Wichita, Ks.

**INVOCATION**

The Invocation was given by Deacon Ron Ealey, of the Holy Savior Catholic Church.

**FLAG SALUTE**

**ROLL CALL**

The Clerk reported, after calling roll, that all Commissioners were present.

**CONSIDERATIONS OF MINUTES:      **Regular Meeting, November 17, 1999****

The Clerk reported that all Commissioners were present at the Regular Meeting of November 17, 1999.

**Chairman Hancock** said, "Commissioners, you received copies of those Minutes for your review, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the Minutes of the Regular Meeting of November 17, 1999.

Commissioner McGinn seconded the Motion.

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

**Regular Meeting, December 22, 1999**

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you. Item A has been published as a ten o'clock item, so we will defer Item A until 10:00 a.m. We will start with new business Item B."

**NEW BUSINESS**

**B. STATEMENT OF COMMISSION PRIORITIES FOR THE 2001 ANNUAL BUDGET PROCESS.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "We began a process a couple of months ago to review what the priorities will be for Sedgwick County in the next fiscal year and for the next budget process. Those priorities would be tied together with our mission statement and our goals. We worked over the past several months. We heard from some experts about technology. We heard from some people, from Marvin and others, who provided information for us regarding demographics of this community, and how that might affect your decision making process, about how to allocate resources. We certainly heard about the importance of economic development and quality of life issues. Of course, we have worked over the past several years to develop partnerships, including Compact 2000, which is a direct partnership with the City of Wichita.

"From those work sessions that you participated in over the past several months, in the last couple of weeks we have worked at word smithing those priority statements to guide staff in developing some programs for you to examine. These statements would be used for staff then to develop projects to be submitted to you for your approval for allocation of resources. I would like to review those with you.

## Regular Meeting, December 22, 1999

### SLIDE PRESENTATION

"The first statement has to do with youth services, clearly a priority for us. The first statement says, 'Sedgwick County will continue to explore, promote, support educational, prevention, intervention, and where warranted detention and correctional measures aimed at community youth.' We have been involved in JJA. This is a statement that we will continue to do that as a priority. We continue to involve ourselves in prevention and intervention programs, education in some respects, and, finally, when those things don't work, the solution at the end of the spectrum is detention and correction measures. This would allow departments to go ahead, staff departments and others to present to you programs that could fit into this priority statement and then we will review those programs and decide how we will spend the resources. You will do that.

"The process of improving collaboration: this is about how Sedgwick County will explore new and expanded opportunities for improving the efficiency and effectiveness of the services we provide through both internal efforts and collaboration with other local governments. You certainly are aware of the efforts to do that through Compact 2000. You are aware that Chris Chronis and others are meeting with U.S.D. 259 and the City of Wichita to explore some other internal operations that could be worked out jointly. They're reviewing four different initiatives. A survey is being prepared and that will be sent. You know that we work with the small cities throughout this County on issues. Last week we did a presentation regarding recycling. We have worked very closely with the City of Derby and will continue to do so on some road improvements. I will be bringing you, Commissioner Sciortino will be bringing you a proposal that I am working on with him about some recreational opportunities soon. So we continue that. This priority statement is a commitment for us to proceed to do those things.

"Demographics, Sedgwick County will endeavor to adapt the mix of services we provide to reflect the needs of the changing population we serve. We know, because of the baby boomers who are reaching 50, certainly evidenced this month by the Chairman of the Board of County Commissioners, who hit that mile stone which we've been celebrating for weeks. Some of us have been there and done that. Better stop now, Commissioner."

**Chairman Hancock** said, "I still look 39."

## Regular Meeting, December 22, 1999

**Mr. Buchanan** said, "I know. With that increased population, what is that going to do to transportation systems, for the Department on Aging and the services they deliver, the recreation and parks that we deliver. Do we need to take that into consideration? Sure we do. How do we go about that? Demographics are changing because of the number of minorities that continue to increase. How will we work in a society in this organization and in the community with a more diverse population? Those issues will be in front of us regarding those demographics.

"Economic development has been a cornerstone of what Sedgwick County has done. With the demise and death of the WISE organization several years ago, Sedgwick County jumped in and became a partner with the Chamber of Commerce. We continued that partnership about economic development. We entered into that contract with them two or three years ago to do that. We have narrowed the definition of what economic development means. It is to invest in technology and infrastructure and the quality of a work force to support an economic base which is globally competitive.

"We want to talk about technology. We think that is important. Certainly roads and that whole infrastructure of how goods and services are moved around this community and out of this community are essential. Finally, the quality of the work force that we have struggled with over the past several years are also elements of economic development. When we say diverse, we just don't mean diversity for the sake of doing things that aren't aircraft related. Aircraft is certainly an important component. Over the past several years the Sedgwick County economy has been diverse. It has not depended as much on the aircraft industry as it has in the past. Also with the word diverse, we need to take into consideration the whole agribusiness community. It has been an important component of the Sedgwick County economy and the State of Kansas economy. It needs to remain so. What is our involvement in that process.

"Finally, the whole issue of globally competitive. We know that we are in a competitive market and we know that with NAFTA and rail lines and I-35, our economy is tied to what happens south of the border and north of the border and certainly across the oceans. So how do we effectively play and be a partner in that process?

## **Regular Meeting, December 22, 1999**

"Finally, the whole issue of quality of life. The purpose of what we do in Sedgwick County is to devote our resources to being safe. Our priorities over the past decade or so has been wrapped around public safety. The building of the first new jail and the addition recently. The investment in increasing Sheriff's Officers. The increase of providing funds to the District Attorney for more prosecutors has all been about developing and spending our resources to make the community safe. Now we're also talking about health in communities for residences: this is economically and socially and environmentally and physically. The four critical elements that make a community what it is and makes it a community in which we should want to live and work and play and makes a community a quality place. We've talked a little bit about the economy; socially, environmentally and physically. Socially we have invested significant amounts of dollars, \$20,000,000 in Exploration Place. We're all excited about that possibility and when that opens, how will that effect this community and I think it will impact the community in some significant ways. We've contributed to the development of Old Town when it was first started. That was important not only economically but socially.

"Environmentally, we are moving away from the landfill that will close. We will not have landfills and pollute ground water in this County any longer from that source. Not from new sources of dumping trash in this community. The issues of ground water and our participation has been important but we haven't taken the lead, certainly at Gilbert-Mosley as the City has, but our role in making sure that tax abatements were there and tax increment financing existed. We will soon see that effort finally turn into getting some cleaner water. That work should start soon, so that the Gilbert-Mosley water will be clean.

"The whole issue about physically the community and the quality of life. What does that mean? We will start to bring our own definitions to the table about that. It means a clean, attractive community. Those are the issues, those five issues of youth services, improvement in collaboration, demographics, economic development and quality of life are issues that we are recommending that you approve as the priority statements for Sedgwick County."

**Chairman Hancock** said, "Thank you, Bill. Commissioner Winters."

**Commissioner Winters** said, "Thank you. Mr. Manager, I want to thank you and your staff for putting this together. In the budget processes that I've been through in the past, I don't think we've quite started a budget process in this manner. I think this is an excellent start up of the process of looking at the 2001 budget. I'd also say thanks to Phil Hanes and Stephanie Payton as they certainly did some good work on putting our thoughts together in a real cohesive manner.

## Regular Meeting, December 22, 1999

"I'm going to be supportive of these and don't want to start word smithing it this morning, but the only thing I would like us to think about is the youth services category. Youth services is a term that has been around here for a while. Yet, as we start to look, I think we are looking with new eyes on children's issues, young people's issues, juvenile justice issues. Somehow, I think there is a new sense there. The legislature is certainly concerned about this issue and working in partnerships with counties and judicial districts all across the state as we look at juvenile issues. I'm certainly going to want to leave it as it is today as youth services, but as we go through the next several months, those creative minds on your staff and here on the Commission bench, maybe there is some way we could give that a new term, thrust, or emphasis in talking about youth services. Again, I think we're kind of on a new frontier here and I would like to give it a new perspective.

"The other comment I would make is under economic development and the quality of the work force. I think that is extremely important. Whenever we listen to business and industry talk about reasons why they select certain places to expand and grow their businesses and bring businesses to, at the very top of their list is the quality of the work force and what that is all about. Then, jumping back to even the youth services part of the equation, we know that the more opportunities and the better educated our young people are, the better and more opportunities they have and the more opportunities our young people have, the fewer of them end up in some kind of juvenile justice or legal system problem. I think there is a real connection between how we help work our work force and how we help give young people opportunity and make sure they've got the education they need to get good jobs and be employed.

"I commend you and the staff and the Commissioners. We had a couple of hours of, I think, just excellent discussion in talking about these objectives. I think this is a good start. Thank you."

**Chairman Hancock** said, "Thank you, Commissioner. Commissioners, further questions? I want to echo what Commissioner Winters said. This is really a good piece of work. This is the first time we've ever approached our priorities this way, where we actually sat down and had the opportunity where all of us together reviewed them. I know in the past the Manager and staff have taken some time to come to each Commissioner talking about the budget priorities. The budget is a policy document. It clearly spells out what our focus will be on that particular budget year and where our priorities are. That is the correct word, priorities. I might urge the Commissioners, if there are other priorities that should be on this, and I don't know what they are at this time, certainly don't be bashful about adding them to the list.

**Regular Meeting, December 22, 1999**

"Commissioner Winters, as far as youth services, that is one area where we may have to decide when we are given a particular pool of money that we intend to spend in the year 2001. We just may want to take a little bit more of that money than we have in the past and put that on that particular item and emphasize that over our other priorities. It is probably a pretty good idea. It is going to be important for us to make that kind of investment in our youth. I especially like the idea of investing it in us older citizens. You can go the youth route if you like. Anyway, this is a good process and I appreciate and want to thank the Manager and Phil and Stephanie for the work they've done in this. This is harder than you would think. It is more difficult to come up with these than you would think. It is very good. Thank you, very much. Commissioners, anything else on this item?"

**MOTION**

Commissioner Winters moved to approve the Statement of Commission Priorities and direct staff to consider these Priorities in planning programs and services for the 2001 budget.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you. Thank you, Bill. Next item please."

**Regular Meeting, December 22, 1999**

**C. AGREEMENT WITH KANSAS PUBLIC TELECOMMUNICATIONS SERVICE, INC. TO PROVIDE LIVE TELEVISION COVERAGE OF REGULAR COUNTY COMMISSION MEETINGS.**

**Ms. Kristi Zukovich**, Communications Director, greeted the Commissioners and said, "I have before you today an agreement so we may continue to have the live broadcast of the Commission meetings through the year 2000. We have had this partnership with Channel 8 for a number of years now. It provides us an opportunity to bring the issues that we are dealing with at Sedgwick County to the people who cannot make it to our meetings on Wednesday morning or if they chose to see one of the rebroadcasts later in the week. It does afford us that opportunity to get this information out to them. I do have an agreement that I would recommend that the Chairman be authorized to sign so we will be able to continue through 2000."

**Chairman Hancock** said, "Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you Mr. Chairman. Kristi, is there an increase in the amount of monies that we have to pay for this service over last years agreement?"

**Ms. Zukovich** said, "No, this is the same we had for 1999."

**Commissioner Sciortino** said, "I want to make it very clear that I have absolutely no problem with KPTS and the way they've been servicing us. I think it is marvelous. But have we ever solicited to see if any of the other television stations might be interested in our business or cable television, what have you?"

**Ms. Zukovich** said, "I am not aware that that has been done in the past. It has generally been, because this is the time that the Commission meets, that trying to find a station that is willing to run this live for us, that we have continued with Channel 8. I know we have been looking at the possibilities of even having our own government channel and we'll continue to look at that through the year 2000."

**Commissioner Sciortino** said, "Thank you."

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

**Commissioner McGinn** said, "I just have a quick question. We have a minimum amount for 50 meetings. If we meet less than 50, we still pay that, is that how I read that?"

## Regular Meeting, December 22, 1999

**Ms. Zukovich** said, "We still pay. We generally have a couple of meetings through the year that we do not meet, the Commissioners do not meet. So we have allocated for those two that we do not think that we will be here. There is additional time when our meetings are generally held between the hours of 9:00 and 11:00, that we are scheduled to pay for. If we go beyond 11:00, we are charged that additional time. We've set it as a minimum of 50 meetings."

**Commissioner McGinn** said, "Thank you."

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

**Commissioner Winters** said, "Thank you. I see Dale Goter standing behind the podium and was going to ask if he had any comments or wants to make any comments today."

**Mr. Dale Goter**, Director of Production and Public Affairs, Channel 8, greeted the Commissioners and said, "We just affirm that we have not changed this rate for several years. It is certainly acceptable to us. We have talked in the last couple of years, and Chairman Hancock was involved as well, we have some periodic concern about giving up that morning time for the meeting which is part of our children's programing block and we've wrestled with that but we continue to think this is a priority for us, as well, and we're working around that. Down the road there may be some alternatives to that but, for now, we are happy with it and hope you are happy with it."

"With regard to the partial hour billing, that is a change. I think the last three or four years, we used to bill you for the whole hour and we've made that concession the last few years that we only bill for the quarter hour. I'd just like to add that I remember listening to the presentation by Mr. Buchanan in terms of the County's priorities, how much of that is similar to our own agenda and the funding that we get from the County helps us carry that out. In terms of youth services for example, we're entering into a proposal with other public television stations with the Kansas Health Foundation on children's health issues and there will be a major programming initiative with a number of outreach elements as well over the next year. Also, in terms of the economic development and education aspects to the different learning things we do, offering alternative degrees for people. We like to think that programs like that and Reading Rainbow and Ready To Read and all those programs add to the educational component of the community as well. I know that is important to you as well."

## Regular Meeting, December 22, 1999

"On the diversity side, this last year we started a new program called ZIGO, which seeks to do the same thing. The Mayor has probably gotten a little more press than you have recently on that issue, but it is something that we're looking at as well. We'd encourage you to look at that program and think of it in terms of your objectives as well. We are kind of on the same track there. So the funding that we get from the County generally helps support all of those elements. Hope that enhances the value of it.

"The last thing I would add is, as of this year, we are interconnected through a microwave network with the other public television stations. On January 7, we'll begin my program, Kansas Week on Friday nights at 8:30 and we'll be on live all across the state eventually by February. It is an opportunity for us programming-wise for us to do a better job of covering state legislature and relaying that agenda to the viewership as well and maybe there are some opportunities down the road for County elements in that as well. Just something to think about down the road. Those are the things we have on the agenda."

**Commissioner Winters** said, "Thank you. I appreciate those comments. I had been very pleased with our relationship with KPTS. Certainly your station is one of those that you think about if I had to cut out all that 100 opportunities I have for stations, which two or three would I keep. Yours would certainly be one of the two or three that a person would want to keep on the dial. So, I think we have had a good relationship and I certainly do watch a number of your programs. As you mentioned, Kansas Week and Review, Kansas Focus, I was interested in last Friday's program, an hour long program. I thought it was really a pretty good discussion. I thought there was one piece from Texas that I didn't know whether that was quite a great deal or not. I think you do bring a good service to the community and give people in elected positions an opportunity to express themselves. I think that is very worth while. I hope you keep up that good work."

**Mr. Goter** said, "I would just note also that one difference this last year, we initiated 'County on Camera' elements with the Commissioners being involved in short interviews with Kristi who is doing a real nice job on that. I think that is a way to improve the quality of what we provide during this block of time, rather than just a slate, if you're in Executive Session. We're going to pursue that again, I hope, this next year and try to enhance that. The other thought I had is I know viewership is always a concern but perhaps there is something we can do in terms of the agenda promotion this year. Perhaps putting up a PSA up of some sort, so, if you have something notable on the agenda often that is probably lost to people who aren't keeping track, maybe we can do something like that to help better educate and inform your constituency."

**Commissioner Winters** said, "Thank you."

**Regular Meeting, December 22, 1999**

**Chairman Hancock** said, "Thank you, Commissioner. Commissioners, further questions or comments? If not, the Chair would entertain a motion."

**MOTION**

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

Commissioner McGinn seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you for being here today. Next item please."

**D. DIVISION OF HUMAN SERVICES.**

**1. AMENDMENT TO CONTRACT WITH JOB READINESS TRAINING FOR PSYCHOSOCIAL GROUP SERVICES.**

**Ms. Marilyn Cook**, Assistant Director, COMCARE, greeted the Commissioners and said, "We're here with an amendment to an original contract with the Job Readiness Training that was set up as an interim agreement initially, to serve children who were previously receiving services from Job Readiness Training from Wichita Child Guidance Center. At that time, in July, we were under initial negotiations with that group and you did not get to meet the staff involved. One of the staff members, Mr. Daniel Thompson, who is the co-owner and director of the Job Readiness Training Program is here, if you could just stand up and let them see who you are."

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

## **Regular Meeting, December 22, 1999**

**Ms. Cook** said, "The Job Readiness Training provides psychosocial treatment groups to youth who are 12 to 15 years old with an emphasis on developing job skills that are necessary for maintaining entry level jobs. This service focuses on education and self-esteem and they provide youth with positive community service opportunities. COMCARE's children programs view this job readiness training program as a very important component in a treatment plan for the older severely emotionally disturbed youth we are serving. The development of a full year contract has been delayed. We have some questions with the state on that so this is an extension of the interim contract and that makes this one necessary to continue to provide services to these children. The original contract compensation was limited to \$10,000. This amendment increases that amount to no more than \$56,000 and it extends the term through January 31 of the year 2000. We hope to have a full year contract at that point.

"The money for this contract, the original \$10,000, is coming from our federal funds. The money for this additional amount is coming from Mental Health Reform funds. I'd be happy to answer any questions that you might have."

**Chairman Hancock** said, "Thank you, Marilyn. Commissioners, questions on this item?"

**Commissioner Gwin** said, "Just a question on the backup. When you said it increases the compensation to \$56,000?"

**Ms. Cook** said, "It increases it \$46,000 to no more than \$56,000. The original one was for \$10,000."

**Commissioner Gwin** said, "Okay. Then it extends the term through January 31 of 2000?"

**Ms. Cook** said, "Right."

**Commissioner Gwin** said, "From what I can see, there are typos on our backup regarding that. But if your numbers are right, then that's what we'll use. Thank you."

**Chairman Hancock** said, "It says in our backup that we're going to extend it through next Friday."

**Commissioner Sciortino** said, "It also says the additional cost is only \$36,000."

**Chairman Hancock** said, "We've got it fixed so we'll take care of it, unless you just want to go through next Friday, Marilyn."

**Regular Meeting, December 22, 1999**

**Ms. Cook** said, "No, I don't think so."

**Chairman Hancock** said, "Okay, pretty expensive program for a week."

**Ms. Cook** said, "We've had a lot of trouble getting answers to two specific questions we have with the State, since it is so close to the holidays. That's why we decided to wait that extra month and, hopefully, we'll have the full contract at that point."

**Chairman Hancock** said, "Thank you. Commissioners, further questions?"

**MOTION**

Commissioner Gwin moved to approve the Contract as presented by Ms. Cook and authorize the Chairman to sign.

Commissioner McGinn seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**2. AMENDMENT TO CONTRACT WITH GUADALUPE CLINIC FOR HEALTH SCREENING AND PRESCRIPTION VOUCHER PROGRAM.**

**Ms. Annette Graham**, Director, Department on Aging, greeted the Commissioners and said, "This contract is funded through the Aging mill levy funds. It is a mill levy contract for 1999 and it is with the Guadalupe Clinic. They provide health services to low income elderly in our County. This amendment request is to move \$1,000 from the services to purchase supplies to provide prescription voucher services

**Regular Meeting, December 22, 1999**

to increase their ability to meet the needs of the community."

**Chairman Hancock** said, "Commissioners, questions on this item? If not, what's the will of the Board?"

**MOTION**

Commissioner Sciortino moved to approve the Amendment to Contract and authorize the Chairman to sign.

Commissioner Winters seconded the Motion.

**Chairman Hancock** said, "Annette, as far as supplies will go, this will work out for them okay?"

**Ms. Graham** said, "Right. They found more need was coming up in the community for the prescription vouchers rather than supplies."

**Chairman Hancock** said, "It's a good program. Thank you. Further discussion?"

**Commissioner Sciortino** said, "I have a lot of first hand knowledge with the Guadalupe Clinic having served as a translator there for many years. I have yet to find a clinic that can milk more need out of each dollar they get than this clinic. I think they're doing a fantastic job. I just wanted to mention that publicly."

**Chairman Hancock** said, "Thank you. It is good to hear. Further discussion? If not, Clerk call the vote please."

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**Regular Meeting, December 22, 1999**

**3. FIRST AMENDMENT TO SERVICE PROVIDER AGREEMENT WITH THE SECRETARY OF AGING, KANSAS DEPARTMENT ON AGING, FOR THE INCOME ELIGIBLE HOME CARE PROGRAM.**

**Ms. Graham** said, "The Income Eligible Program provides continued services to assist the elderly participants and their family meet their in home needs. The application for these services approved by the Board of County Commissioners in July of 1999 subsequent to that approval, the Kansas Department on Aging made some changes to their original agreement. These changes involve the duties and responsibilities relating to the implementation of data entry, compensation and billing and payment processes. No additional funding requirements are needed, this is just to approve the changes in the contract with the Kansas Department on Aging."

**Chairman Hancock** said, "Thank you. Commissioners, questions on this item? If not, the Chair would entertain a motion."

**MOTION**

Commissioner Gwin moved to approve the First Amendment to Service Provider Agreement and authorize the Chairman to sign.

Commissioner McGinn seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**Regular Meeting, December 22, 1999**

**4. AMENDMENTS TO CONTRACTS (SEVEN) PROVIDING SERVICES TO OLDER INDIVIDUALS IN SEDGWICK COUNTY.**

- ! AMERICAN RED CROSS - COLVIN SENIOR CENTER: \$120**
- ! CITY OF PARK CITY - PARK CITY SENIOR CENTER: \$234**
- ! NATIONAL HISPANIC COUNCIL ON AGING OF WICHITA - LA FAMILIA SENIOR CENTER: \$1,544**
- ! MEDICAL SERVICES BUREAU - PLUS MEDICAL SERVICES FOR SENIORS: \$5,150**
- ! CATHOLIC CHARITIES - ADULT DAY SERVICES: \$8,150**
- ! OAKLAWN IMPROVEMENT DISTRICT - OAKLAWN SENIOR CENTER: \$750**
- ! CITY OF DERBY - DERBY SENIOR CENTER: \$1,500**

**Ms. Graham** said, "These contracts are funded through the Aging mill levy funds. Seven providers have requested the available year end funds. The Sedgwick County Council on Aging has approved the following requests. These funds, which are utilization of year end funds, will be used for prescriptions, adult day care, senior center information board, a sound system, chairs, and senior center bus repairs. The agencies that are requesting the year end funds are the Colvin Senior Center, Park City Senior Center, La Familia Senior Center, Medical Services Bureau, Catholic Charities - Adult Day Services, Oaklawn Senior Center, and Derby Senior Center."

**Chairman Hancock** said, "Thank you, Annette. Commissioners, questions on this item? If not, the Chair would entertain a motion."

**Regular Meeting, December 22, 1999**

**MOTION**

Commissioner McGinn moved to approve the Amendments to Contracts and authorize the Chairman to sign.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you, Annette. Next item please."

**E. AGREEMENTS (TWO) WITH SEDGWICK COUNTY CONSERVATION DISTRICT.**

**1. PERFORM A STUDY/INVENTORY OF WETLAND AND RIPARIAN AREAS WITHIN SEDGWICK COUNTY.**

**Ms. Irene Hart**, Director, Division of Community Development, greeted the Commissioners and said, "Over the past couple of years, we've been evaluating the system and the agencies and the programs regarding conserving national resources in Sedgwick County. We learned that there are a number of different regulatory and advocacy agencies, that the system is highly fragmented, and each one of those agencies has a very narrow area of jurisdiction. We've found that planning is fragmented and often times any response from those agencies is a reactive response rather than a proactive thoughtful response. We found that each one of those agencies has a different type of jurisdiction. There may be a drainage basin jurisdiction, maybe a state wide jurisdiction, there may be a district multi-county jurisdiction. But there

## **Regular Meeting, December 22, 1999**

was no way to pull those different interests together for the benefit of looking strictly at Sedgwick County and the needs and resources and problems within Sedgwick County.

"We also found that as the County continues to urbanize, there is increasing pressure upon the natural resources in our County. For 1999, the Commission had approved two initiatives. One was to establish a technical advisory group composed of 12 to 14 of the different advocacy and regulatory agencies. Those range from the Core of Engineers to the Health Department to the Planning Department to the State Water Department. Like I said, there is 10 or 12 or 14, some I've never even heard of, and didn't realize the impact or jurisdiction they had over the land and water in Sedgwick County. This group has begun to meet regularly. They've begun to coordinate efforts and they have established priorities and identified the needs they see in Sedgwick County that need to be addressed as soon as possible.

"The second thing that you all did in 1999 was to establish a Conservation Action Grant Fund in the budget to be used to make a difference, to begin to implement and address those priorities that have been agreed upon. This year, that advisory group spent considerable time exploring the issues and setting their priorities. They recommend the programs to you for which I have contracts today.

"The first one of those contracts is a contract with the Sedgwick County Conservation District. They've received a grant from EPA to identify the wetlands and the sensitive areas within Sedgwick County so that we don't have a uniform map that everyone agrees as to where the wetlands are, where there may be sensitive natural areas.

"The funding that they have will allow them to produce a map within two years. We thought two years was a long way out so this first contract for \$10,000, which will allow them to hire additional part-time staff to complete the field work and the map work and get that done within one year. So the first contract is with the Conservation District for \$10,000 to accomplish the task. I would go on to say though that Dewey Sanders from the Conservation District is here in case you have any questions on this or the next contract."

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

**Commissioner McGinn** said, "Thank you, Mr. Chairman. I would like to hear from Dewey Sanders after I make a few comments. I know Dewey always has good things to comment about. I just want to share a little bit as non-point source pollution starts becoming a topic here and it certainly is going to be. It has been, but because of the T.M.D.L., total maximum daily load, coming here and they're going to be

### **Regular Meeting, December 22, 1999**

established for the lower Arkansas River here, in June or July, I think it is. They're working on those levels right now. We, as a community, are going to have to work together to achieve those goals.

“Generally, when people think about surface water pollution, they think about nutrient loading, they think about pesticides and things like that. One of the largest contributors of pollution in rivers and lakes is sedimentation and the total suspended solids. Just as you said, as we have more people, the five and ten and twenty acre people moving out into the country, I think what we're finding out is that those individuals, once they get out there, they don't know how to take care of that land perhaps. A lot of times farmers don't want to come in and farm a five or ten acre patch. It is inconvenient for them and not very cost effective. So I think this grass drill is a first step in trying to decrease any soil erosion that may be going on in the rural communities. I think I can see uses for it along roads and in our parks and things such as that. I think it is an excellent step to take, as far as preventing those types of things from happening. We will have to do that.

"The other thing is I think it is great that we are going to allow an individual to try to identify the environmentally sensitive areas of our County. If we know those, then we can prevent things from happening, instead of trying to react from those types of things. Then the final comment I have but I would like to hear from Dewey is the soil conservation district. They've been kind of quiet over the years but they've been around for a lot of years. They've been doing some of these very things, as far as decreasing soil erosion and wind erosion, those types of things. I'd just like to hear from Dewey if he has anything to say."

**Mr. Dewey Sanders** said, "I came down from Gobbler's Knob this morning to pinch hit from one of my friends on behalf of the Sedgwick County Conservation District. My sole purpose for coming was to say thank you. I think some of you are aware that a year ago today the Conservation District had looked into and studied the process of dissolution of our Conservation District because of a lack of funds. We seriously considered this. We were afraid the proposal that you folks had made would not work. But, most of us were farmers or had an agricultural background. Our lives have been spent doing things that people said couldn't be done. We figured we wouldn't throw in the towel until after we had tried it for one year. We're very pleased. I'd like to say thank you to Irene Hart, her tag committee. Thank the County Commissioners for loaning us Susan Erlenwein. This lady has been invaluable. Every time we meet, I'm impressed with what she has done for us. The accommodations that you have provided for us has saved us a great deal of money. I thank you for proposing and considering financing those things that we feel are necessary.

## Regular Meeting, December 22, 1999

"A grass drill is something that this County has needed for a good many years. Fellows out in the County have gone to other counties to get the equipment that they need to do those things that they must do. I hope you understand that the Conservation District cannot make anyone do anything. We're supposed to be a bunch of salesmen. We visit with our neighbors out in the rural area and we're trying to sell conservation practices to them the whole time. We're not nearly as successful as we would hope to be, but we do get results, occasionally. There is a lot of conservation work to be done, yet today. If we can't preserve the land that feeds us and furnishes us with fiber, the products that we need, we will dependent upon other nations for our food supply. Now we're not close to that but it is coming. The urban sprawl that we witness is a problem to us. People go in and buy land that conservation practices have been introduced and the first thing they do is start tearing up what we spent years trying to do. Now, I appreciate the cooperation that we've had and the consideration we've got. I hope it continues. We think our program is going to go forward. Thank you."

**Chairman Hancock** said, "Thank you, Dewey. Thank you, Commissioner. Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Irene, in an opportunity to further my education in the English language, would you define for me riparian?"

**Ms. Hart** said, "Riparian is a water-based river corridor, river environments."

**Commissioner McGinn** said, "It is all the vegetation along the sides of the rivers that keeps the dirt and soil from going down stream."

**Commissioner Sciortino** said, "So it is like the banks of the river?"

**Commissioner McGinn** said, "Yes."

**Commissioner Sciortino** said, "Thank you. That's all I have."

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

**Regular Meeting, December 22, 1999**

**Commissioner Winters** said, "Thank you. Dewey, I appreciate you being here this morning. I do remember a year ago and I would like to extend thanks to Chairman Bill Hancock because Bill was really the one that put this conservation deal back on the map. There were a number of other Commissioners that really were not seeing the end of the rainbow here. I think part of that was a problem but Chairman Hancock worked very diligently about getting Irene and Susan Erlenwein involved in this deal. I think Bill deserved some credit for keeping this thing going. I was glad to hear you say that things are going good. We appreciate you being here."

**Chairman Hancock** said, "I'm really glad. Thank you, Commissioner, appreciate that. Further comments? If not, the Chair would entertain a motion."

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**Regular Meeting, December 22, 1999**

**2. PROVIDENON-POINT SOURCE POLLUTION PREVENTION ACTIVITIES.**

**Ms. Hart** said, "The second contract with the Conservation District is for non-point source pollution prevention activities. It includes purchasing a grass seed drill, providing a shelter for that piece of equipment, providing education to at least 200 people, on how to use it and the importance of the grassland environment to reducing soil erosion and a couple of other minor additional activities, including some well-plugging funds and some similar activities. That is in the amount of, again this is recommended by the advisory group, the amount of \$29,748. I'd be happy to answer any questions you might have."

**Chairman Hancock** said, "Thank you, Irene. Commissioners, questions on this item? If not, the Chair would entertain a motion."

**MOTION**

Commissioner McGinn 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.

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you, Irene. Dewey, before you get away, I, too, would like to take the opportunity to thank Irene and Susan for the work they've done. Most of all, the board. You and Wilmer have stuck through this, thick and thin, and I know you spend a lot of time on this and a lot of

**Regular Meeting, December 22, 1999**

effort and it is appreciated. I think the whole County appreciates, one way or another, whether you know it or not, what you guys have done and the board has done. We appreciate your efforts and patience with us, also. It hasn't always been easy. Thank you. Next item please."

**F. AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM (CIP) TO REMODEL THE MURDOCK TAG OFFICE, CIP #PB-401.**

**Mr. Kenneth W. Arnold**, Director, Capital Projects Department, greeted the Commissioners and said, "This item is on page 49 of your backup. I believe I sent each of you a PROFS note regarding this. It is to complete the remodeling of that facility and the public and the employee areas. That amount is \$12,500. I'd be happy to answer any questions."

**Chairman Hancock** said, "Thank you, Ken. Commissioners, questions on this item?"

**MOTION**

Commissioner Winters moved to approve the CIP amendment.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**G. ADDITION OF ONE DEPUTY TRUSTEE POSITION, RANGE 23, AND TWO OFFICE SPECIALIST POSITIONS, RANGE 15, TO THE COURT TRUSTEE STAFFING TABLE.**

**Regular Meeting, December 22, 1999**

Ms. Ellen House, District Court, Eighteenth Judicial District, greeted the Commissioners and said, "This is a request to add one Deputy Trustee and two Office Specialists to the Court Trustee staffing table. These positions are necessary so that we can ensure the current level of success of child support enforcement efforts in Sedgwick County. The total budget impact is \$110,730 and all of that is self-funded through the SRS contract."

**Chairman Hancock** said, "Thank you, Ellen. Commissioners, questions on this item? If not, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the additions to the Court Trustee Staffing Table.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you, Ellen."

**MOTION**

Chairman Hancock moved to take an Off Agenda item.

Commissioner Gwin seconded the Motion.

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

**VOTE**

## Regular Meeting, December 22, 1999

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**Commissioner McGinn** said, "I had a question. I noticed in the paper this morning, the news about the City has approved \$10,000 for the National Conference of Christian and Jews so that they could help in a discussion about race and diversity issues. Then it said that Sedgwick County will also contribute \$10,000. I guess that I was under the impression that we already had and I'm not sure where we're at. I was just wondering if Mr. Buchanan, you could explain that to us. I thought we'd already taken care of it."

**Mr. Buchanan** said, "Sure. Representatives of the National Conference of Christians and Jews visited with me in September about this program. I discussed this with each of you and we confirmed, by the end of September of this year, that we would be a partner in this. We've not received a bill. The program hasn't started yet, so, we haven't expended the money. But we are a partner of this program. We signed up in September in support of this effort. The National Conference of Christians and Jews has been doing a discussion of race in communities over the past several years and they're going to start in this community in the year 2000. So yes, we've signed up. Yes, we've committed the funds, but we haven't expended the dollars yet."

**Commissioner McGinn** said, "Thank you. I thought we had been, from the get go, and I just wanted to find out for sure."

**Mr. Buchanan** said, "Absolutely."

**Chairman Hancock** said, "I'm glad you brought that up. It is going to be an important issue next year for this community and with the Mayor as the President of the National League of Cities it may be an issue that gets national notice throughout. I think if we work it right and everybody cooperates and works at this hard enough, it can be a model for other cities. It is going to be important. Thank you, Commissioner."

Our next item is a time-certain item hearing concerning road improvement and they tell me they need about three, four, or five minutes to set up. So we'll break for about five minutes while they set up."

**Regular Meeting, December 22, 1999**

**The Board of Sedgwick County Commissioners recessed at 10:00 a.m. and returned at 10:09 a.m.**

**Chairman Hancock** said, "I'll bring the meeting back to order. We're on Item A, public hearings."

**PUBLIC HEARINGS**

**A. PUBLIC HEARINGS AND RESOLUTIONS OF ADVISABILITY FOR MAKING CERTAIN ROAD IMPROVEMENTS.**

**1. 143RD STREET EAST FROM 13TH STREET TO 21ST STREET.**

**SLIDE PRESENTATION**

**Mr. Joe L. Norton**, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "There are two items under Sub-section A. One is regarding Overbrook 2nd Addition and one regarding 143rd. There are different issues involved and different projects. I would suggest Mr. Chairman that we handle them completely separately. Some people are here to speak about one but not the other. My suggestion would be to go through one completely and then start with two and go through the process again."

**Chairman Hancock** said, "Very good."

**Mr. Norton** said, "Item A-1 is 143rd Street East from 13th Street to 21st Street. As you may recall, there are two basic ways in which the Board of County Commissioners can authorize an improvement project within the County that levies special assessments to adjoining property owners to pay all or a portion of the cost of that project. One is a petition of the majority of the property owners, requesting that the County Commission create a benefit district and go through with the improvement and the second method is what we're talking about here, is where the Board of County Commissioners, based on staff recommendation, declares an intent to call a public hearing to proceed with authorization of a Capital Improvement Project which special assessments can be levied."

"There is, basically, a four step process in that. One is the Board of County Commissioners adopts a

## **Regular Meeting, December 22, 1999**

Resolution calling a public hearing to receive comment on whether or not they want to proceed with the Capital Improvement Project. That has already been done. On December 1, you adopted a Resolution on this project, calling a public hearing for today. Also, you requested staff to have notice of an informational meeting, as well as a public hearing mailed to the property owners of record within that proposed benefit district. That has been done. We had the informational meeting Monday night and we'll summarize some of the comments here in a little bit.

"Step two is to conduct a public hearing. At the conclusion of that public hearing, the Board of County Commissioners has up to six months in which to make a decision, by resolution, as to whether or not to authorize the project. They can, at the conclusion of the public hearing, within six months, say we're not going to do the project or say we are going to do the project. If they make a decision to go forward with the project, then the property owners in the proposed benefit district have the right to protest that project. That is done within 20 days of the publication of that Resolution, authorizing the project. A petition signed by 51 or more percent of the resident owners of property within the proposed benefit district and by the owners of record of more than half the area within the proposed improvement district. Two tests; one is a person test and one is an area test. There is 20 days in which to stop that. If there is a sufficient protest filed with the County Clerk, then the project cannot proceed and the Resolution is, in essence, repealed. So that is the basic legal background that we're talking about in this process.

"The area that we are talking about here, generally, is 143rd Street, north of 13th and south of 21st. That is in the eastern portion of the County and that is depicted upon the screen on the wall here, right now. The next slide depicts the proposed benefit district. This is a project which the proposed apportionment of cost in the previous resolution is split 50/50 between the County at large and the proposed benefit district on a special assessment basis. Generally speaking, the paving would occur all the way from 13th Street to 21st Street, the area is approximately 50% adjoining the benefit district and 50% north of 13th Street. At this point in time, I would like to turn over the presentation to Jim Weber who will explain what the project consists of, some of the MAPC requirements that have been in place, describe that process. Then, when he has concluded, I'll go over the cost estimates. When he has concluded, I'll come back and summarize some of the comments that were received at the public hearing, so you have a general background before you start receiving comments from those who may be here today who wish to address the Commission."

**Mr. Jim Weber**, Director, Sewer Operations and Maintenance, greeted the Commissioners and said,

### **Regular Meeting, December 22, 1999**

"I need to go back over a little of the history of this project, before we can really go forward. There are nine different plats at Savannah at Castle Rock Ranch. They compromise the 80 acres on the west, between the railroad tracks and 13th Street and almost 160 acres on the east side between the railroad tracks and 13th Street. These projects started, probably about 1989 or '90, back in that frame. The plats came in in pieces over time. By the time we got up to the 5th Addition, which was most of this section over here, there were some problems occurring around the City of Wichita in the urbanizing area.

“Problems with city roads, problems with county roads, in that these types of urban subdivisions were coming out onto unimproved section line roads or substandard section line roads. Housing was beginning to be developed. People were starting to use the section line roads. They were falling apart. They were sand roads and they were just not adequate. There was a lot of discussion held, facilitated by the folks at the Planning Department and some of the City's development people between City staff and County staff, the Home Builder's Association, a specific group of developers out of the Home Builder's Association and some home builders themselves, about how to deal with this problem. Out of that, a policy was developed, which essentially says, if you're going to develop on a section line road that is either unimproved or does not meet the City or County standard of pavement that should be there, the developer has a responsibility to provide paving. It could be done in one of two ways. Either come out and privately finance that paved road to a two lane standard or you could petition to have that done as a public improvement, once again meeting, in this case, the County standard.

"In the early days, that was a little bit controversial and, in fact, I'm not certain that the County totally bought into it in the beginning but, on the 5th Addition, we actually got to the point where the plat was scheduled for the County Commission agenda. We were still discussing it. It essentially came down to word was coming over from the water department that they would not provide water to these subdivisions or future subdivisions if the County did not enforce the Planning Commission policy requiring this paving. So, we had quite a bit of discussion on that day, but the end result was that we agreed that this is a requirement that should be upheld and done in order to let these subdivisions go forward. From that point forward, each subsequent plat, and a lot of these are replats of earlier plats, they jump back and forth across 143rd Street, has had that requirement placed on them. We have a large number of plats. The legal descriptions are getting kind of cumbersome, so there is no single petition at this point that really lets us go do that.

### **Regular Meeting, December 22, 1999**

"As time has gone on, 143rd Street has gotten worse and I think Commissioner Gwin has received complaints. We have received complaints and we've got to the point where something really needs to be done out there. So, the decision was made to put together a project that would go all the way from 13th Street up to 143rd Street. The northern portion there is no development around up to this point. You'll see some large tracts here. There are two or three houses up there at this point in time. There are some unplatted tracts right here that, one has an older home and one a newer home on it, but they are not part of the subdivisions. So, we have proposed that the County would pay for, initially, we said we'd pay for the north half mile. Now, that is a little cumbersome. So, the way the paperwork has come together, it is proposed that the County would pay for 50% of whatever we build in this mile.

"Because of the traffic in the area and the expectation that traffic will get worse in the area, we have actually proposed that down here in the south half mile we have streets coming in, down in this portion we have several lots, actually have driveways that come out onto 143rd Street in the early plats. We propose a three-lane section down here where the center lane would be used as a left turn bay or chicken lanes so that sort of a long-term facility could be put into place that would get people out of the traffic way as they're trying to make left turns.

"We have proposed to go with two lanes on the north half mile, thinking that if development should occur, probably on this side, that some platting requirement would be made later by the Planning Commission that an additional lane would be constructed at their expense. But we don't have the turning movements that are going to occur up here because development is very insignificant at this point in time. The cost of the improvement then would be split 50/50 between the County and the subdivisions of Savannah. They have a multitude of different lot sizes and figurations, but we have proposed that we split the cost in Savannah equally on a per lot basis. A few of them actually live on the street but the value of this is the utility value of being able to get out and use the street so we're not sure the lot size really matters in this case. I believe we came up with 248 or 250 lots.

"We estimated the construction, then, at about \$232,000 and then we have engineering and other costs that go on and we budgeted in about \$118,000 for that. We are going to have to buy some right-of-way on the north end because everything in the north is at the 30-foot line. We had 248 lots, the principle cost per lot, if you take the \$350,000 and divide it by two and divided that by 248, the principal cost per lot is \$706. As with all of these types of projects, they have the option, when it is over of paying off the actual cash amount, \$699 or whatever it turns out to be, or they can let that go as a special assessment, so, using a 15 year on this type of project, estimating a 6% interest rate, that comes out to about \$73 a year or think of that as about \$5 a month to get this in. To engineering it is \$5, the accountant wants \$6. That is a

## **Regular Meeting, December 22, 1999**

thumbnail sketch of what we're trying to do. Once again, the proposed improvement is for three lanes at the south half mile and two lanes in the north half mile. I'd be happy to answer any questions that you might have.

"Also, as part of that discussion, there was a requirement put on here that these plats in this quarter section pay for one lane of paving on 13th Street. Thirteenth Street, as you may remember, is in our Capital Improvement Program for four lane construction in about 2002 or 2003. So, we're going to recommend to you that if this project, as we have put it together, goes forward, that you come back by separate action at a later date and relieve them of any responsibility to do that one lane of paving on 13th Street. If you have questions for me, I'll try to answer them. If not, we'll put Joe back up."

**Chairman Hancock** said, "Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Jim, what happens to those areas that are unplatted or undeveloped there to the east."

**Mr. Weber** said, "Those are platted lots."

**Commissioner Sciortino** said, "But they're not developed yet."

**Mr. Weber** said, "Actually, they are developed. The 5th Addition had some five acre lots in it. Part of the replatting has been to make those down to smaller lots."

**Commissioner Sciortino** said, "Will they be assessed that same fee?"

**Mr. Weber** said, "That's correct."

**Commissioner Sciortino** said, "On the 50% up north of 13th Street that the County is going to assume, once that gets developed, will that assessment go to the homeowners there? Will they reimburse us for the expenses?"

**Mr. Weber** said, "No. But if the development occurs in there that requires additional improvements to be made, those could be required by the Planning Commission."

**Commissioner Sciortino** said, "Okay, that's all I have."

## Regular Meeting, December 22, 1999

**Chairman Hancock** said, "Thank you, Commissioner. Commissioners, further questions for Jim or Joe? Thank you, Jim."

**Mr. Norton** said, "As I indicated, we did hold an informational meeting at the County fire station on 143rd Street on Monday evening, I think at eight o'clock on this particular project. At that time, about 35 people from the neighborhood area showed up and listened to these same kinds of information as this morning and made some comments and asked some questions. I think some of those people are here today and would like to address the Commission. I would like to summarize the three basic areas of discussion that appeared to come up. I know Commissioner Gwin has some typed-up notes that came with that particular discussion. Whether those have been served to the Commissioners, I do not know at this time.

"Basically, one of the primary questions that came up is why are you proposing three lanes of street as opposed to two lanes of street. Wouldn't two lanes be less expensive? Some comments and questions about if there was a third lane would that increase the rate the traffic would go down that street and some concerns for children and pets and things like that. There was also a lot of concern addressed by going to the wider width of three lanes and what that would do to the mature trees that line both sides of the street. Would there be a possibility if this was reduced to two lanes that some of those trees could be saved? Those are some things that I think Jim in all honesty was saying he wasn't prepared to answer at that particular point in time. It would take some engineering drawings to see how wide those streets would be in actuality.

"There were some comments with respect to the properties that are south of the railroad tracks. They are not in the benefit district. Should those people also be assessed for the cost of the project? There were some comments with respect to what happens if we put in two lanes now and we come back and need, by traffic count, or some other method, a third lane then, who would pay for that? The basic answer was we don't know for certain but my guess is that it could be paid for by the County at large or assessed back as a second assessment at that point in time. It would be a decision by the Board of County Commissioners when that particular improvement project would proceed.

"One of the other comments was how would property owners know if the County Commission took action that started the 20 day protest period and we basically indicated that there is no legal requirement of additional written notice. That it is published in the official County newspaper and of course if a decision is made in public forum on TV, which are rebroadcast, the Commission could, if they wanted to, direct

### **Regular Meeting, December 22, 1999**

staff to inform those persons by notice in writing of the decision. I think those are summaries of what a lot of the discussion was. There were some individual points that the property owners may wish to bring forth to the Commission. Basic sentiment I think that could we have a little more time to study the two lane versus the three lane and get comfortable with that before you make a decision. I think with that, if there are no further questions of Jim or I, it would be appropriate for the Chairman to open the public hearing and receive comments from those property owners who wish to address the Commission about this project and then Jim and I can respond at the end of those comments to the questions that are asked or any questions the Commissioners may have."

**Chairman Hancock** said, "Thank you, Joe. Commissioners, do you have any questions for Joe or Jim prior to the public hearing? If not, at this time, I'll open the meeting for comment relative to Item A-1, 143rd Street East from 13th Street East to 21st Street paving project. Anyone who would like to come forward, we do not make any distinction in any particular order. Whether you are for the project or against it, it makes no difference. You have five minutes. Give us your name and address for the record. Is there anyone here who would like to come forward and speak on this item. Please come forward."

**Ms. Natalie Stephenson** said, "I live at 1540 Freedom Road. I'm a resident of Savannah and also a developer at Savannah. I do want to see 143rd Street paved to County specifications and I'm not happy, but I am willing to pay the proposed special assessment. I would like to see a two lane road and not a three lane road and I do not want to see the tree line removed. I believe that even if the land north of the railroad tracks were developed into single family residences, I don't believe there would be enough traffic flow to justify three lanes. I've lived in Savannah for five years and have never had any problems with the traffic flow on 143rd Street. At most, if you're sitting at the intersection of 13th or 21st, you might be behind one, possibly two cars. The traffic flows just great right now, other than pretty dangerous because of the road conditions.

"As far as I know, there have not been any traffic flow studies on the road to justify the three lanes. The mile south of 13th Street is currently two lanes. It is a beautiful road. It seems like there is no traffic flow problems there. South of 13th Street, that area is fully developed and they don't seem to need more than two lanes and I don't think we do either.

### **Regular Meeting, December 22, 1999**

"Another thing to consider is, as was mentioned earlier, 13th Street, it is proposed that it be paved from K-96 to the County road and I think that is going to relieve any potential future increased traffic on 143rd. People use 143rd mainly to get over to 13th Street or 21st Street and to go over to Andover and in to Wichita. I think if 13th Street is paved you're going to see a lot more traffic flow there.

"Since the road is in the middle of a residential area, I believe we should encourage a slower flow of traffic. It doesn't bother me that people are going to have to wait while we turn left into the development because I think you should have slow traffic flow along there. I don't believe that left turning lane in the middle is really necessary because there is no need for speed along there on a road that is in a residential area.

"As far as the trees go, I realize they are the property of the County. The trees not only provide aesthetic beauty to the area but they also provide a safety buffer between the homes and the street. The County has been kind to us in the past in preserving trees inside our development and I would appreciate it if you did everything in your power to save these trees.

"To sum matters up, at this point in time I do not plan to protest if you plan on constructing a two lane road and save the trees. However, installing a three lane road and removing all the trees does not sit well with me at all. Do you have any questions?"

**Chairman Hancock** said, "Commissioners, questions?"

**Commissioner Gwin** said, "Natalie, I appreciate your comments on two lanes, but one of the things I'm going to ask them to look at is if there is a way to leave the trees with a two lane road. But if there is not, which is a bigger problem, the road or the trees?"

**Ms. Stephenson** said, "Well, I would hope before you make your decision you'll have that information. So when the decision comes to the residents, we'll know whether or not you tried to save the trees or not. We're just saying, at this point, as far as all the calls we've gotten in our office, what we're hearing people say is we want the road repaved, we'd like it to be two lanes, and we want the trees saved. We're not real happy about paying for it, but we feel like, at this point, we don't have a whole lot of choice in the matter."

**Commissioner Gwin** said, "Okay, thanks."

## Regular Meeting, December 22, 1999

**Chairman Hancock** said, "Thank you. Commissioners, further questions? Natalie, thank you. Good job. Next speaker please. Is there anyone else who would like to comment on the 143rd Road project. Good morning."

**Mr. John Kraft** said, "I am also a resident of Savannah. My address is 1551 North 143rd Street East. I did put my comments down in a letter to Commissioner Gwin and I think, just to keep myself organized, I'll just read that so you can all hear that.

"In regard to the cost of improvement proposed to be shared between the County at large and proposed benefit district, my first point is that the County portion is speculated to come from the additional sales tax fund which was passed partially for road improvements. Another proposed payment comes from the property tax general fund. Is not a portion of the general fund designated for this type of infrastructure and maintenance and improvement?

"There is no participation on the part of the township. The township board has always been responsible for maintaining the roadway and has done a very poor job of that in the six years I've been a property owner fronting on 143rd. They have come out and made cold mix patches to the roadway and that really has kept the potholes under control but it has been a Band-Aid approach. I suspect that the last six years represents the way the township has always handled its responsibilities. Their primary reason, the road, has deteriorated to a current state from its original construction. As new as the Savannah development is, the current state of this hazardous roadway is not because of the residents of Savannah, who are forced to bear the cost of half the project. I understand that the residents will benefit from the improvements but it is not right that they should be required to compensate for the township's negligence.

"The next point: for whatever portion the cost of the benefit district is deemed to be responsible, the proposed benefit district does not include all the residents of 143rd between 13th and 21st. Including the seven or eight property owners outside of the Savannah development would not significantly effect the assessments of the individual property owners in Savannah, but it would seem fair that all property owners in that area should be included. All will benefit, all should pay their share.

"My next comments regard the proposed improvements including three lanes, a center turn lane from 13th to approximately the railroad tracks. Of the approximate 30 residents present at the informal meeting on this project, not one person present wanted the roadway widened. The proposed three lane road, based on speculation of increased traffic demands, a wider road is not needed now and although as part of his proposed improvements, Mr. James Weber indicated there is no documentation of future growth or traffic increase patterns which justifies widening the road to three lanes at this time.

### **Regular Meeting, December 22, 1999**

"This road design will contribute to rapid flow-through traffic in a residential development which straddles 143rd and has shared common facilities on both sides of the road. There are picnic areas on the west side, as well as fishing ponds and swimming pool and soccer field on the east side. My kids are going back and forth across that road all the time, especially in the summer time. All year long there is considerable foot traffic crossing 143rd Street, especially in the summer when the development swimming pool and soccer field are in use. The proposed three lane design will increase the pedestrian and driving dangers for the south half of the improvement. Any redesign which jeopardizes existing trees will negatively impact the rural character of the overall development, as well as decrease quality of life from increased road noise and decreased property values. I'd rather pay for a curb and storm drain roadway system than sacrifice the trees, quite frankly.

"No other portion of 143rd Street has been widened to three lanes, although some areas are more extensively developed and densely populated with higher traffic volumes. The difference in cost between a two lane road and three lanes represents an unnecessary and unwanted cost for the benefit district and for unsubstantiated and unjustified level of traffic. The proposed improvement of 13th Street to four lanes east of Andover Road on schedule for 2002 should reduce north south transit traffic on 143rd between 13th and 21st.

"In summary, we want this road improvement and we're willing to pay our fair share. We believe a two lane road is best for this area, as well as being sufficient for development traffic well into the future. One other thing, I think, came up the other night at the informational meeting is even if they put in a two lane road they would establish the road bed for a three lane road. That is probably my biggest concern. Being on 143rd Street, I built my house based on the established setbacks and I'm well beyond that too, but I'll lose a significant portion of my front yard still and I'll give up three trees to that. I don't have the older growth trees that are lining the street there in other places. I have a particular problem in front of my particular residence, also, because I have a very deep part of the drainage ditch. That, I feel like, is going to make it more of an engineering problem right where I am because just to maintain the proper grade on the sides of an open drainage ditch system. Again, it is going to take more of my front yard to do that adequately. I talked to the County about closing that and using a closed culvert system in front of my house and, to date, I have not found reception to that solution for that problem. Any questions?"

**Chairman Hancock** said, "Commissioners, questions for John?"

**Commissioner Gwin** said, "Mr. Kraft, I'll share your written comments that you sent to me with my colleagues."

## Regular Meeting, December 22, 1999

**Chairman Hancock** said, "Thank you. You did a very good job. Are there other speakers who would like to address this issue?"

**Mr. Dennis Hanson** said, "I reside at 1441 Sport of Kings Court. I am one of the lots that backs up to the east side of 143rd Street, which is now lined by a hedge row. The removal of that hedge row basically opens my back yard and back of the house up completely to the view of that street. I'll try and make my comments fairly brief. I think a couple of important issues and to propose a response to Commissioner Gwin's comment about three lanes or two lanes even if the trees go away. The issue of speed within that road is, I think, a very definite concern. The three lane road definitely is going to add to the speed we will see on that road.

"As previously discussed, there are community facilities on the east side that are used by the children. The soccer field and the swimming pool that the people west of 143rd Street have to walk across to get to. The traffic flow within the street, I think, is a major issue and the three lanes certainly promotes that. I think it is unfair that the township gets off scott free in regards to any funding for the street. We've been paying into the township tax base for basically little or no maintenance to the street itself. I think they are obligated for some portion of the repair. Finally, through Mr. Weber's discussion at the public hearing on Monday, there have not been formal studies done of the traffic flow on 143rd Street. Until we know what the impact, engineering-wise, regarding the trees and those types of things, I think that it would be very difficult for us to make a decision whether it is a two lane or three lane street do the trees go away. If we could get that question answered, I think it would certainly make it easier for us to decide, as far as any further protests.

"There is an electrical post that goes down the east side of 143rd Street that are, basically, in the same line as the hedge row trees. If the trees have to go, I would assume that those lines would have to be relocated, which is going to create an extension in the construction time for the project as well as an additional expense to relocate those. That's all I've got, thank you."

**Chairman Hancock** said, "Thank you, Mr. Hansen, very good. Next speaker please. Is there anyone else who would like to address this item today?"

**Mr. Kyle Stephenson** said, "I am a homeowner at 1540 Freedom Road and also a developer. I understand why the Planning Commission adopted the policy of having developments pay for interior roads and I don't want to labor the point because we as Savannah residents and developer are willing to pay our fair share. But three and a half years ago, the township did have a signed paving agreement with Ritchie

## **Regular Meeting, December 22, 1999**

Paving to resurface 143rd between 13th and 21st Street. The only reason I mention this is because I'm not sure everyone knows what happened. At that point, the County Engineer, I believe, stepped in and told the township 'don't pave the road, we'll have Savannah do it'. Although I'm aware of why the policy was adopted, I don't think the intent of it was to interfere with township bodies and prevent them from doing the work they felt was necessary. So it has been a roller coaster ride for me and many of the residents over the course of the three or four years, since the platting of the 5th Addition, who is going to pay for it and why and is it fair. I think we're at the point today to where we're so frustrated and aggravated with the safety of that road that we're willing to contribute our fair share.

"It used to be an issue of who is going to pay for it and now we're kind of at the issue of how is it going to be paved. I echo everyone's comments as far as three lanes versus two lanes. As a developer, I'm not going to stand in the way or push an agenda that is not the same as the residents that currently live out there. I imagine after there is a resolution passed or a petition comes forward, that we will get together and the developer is going to have the same agenda or purpose as the residents. They are not going to be counter active. I'm afraid that if the proposed plan is three lanes that we, as residents in the community, are going to have some problems with it. Although yet there was a head count taken during the informational meeting on Monday night. Mr. Weber kind of said who out here wants two lanes paved? Everybody with the exception of one person. Then it comes to the issue of trees. I, personally, feel the trees can be saved but we, as a community, are going to have to get together and decide on that after the Board decides how we are going to progress.

"There is some safety concerns in my mind with the three lanes. I know as a general rule three lanes for the flow of traffic is going to be better but yet having three lanes there is going to increase traffic, which is going to cause it to be less safe for the Savannah residents. I think the Planning Commission's adoption of their policy of having developments assist in the pavement or assist in paying of improving these section line roads brings two interesting or creates two interesting occurrences that may happen. The first occurrence is that you have a township that knows that my capital budget doesn't need to be spent where it once did because the County is going to come in and make the development pay for it. I think the history has been that we're seeing it on 143rd. It has occurred on 159th, south of Kellogg. It has occurred 159th, excuse me, north of Kellogg and 159th, south of Harry, and 127th is going to be next. That's where the residents are saying I wish the township could somehow contribute to the process. If that would be dollars it would be great. I understand that the two governing bodies don't have a mechanism

### **Regular Meeting, December 22, 1999**

of working together, as far as capital expenditures and combinations, but perhaps the township, I know it costs them \$60,000, I'm told it cost them \$60,000 to return the road to sand. Perhaps they can do some of the preparatory work to minimize the cost for the residents.

"The other interesting thing or occurrence that happens based on the Planning Commission's policy is when they start asking the developers to pay for and or the residents, I think the residents would like some say in how the road is planned. It would be quite different if the County were going to come in and improve our road, which I think we all applaud."

**Chairman Hancock** said, "Mr. Stephenson, how much longer do you need? Just a few seconds?"

**Mr. Stephenson** said, "Yes. I don't know if the possibility exists to where some Savannah residents can meet with the Public Works Department in preparation of what is proposed to you guys later, so that we're on board. We don't necessarily want to fight this. We want our wishes heard. We understand if some trees can't be saved and others can, but we want to participate in the process because we're being asked to pay for it. I'll conclude there."

**Chairman Hancock** said, "Thank you, Mr. Stephenson, good job. Any questions? Thank you, very much. Are there other speakers who would like to address this item today? Good morning."

**Mr. Bill Malatak** said, "I live at 1421 North Sport of Kings. My house backs up to 143rd. I just have a few brief comments. I have three children under the age of five and that's where the kids play, in the back yard. If you do remove the tree line, in addition to the tree line there is a fence that goes along the perimeter there, the property. The fence is more pronounced in the areas where the tree line thins out. If that is removed and the poles and the road are moved closer, it will significantly reduce the safety factor there in my yard. Based upon the discussions that we had the other night, it does not appear that there is any reason whatsoever to add a third lane. I guess my position is that it should be paved over in kind. Thank you."

**Chairman Hancock** said, "Thank you. Very good. Commissioners, questions? Thank you. Are there other speakers who would like to address this item today?"

**Mr. Tim Durkin** said, "I live at 1415 North 143rd. My house actually fronts on 143rd Street on the first

### **Regular Meeting, December 22, 1999**

lot off of 13th on 143rd. I'm one of the original residents of Savannah. I've been there since about the inception of the development. Since that time, that road has never been in very good shape. It has always been in poor repair. While I would agree that some of the deterioration in recent years has maybe been due to the growth of Savannah, that road has never been in very good shape and the deterioration you see today is not because of Savannah residents.

"Since I live right on the corner, I'm very familiar with the traffic flow and traffic pattern. There is not a traffic problem. There is not a congestion problem on 143rd Street. The problem on 143rd Street typically comes from speed and it is people, not the residents, but people coming from 21st Street down to 13th Street, which is an issue. It is a short cut. From my personal perspective, I kind of like the road in poor repair because it shuts the speed down on the road, which is the only issue on the road. I think to widen the road and to take the trees down truly takes the aesthetics out of the development and makes it more of an austere area and it is not what any of the people there truly want.

"We appreciate the opportunity to have an informational meeting Monday. We appreciate the views of the County engineer. However, we are maybe a little stronger contrast to the bond counsel. There was nobody in favor of a three lane road there and most people are violently opposed to a three lane road. With that, I would echo the remarks of the other people who spoke earlier and I won't bore you with repetition. I would put my view that I would strongly oppose anything that would deteriorate the aesthetic value and increase traffic flow on the road. Thank you."

**Chairman Hancock** said, "Thank you, Mr. Durkin. Are there other speakers who would like to address this item today?"

**Mr. Larry Drews** said, "I live at 15101 Sundance. I am well back into the east on the east quarter section. I would echo all of the comments that have been made by previous speakers. The concern that I would like to raise this morning is that it is my opinion that the proposed construction and the proposed benefit area are disproportionate. That the requirement to bring the road to a three lane road and the cost to be borne by those people in the south half of that mile is really disproportionate. As Tim said earlier, bringing the road back to the condition that it would be without the potholes would be sufficient for me as a resident of that neighborhood. Bringing it up to the level of 'County standard' is a burden that I don't think that the proposed benefit district should bear. Thank you."

**Chairman Hancock** said, "Thank you. Further speakers?"

### **Regular Meeting, December 22, 1999**

**Mr. Jeff Flack** said, "I live at 14621 Sport of Kings. Just want to make it pretty brief because as you've heard all the opposition to three lanes. Clearly, what it really comes down to, ladies and gentlemen, is the fact that the proposal, the presentation and the delivery left a lot to be desired the other night by the residents. It was pretty much this is what we've done, this is how we're going to do it and it was depicted that way and it was unfortunate. As everyone said here, if we're going to be the ones bearing the costs, and there is no one who is opposed to the improvements of the road, but we would like to have our proper say as far as two lanes. We don't want to endanger our children or the residents of that area. There is no reason whatsoever to do so. I appreciate the opportunity to address you. Thank you, very much."

**Chairman Hancock** said, "Thank you. Are there other speakers who would like to address this item today?"

**Ms. Geri Appel** said, "I live at 1668 N. Sagebrush in the far northeast corner of Savannah. I would just like to echo the sentiments of all the previous speakers. I am strongly opposed to a three lane road there, also. I also believe that a closer look should be taken at who pays how much for this project. I agree that our township has been very negligent in taking care of this road. They should pay their fair share. I don't know what I'm paying taxes to them for if it isn't for the road."

"We support the project. I was at the meeting on Monday. We'll pay our fair share. I think we need to take a real close look at what is fair. Thank you."

**Chairman Hancock** said, "Thank you, Geri. Very good. Next speaker please."

**Mr. Andrew Mittag** said, "I live at 14801 Sundance, a little bit further into the 5th development or 5th section there. My only concern with the project is the need for speed. It is pretty amazing to me, coming from New York, where we have a lot of congestion and a lot of tax dollars being spent on road repair and so forth, that we are spending money here, really to improve traffic flow, when, from my perspective, in Wichita we don't have a traffic problem. I invite you to come out to Nassau County in Long Island. We've got 2,000,000 living in the County of Nassau, which quite frankly has the whole population of Kansas. So, this is pretty incredible to me. Thank you."

## Regular Meeting, December 22, 1999

**Chairman Hancock** said, "Thank you. Welcome to Kansas. Are there other speakers?"

**Ms. Lisa Vayda** said, "I live at 14400 Sport of Kings, which is right on the corner of Sport of Kings and 143rd Street. The west side of my property is on 143rd Street. I have two small children and by putting in a three lane street it would increase the speed there. We lost a pet two months ago because the driver could not slow down on 143rd Street. We don't want to lose a child."

**Chairman Hancock** said, "Thank you, very much. Are there other speakers who would like to address this item this morning? Is there anyone else who would like to address 143rd Street paving project? Is there anyone else who would like to address this item this morning? If not, at this time I'll close the public hearing and reserve comments to our staff and Commissioners. Commissioners, questions for the staff? Commissioner Gwin."

**Commissioner Gwin** said, "Thank you, Mr. Chairman. To those of you who were at the meeting Monday night and have taken your time again to come today, I appreciate it. I'm sorry I wasn't able to be with you Monday and I'm not sure how long I'll make it through the meeting today. I think I'm on the mend. Mr. Kraft sent me a letter, which I indicated to him I will share with my colleagues. Two of my staff people who were at the meeting Monday night kind of gave me a list of your concerns and questions that you raised and I will share those with my colleagues, too. One of the things that I need to assure you is that I am not prepared to make a decision today because I think a number of your questions need to be answered. In defense of our Public Works Department, when we asked them to go look at an area where we see there is a need, we ask them to draw up plans for us they believe will meet not just today's needs but current. So their recommendation of a three lane road was their best guess for not just today but the future. Your opposition to that is apparent. So, certainly one of the things that I'm going to ask them to do, as we defer our decision on this matter is to redesign that roadway and look at it as a two lane road. As I indicated to Ms. Stephenson, I'm not sure that will save the trees, but I do understand your vision of the outer two lanes continuing to bustle up and down while those of you turning in and out are kind of out of the way, I hear that.

"There have long been issues for a number of us with townships and the roads. Quite frankly, that is one of the most common calls I get. The County, I think, does a wonderful job of constructing and maintaining

## Regular Meeting, December 22, 1999

roads in this County for which we are responsible. We take that responsibility very seriously. We revisit every road once every five years in this County to make sure that it is maintained and in good use. Obviously, because of financial limitations, other townships are in a lot of cases unable to do that. Within the last couple of years, there were a number of citizens, although it is quiet now, who came to me who live in Minneha Township who wanted to know how they go about dissolving that township and turning those responsibilities totally to the County. There are ways to do that, if the electorate in the township chooses to do that. We can't force it. We chose not to force them to go away. I know there are others of your neighbors out there who brought this issue up to me before and if there is a sense that it is something that you all want to talk about again feel free to call me and I'll be happy to refer you to those folks out there who, years ago, were discussing it.

"You've raised several issues that I think obviously need consideration. I would like not to adopt the resolution today because I think I'd like to get some of those questions answered. Jim, if I asked you, could you have some information or redesign to us by, like a month from now, maybe, maybe January 19? Could you do that that quickly? Could you look at two lanes?"

**Mr. Weber** said, "We won't be able to look at a total design but we could look at some difficult cross sections out there and see how two lanes or three lanes and the appropriate ditch sections and everything would impact the trees or whatever."

**Commissioner Gwin** said, "The two lanes you're talking about, is that the same as 143rd from 13th to Central?"

**Mr. Weber** said, "From 13th to Central, that project was built with two lanes but it was what I'll call full paved shoulders. The actual road bed surface is 42 feet wide."

**Commissioner Gwin** said, "I knew it was really wide. You're not looking at that for this section?"

**Mr. Weber** said, "We're looking at probably 35 or 36 feet of pavement with a narrow turf shoulder on the outside. The pavement would not be as wide as what is to the south, but the total road bed section would be very similar. Maybe not exactly."

**Commissioner Gwin** said, "I know you can't redesign the project, but I think I need to be able to visualize what would happen if we do this as a two lane as the neighbors have requested. Certainly, there is a need. This is one of the roads that I got calls about from early on about the deplorable conditions. One of the problems is, one of the gentlemen indicated the County standards. One of our standards has

## Regular Meeting, December 22, 1999

to do with the base of the road, does it not, as it supports the pavement on top of it. Isn't this road . . .  
"

**Mr. Weber** said, "It has no base in it. It was done before I came on to the County. I haven't been here as long as everyone has, but that's a long time ago. The County standard calls for six inches of stabilized base, which could be lime-stabilized or rock with a minimum of six inches of asphalt. That is typical for Minneha Township 25 years ago. It is asphalt pretty much laid down on the sand road with no stabilization and a lift this year and a lift in five years and when it starts to unravel it gets moisture in through the pavement and it unravels quickly."

**Commissioner Gwin** said, "Well, they said we've had to address 159th Street. We had to address East Douglas in that Gilder and Gott subdivision. So there have been a number of things that we've had to consider. I know Commissioner Sciortino on the south side of Kellogg. I'm mentioning the ones in mine that I know about. Continues to have to deal with those. If there are no other comments, what I'm going to recommend is that we defer this item until January 19 and I need you to bring us some information back, then, of what it might look like. I'm not even sure that at that date I'd be prepared to make a decision because I have names and address and need to talk to some folks out there about what might happen, as we look at the two lane configuration instead of three. I think, if you could bring that information in and try to answer some of the numerous questions they've had or their comments and have that to us by the 19th of January, that would help. Okay?"

**Mr. Weber** said, "We can do it."

**Commissioner Gwin** said, "Okay. Then to assure the folks who have been here. I've made notes, as had the Clerk, of your names and addresses. The staff and or I will be in contact with you, as we proceed. I appreciate your interest in wanting to be participants in the improvements in your neighborhood. We'll try to keep you posted, as our department makes adjustments to this plan."

### MOTION

Commissioner Gwin moved to defer the item until January 19, 2000.

Chairman Hancock seconded the Motion.

**Chairman Hancock** said, "Jim, I have a question relative to this particular case. When the plats were approved along 143rd, as usual were there dedications involved in that?"

## Regular Meeting, December 22, 1999

**Mr. Weber** said, "Yes."

**Chairman Hancock** said, "But the problem is that the tree line is within the dedications?"

**Mr. Weber** said, "The tree line is at a typical 30 foot line out here and the dedication on a section line for a future arterial road like this is 50 feet of half street right-of-way, which puts the tree 20 feet in from where their property lines are."

**Chairman Hancock** said, "I see. I guess what I'm asking, there isn't much land along there that would need to be acquired."

**Mr. Weber** said, "Not in the south portion."

**Chairman Hancock** said, "Not in the south half. Another question is, one of the great things about district representation is that we all understand and know our districts better than any one else or at least that's the theory. In this case, it is certainly true. Tell me about 143rd. In my mind I'm trying to drive from Kellogg north along 143rd and see what it is like. In your view and what you understand about it, will this be a major arterial in time? I'm speaking in terms of Greenwich and Webb."

**Mr. Weber** said, "In essence, I agree with their thinking that it is not going to be a major arterial, which is why we're suggesting a three lane section. It is probably sufficient. I agree when they say major traffic is east/ west. I think that is true. But part of what we're looking at is something here that is not going to need to be torn up in 10, 15, 20 or even 30 years, if it is done right the first time, we'll be done with it. On 143rd Street from Kellogg up as you mentioned, is two lanes with rock shoulders coming up. I think I misspoke earlier. There are good rock shoulder coming up all the way for that two mile stretch. It comes over the turnpike, you might remember that. Just south of Central. Then you've Crestview and turn bays in at Central and, actually, going to a four lane at Central and 143rd Street, 13th will go to four lanes, 21st Street we've just done recently and it is not four lanes but clearly that is going to be a major arterial also. The thinking just has been if we're that close to getting where I think we'll ultimately end up any way, why piece it out. But we'll provide some more information for you on the 19th."

**Chairman Hancock** said, "Okay, very good. Commissioners, further questions or comments? If there

**Regular Meeting, December 22, 1999**

are none, Clerk call the vote please."

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**2. OVERBROOK 2ND ADDITION-PHASE 4 (NINTH STREET).**

**Mr. Norton** said, "Item A-2 basically deals with the paving of 9th Street east of 143rd Street through the Overbrook 2nd Addition. I'll try to briefly summarize the same legal parameters that we talked about with respect to the previous item. This is a process whereby the County Commission adopts a resolution calling for a public hearing to determine whether or not it is expeditious to proceed with a Capital Improvement Project creating a benefit district to levy assessment for the cost of a certain paving project in the County. The County on December 1 adopted a resolution calling this public hearing. We've also had an informational meeting Monday evening at the County fire station on 143rd Street about 9th, to discuss the various information we're going to give to you in a moment. About 30 property owners from that benefit district attended that meeting on Monday evening.

"After the conclusion of the public hearing on this process, today, at some later date the Board of County Commissioners has up to six months to determine whether or not they want to proceed with the project and, if so, by adopting a resolution authorizing that project to proceed. Again, that resolution is subject to protests by the property owners within the proposed benefit district. Again, at least 51% or more of the owners of record and the owners of record of more than half the area have the opportunity to protest that within 20 days of the time that resolution is published.

"Overbrook 2nd Addition as indicated is located east of 143rd, basically south of what would be 9th Street, extended just immediately east and south of the fire station on 143rd Street. The property is located almost directly south of the item we talked about previously in A-1. The proposed benefit district is indicated on the map before you as you can see the dark blue line is proposed improvement of paving of 9th Street. Again, I'm going to ask Mr. Weber to describe the project and the benefit district and how

## Regular Meeting, December 22, 1999

the recommendation was made with respect to that. At his conclusion and discussing the price and method of assessment, I'll try to again summarize the general comments that were received at the public information meeting on Monday, at which time you can then receive comments from the property owners that live in that particular area."

**Mr. Weber** said, "This one, as Joe has mentioned, is the benefit district map. We'll have to go through just a little bit of history on this project, also. The proposed improvement is to improve 9th Street from where it currently terminates, actually, at the edge of the Overbrook 1st Addition, and take it over to the far east line of the plat, which would be the half mile line. There are these little eyebrow cul-de-sacs. There are actually three of them. We have a little mistake here, this should be blue also because that little cul-de-sac does not exist today. So, at this point, traffic comes in, takes the corner and comes down into the Overbrook 1st Addition. I'll point out on this map before going to the next one that we did look at doing special assessments in here on two levels because there is no paving in here right now. Everything inside the box is paved up to this point. So we have a subdistrict that basically follows this line and comes up and over there and back down because these properties are needing all paving. This street, in the planning of the Overbrook 2nd Addition, was designated as a collector street. As such, 9th Street as it exists over here is extra wide. It is 41 feet from back of curb to back of curb. A typical residential street, like these cul-de-sacs down here, is 29 feet from back of curb to back of curb. In fact, this one here is a little bit wider, it is 35 feet from back of curb to back of curb. But what we're trying to do here is get this in. The various lots in here, this plat was done in 1981 and it wasn't a real good time back in 1981. Basically, most of the subdivisions went through several tax sales and had gotten split up into various ownerships. At some point, pieces of this have been done. People have scrapped enough together to get the residential paving in up from the south, but we have not got enough of an ownership by any one person up on 9th Street to submit a petition that can get this done.

"We have, on this one, heard complaints over a number of years as this has developed, about either an inability to get school buses in up and back around. I understand the school bus stops down here and everybody works their way down to the school bus. There is no turn around up here at the north end. There is some sand or gravel stuff up there but it is not sufficient for the school bus. There is an issue of having two ways in and out of a neighborhood, which was the way it was originally planned. That ties into an issue of public safety. Can a fire truck get there? Can an ambulance get there? So that is a complaint that I know Commissioner Gwin has heard several times. I've heard it several times. We've talked to the major developer down here about it several times. We've reached the point that we need to clean this up and complete the obligation, that this plat has to put in all the public infrastructure and complete the project.

"We'd estimated that construction up there would be a little less than \$250,000. Again, we have

### **Regular Meeting, December 22, 1999**

engineering and legal and financial costs at about \$93,000, for a total bond issue of about \$338,000. For using units here instead of lots, this is not equal. Once again, we have the two subdistricts. Up on 9th Street, I'll go back here, in the northern portion, each of those parcels or lots would pay six units."

**Chairman Hancock** said, "You call the northern portion, is that both sides of 9th or just the north side of 9th?"

**Mr. Weber** said, "Both the north and south side. Once again, this line is a little bit light for us, but if you look at this as being a south line of that subdistrict. They would pay six units in the northern portion and the southern portion, where they've already paid for their residential level of street construction, they would pay for one unit. This gives us, again, a total of 221 units. If you're in the southern portion then, the principal cost per lot or unit, or, in this case, per lot is a little over \$1,500. If you're up on 9th Street, it is approximately \$9,200. We just highlighted the annual cost of that down in the lower part is \$158 a year based again on 6% with a 15 year special assessment spread. We have 25 lots or parcels, they are not all platted parcels up on 9th Street that would pay six units each, \$947 a year on that.

"Part of the rationale for this is there are a lot of colors on this map, but the first phase that was done is down here in the yellow. That appears to have been done in about 1983. They had a special assessment down here of about \$8,300 per lot for the residential streets that are in the yellow portion. Then there was an extension made after all these things kind of coalesced after the tax sales about 1995, where this light green or blue-green portion was done and I actually should tell you we had a little bit of an error in our numbers Monday night, which I'll try to correct. I can't give you the exact number, but we actually had an individual residential pavement project in here and another one in here. But they have a common drainage problem, so there was a general phase for that, that both of those shared in. In this part of the subdivision, the total cost for that drainage work and the residential street paving was about \$7,850. This purple portion came in about a year later and already had the drainage assessment on it and, from memory, I'm going to say that was about \$1,000 to \$1,500, but we'll have to go look that up. The residential street paving portion was about \$6,800 up here. So, what we're suggesting to you is that, if you look at the cost

### **Regular Meeting, December 22, 1999**

of the residential street paving in these three portions, those people, I forget the numbers in the purple portion, had been assessed for residential paving and drainage somewhere between \$7,500 and \$8,300. We'll need to button those numbers down. I'm sure that will be a question that will come from the residents out there. We had told them Monday night that the number in the purple portion was about \$6,800, so it does make it look like there was more of a disparity than there actually is. That was our error.

"So what we have . . . by doing the six units and one unit, what we have tried to do is equalize the specials across the entire subdivision. Up here they would be looking about \$9,200, so down here you would have \$8,200 plus \$1,500 and here you'd have \$7,859 plus \$1,500, and here you'd have \$6,885. The piece of the assessment that we missed, \$1,000 or \$1,500, plus another \$1,500. This would bring everyone in to a reasonable range of paying the same to get all this done. Again, equal shares within this portion, it wouldn't matter which lots you had, you'd pay the same basic amount. I think that's my story. Once again, this would be 41 foot back to back paving with eyebrow cul-de-sacs coming in. I'd be happy to try and answer any questions you might have."

**Chairman Hancock** said, "Thank you, Jim. Commissioner Winters."

**Commissioner Winters** said, "I have a couple of questions. What is the level of development in this area? Is it 100% developed or mostly vacant?"

**Mr. Weber** said, "I haven't actually driven through here for a while but it is substantially developed at this point. Because of this phasing, this has been done and then this pretty well filled up."

**Commissioner Winters** said, "But there are still some vacant lots out there?"

**Mr. Weber** said, "I'm going to say there probably are."

**Commissioner Winters** said, "Okay. The other question I have and I'll admit I didn't spend a whole lot of time on this. How did we get to this point? Has there been a petition brought to us? Did this come to us by petition? Did 51% of these folks want to do this or not?"

**Mr. Weber** said, "There are old petitions on file from 1981. Once again, a lot of time has lapsed. This has turned out to be developed in phases rather than as a whole chunk. It was not a phased petition. This has been good for the County because we've been eating the specials in here until this thing got developed. So they've taken and gotten a number of these lots and put them together. They put up letters of credit

## Regular Meeting, December 22, 1999

to get these phases done. They don't control this up here and can't get it done."

**Chairman Hancock** said, "Thank you. Commissioners, further questions for Jim?"

**Mr. Norton** said, "To further amplify on Commissioner Winters question. This process is just like the previous item where the County is initiating this subject to citizen protest as opposed to receiving a petition. As Jim indicated, we did have about 30 people at the informational meeting on Monday night and I'll try to summarize some of those comments. These are a little more diverse than the comments that we received on the 143rd Street project so I may not touch each individual type of comment and those people may be here today to address those with you.

"Generally speaking, a variety of questions as to why is this improvement needed. Is this to benefit the people who are developing the real estate property in the fuchsia-color along the top of 9th Street or is this to assist the people further down in the area that has already been developed? Some of the people who own property on the southern half of the fuchsia-color expressed an interest that they did not need to have this improvement. Those are, basically, large back yards even though they are separate platted lots. There were also some discussion of the people that were there, that indicated that they did have small children that did attend school in the Andover School District and it was true that the buses could not get up there and turn around. Their children have to, in essence, be taken or walked to the lower portion of the area in order to catch the school bus and they would very much like to have this street completed, so the school bus can get in there and get out and pick up the children nearer their homes.

"There were a variety of other questions with respect to how the proposed method of assessment was arrived at. In general, as Jim discussed, the proposed method in the initial resolution was to spread the unit cost equally to all the properties in the southern three-colored areas. One suggestion was made, could that somehow be equalized out to where every lot in the entire Overbrook 2nd Addition would bear the exact same cost for street improvements. Which would mean that there would be a variety of different numbers in the purple, blue-green and yellow area to bring them up to the amount that would be totally levied against the area along 9th Street.

"Additional questions came up with respect to, again, relating to the township. Why isn't the township involved in this more? A representative of the township was present, Bob Shrum, who is on the governing

## **Regular Meeting, December 22, 1999**

body of that township, indicated that they did have a source of funds to, in essence, extend 9th Street to, I believe it is Sagebrush, which is kind of the indented area in the northwest corner of the purple to that level as a sand street. The township would be willing to do that and pay for that. That was kind of news to Jim and I at the time so we didn't have any opportunity to do anything other than receive that comment. I'm not sure whether that is an individuals suggestion or if that has been a vote of the township board. I do not know at this point in time. Someone may want to investigate whether they would do that or if that would be sufficient. When that information became available, then several of the property owners said 'well, can we have some time to evaluate whether that would satisfy the school bus needs or whether it will not'. I think Mr. Weber indicated that if that were a sand street that it might allow the school bus but it would not meet the standards necessary to allow those platted parcels to be developed and receive a building permit for home construction.

"As you can see, along that 9th Street area, there are three unplatted tracts, in addition to the platted tracts. Those have those M-70 numbers across there. So, not all the lots on 9th Street are platted. There are three unplatted tracts that are proposed to be assessed in the same manner we discussed."

**Chairman Hancock** said, "Joe, does the street exist today?"

**Mr. Norton** said, "No. The street, as you remember, the dark blue heavily shaded area would be actually new construction. I think there is a right-of-way there in the plat but there is no construction there now."

**Commissioner Winters** said, "Are there houses on 9th Street?"

**Mr. Norton** said, "To my knowledge, no. Some of the property, right along there on the south half of proposed 9th Street, those lots there. My understanding, from information we got at the information meeting, was that some of those lots are just an extension of back yards of persons who own property immediately south of that are in the cul-de-sac right below there. In other words, they bought some additional property and although they are additional platted lots, may be an extension of back yards. But there are, to my knowledge, no residential dwellings along this. There are some commercial agricultural buildings located north of the proposed benefit district. One of the small areas is in essence a drive or path back up into the area of the proposed benefit district and there are some commercial ag buildings in that particular area. No residences to my knowledge. I think there are maybe a few undeveloped tracts in this purple area, but I think they are rapidly becoming developed. I'm not sure there is much left in there."

### **Regular Meeting, December 22, 1999**

**Chairman Hancock** said, "Joe, you say extended back yards, you mean the properties that are already developed own the lots along the south side of 9th Street?"

**Mr. Norton** said, "For example, if I understand what happened, the person who owns this particular lot here may have also purchased the lot or lots behind them and have a larger than one lot property. I'm kind of summarizing my gist of what the comments were but I think that may exist."

**Chairman Hancock** said, "But these are platted lots though."

**Mr. Norton** said, "That is correct. My understanding is that there is a plat of these particular lots that include road right-of-way along here. Again, there were many diverse comments. I may not have summarized every one of them and they may be here today to amplify on those things. If there are no further questions for Jim or I, it would be appropriate to open the public hearing and receive comment from those citizens who are in the area."

**Chairman Hancock** said, "Commissioner Sciortino."

**Commissioner Sciortino** said, "I just assumed there was a gravel road there and we were repaving it. Those lots that are just south of 9th Street, you're saying that they are platted as lots, there is no development, no houses. Well, this can't be because there would be no ingress or egress for them to get to their house. Those individual lot owners are the ones who are going to be hit with this six unit cost, is that correct?"

**Mr. Norton** said, "Correct."

**Commissioner Sciortino** said, "If a homeowner to the south of that line has purchased one or two additional lots for extending their back yard area, am I right in assuming that if that street goes through, they could have the option of selling those lots out for someone now wanting to purchase and build a home on it."

**Mr. Norton** said, "That is correct."

**Commissioner Sciortino** said, "Okay."

**Mr. Norton** said, "There is a gravel drive that goes back on that right-of-way to get to the metal buildings

## Regular Meeting, December 22, 1999

that are back there. Like a private drive standard."

**Commissioner Sciortino** said, "Okay. But there is no real ingress or egress."

**Mr. Norton** said, "There is no public standard road or street back through there."

**Commissioner Sciortino** said, "So is the only real ingress into this development, I can't read what that street is to the south there. Is that really the only major ingress and egress to the full development area?"

**Mr. Norton** said, "That is the only ingress and egress to that development. If you want to go four-wheeling, you might be able to get from here and around the corner."

**Commissioner Sciortino** said, "Okay, I kind of understand now the safety issue with fire trucks and ambulances and stuff like that. Okay, thank you."

**Chairman Hancock** said, "There are folks here that might be able to answer that question. Is there anybody near the cul-de-sac that you can use as an example Joe, does an individual own a couple of these lots on 9th? You do? Very good. Any other questions? At this time, I'll open the meeting for public comment. Is there anyone here who would like to address this item today? This is Item A-2, the Overbrook 2nd Addition, Phase 4, 9th Street paving project. Don't be bashful. Just a reminder, we allow five minutes for your comments. Need your name and address for the record."

**Mr. Bob Asmann** said, "I live at 14301 Wenworth Court. In 1992, I bought all the unplatted land back here, this area right back here. I went to them and said I need to be able to get into my land. He said we can't do anything for you, but if you want to build a fire proof lane, which I did, from here to here, approved by the fire department and got the buildings built. You can do that because I've got about \$10,000 invested in that for some rock, but it is not something you would want to run a school bus down. I've got a little farming operation here, a little hay and cattle. Paving 9th Street is not going to help me at all. I'd rather not have it paved. I don't want to wash my tractor out in the middle of the street, but that's beside the point."

### **Regular Meeting, December 22, 1999**

"These people down here with their small children and school buses have a problem. I can understand why you wouldn't take your children clear down to here if you lived up here to the school bus. The township the other night at our meeting, which I was surprised, said we can just take this right in here to this street with a road that would be good enough for fire and school buses, pave it, they would assume the cost. That would take care of all the school bus problems. I wouldn't necessarily want that track in front of my barn and all that but I can live with that. That would leave these few lots up here that probably need paving. But if this road here was a good gravel road, these lots here can be paved and come right back through here. So you don't need to spend \$340,000 to solve the problem I don't believe.

"The other question which I was surprised and Jim can answer this. I don't know why this quarter of a mile here would cost \$350,000 when we just looked at the other project and a mile cost \$350,000. This obviously has to do with some storm drainage or something. But \$340,000 for that quarter mile seems a little high, but I'm not in that business. I can see where these people down here have a problem. I'm willing to forego, I don't have any option, the \$10,000 I already have invested, but I'd like to see the problem solved by the township with a good rock based road to get the school buses and fire engines in and out of there. Thank you."

**Chairman Hancock** said, "Thank you, Bob. Commissioners, questions? Next speaker please. Is there anyone else who would like to address this item today?"

**Ms. Candy Ramsey** said, "I live at 940 N. Stagecoach, which is the corner of Stagecoach and 9th. We are currently probably the only people that live on 9th Street, although since it is not developed we have to go in and out on Stagecoach. Since our meeting on Monday night, I have talked with the Andover School District Director of Transportation, Julie Clompton, and I asked her what it would take to be able to turn the school bus around. She said they have been out there many times and looked at it. There is no physical way on the streets that are out there to be able to turn a school bus around because they will not back up due to the safety of the children is my understanding. However, she said as long as they have a 90 foot diameter cul-de-sac or road base. I said okay, wait a minute Julie, do you need a paved road?"

### **Regular Meeting, December 22, 1999**

She said no, a maintained road. I said do you mean like a gravel road? She said anything as long as it is maintained. So we're looking at a 90 foot diameter circle to be able to go all the way up or wherever we deem possible to turn a school bus around.

"As an owner of two properties along 9th Street, I would like to see us investigate that and the township offer the other night. I guess, again, there was a lot of concern with the trees along 143rd and we have a hedge row along there and I'd hate to see the hedge row go, too. It does set a tone for our neighborhood. Thank you."

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

**Commissioner Winters** said, "Could you get the pointer and show me where you live and where you're talking about a cul-de-sac?"

**Ms. Ramsey** said, "I'm supposed to figure this out, too? I live on that piece of property and we own the property back behind us. We purchased that at an auction because the people were not paying taxes on it."

**Commissioner Winters** said, "So you don't live down here in the southern part of the section."

**Ms. Ramsey** said, "No."

**Commissioner Winters** said, "Thank you."

**Chairman Hancock** said, "Commissioner Gwin."

**Commissioner Gwin** said, "Ms. Ramsey, I'm sorry, but one of the questions that came up, I noticed, was about the Andover School District. Could you give me the name of the individual you spoke to?"

**Ms. Ramsey** said, "Mrs. Julie Clompton. She is the Director of Transportation for the Andover School District. I asked her, can I use your name and she said yes, whatever I need to answer. She said as long as it is maintained."

**Commissioner Gwin** said, "Okay, we'll probably want to follow up with them, too."

**Chairman Hancock** said, "I think they're done, Candy. Next speaker please."

### **Regular Meeting, December 22, 1999**

**Mr. Archie Adams** said, "I live at 14909 Tipperary Circle. I have that lot right there. I live in this section here. This is my lot here. I own the next two lots. I might point out to you, Commissioners, that all of these lots can become extensions to our back yards. To my knowledge, in talking to all those people, no one has any plans to sell those as lots. They are landscaped. They have golf putting greens on them, water gardens. They are just a natural extension of our back yards.

"I might point out that I stand in the very dubious distinction of not only getting my taxes increased in the lot I'm on, then I get to pay double again on the \$900 parts, for stuff that backs up to my back yard that I really don't want access and egress to any how. I would also echo Mrs. Ramsey's comments. That is all very secluded back there because of a hedge row that goes clear across that back. Otherwise, we're looking directly at Mr. Asmann's barns. That are, to my knowledge, Commissioners, I know of no one, any property owner on 9th Street that either backs up to it or owns on the other side that is in favor of this.

"The township has offered a gravel road to solve the problem of the school bus, et cetera. Also, I understand and I'm sure they'll talk to you, but the land owners at the corner of Sagebrush have offered a turn around to comply with the school boards dimensions. There really isn't a reason for the township to maintain Mr. Asmann's road. I guess that is all my comments and I thank you for your time."

**Chairman Hancock** said, "Thank you. Next speaker please. Is there anyone else who would like to address this item this morning?"

**Mr. Dick Kunkle**, 718 S. Maize Road Court, Wichita, said, "I don't live in this area out there but I do own a number of the lots on the other side of Sagebrush or east of Sagebrush. The reason there is no houses up there, yet, is because there is no paving up there. It is a residential area. Everyone that bought the lots up there and the land knew it was a residential area at the time they bought it. There has been a lot of complaints in the area about inability to access 143rd. Most of 143rd is paved now, rather 9th Street is paved back from 143rd of the extension. This little extension here is only a short distance, compared to the paving which someone has already paid for to get it to that point. Then further, all the lots the other side of Sagebrush down south are my lots and some of them in the north. So, I do have the

### **Regular Meeting, December 22, 1999**

majority of the votes for a petition to put paving in that area and I will submit that if this doesn't go through and then we'll have a fragmented development there and the remaining cost of the other long block there will be proportionally higher."

**Chairman Hancock** said, "Are you talking about lots in block 2?"

**Commissioner Sciortino** said, "Can you point out with that pointer where your lots are?"

**Mr. Kunkle** said, "The lots that are mine run down here to this road right here. Then that big one up there."

**Chairman Hancock** said, "So, in fact there are lots that are owned along 9th Street that are not part of a larger block or individuals that back up into those blocks."

**Mr. Kunkle** said, "Right. There are development lots in there and probably if some of these people want to be bailed out, so they don't have high specials, I'd probably be willing to buy their lots from them. I didn't bring any contracts with me. Those are the only comments I have, but this is a residential area and 9th was platted wide in the first place, so that any development further east would be accessed by this. It looks to me like it is viable property."

**Chairman Hancock** said, "Thank you. Is there anyone else who would like to address this item this morning?"

**Mr. Robert Ramsey** said, "I live at 940 N. Stagecoach and has been explained by my wife, we're that lot right there. In 1991, we originally purchased our lot from an individual. My guess is they probably picked it up at an auction because all of these lots, as discussed before, have been sold several times. Since that time we've put the house on it and about two years ago we bought this lot behind us at an auction. It had been through the auction process three or four times by this point. We are paying full taxes on those lots as property. In fact, the lot behind us quadrupled last year on our taxes. We feel like we've

### **Regular Meeting, December 22, 1999**

at least meant the intent of the Sheriff's auction. We are paying our taxes now. However, our driveway comes out here on Stagecoach. What I believe we've discovered is that everyone along here owns these properties with no intent of developing them. I believe that is also the case along here. In fact, most of those people are here today. At this point, we have no particular reason to want to do this. In fact, in my case, I'm talking about almost \$2,000 a year in new special assessments that may improve the value but they really don't help me. I just wanted to expand on what Candy said, as well. I think we need to solve the problem with the school bus and if we can solve that, without spending that much money, I think it would be the better solution. Thank you."

**Commissioner Sciortino** said, "Are you supportive of the need to have some kind of gravel road or something there, so there would be ways that fire trucks or what have you could come in and out of that whole subdivision rather than just access that . . . "

**Mr. Ramsey** said, "Yes, I am. Right now, because of the number of homes back here, this is a rather busy street. The covenants in the area don't allow for parking on the streets, so the streets are typically open. However, they do pay a pretty good burden in traffic down here. The problem, I guess, is that we all purchased these lots based on the idea that there was no plan to improve that and since most of us that own them weren't going to do anything with them, we figured the cheap solution would be something like a gravel road."

**Commissioner Sciortino** said, "Thank you."

**Chairman Hancock** said, "Thank you. Next speaker please."

**Mr. Jim Reilly** said, "I live at 800 N. Stagecoach. I'm involved in that undeveloped area, that lot, that lot, and that undeveloped area and this undeveloped. We understand the problem with access for the fire system. We also understand the deal about the school system. We've talked with the transportation. Our lots are right across the street, at the end of Sagebrush. We are willing to make arrangements for a turn-around. We'll solve the school bus problem. The lots that Mr. Kunkle was referring to, that he purchased

### **Regular Meeting, December 22, 1999**

at the last tax sale, are lots along the south side of the street and the one on the north. We purchased lots at the same tax sale. We paid the taxes. His lots are currently, he hasn't paid a damn dime on them. So they're in foreclosure as we speak. Why he should have any say on what goes on up there is beyond me. The township gravel road, I have no problem with that. It doesn't need to be a speedway through there. There is no intention of development on our part of the lots that we've got up there. If he hadn't shown up at the tax sale, we would have owned the lots that he owns."

**Chairman Hancock** said, "It would probably be a good idea to address the issue of the road and not Mr. Kunkle, okay."

**Mr. Reilly** said, "What I'm saying is that we don't have any interest, at all, on the east side over there of putting that road in. There is no need for it, other than development of those lots. To the west portion of the road, we don't have any opposition of putting a sand road for a fire truck entrance in, if necessary, and we will provide the ground for a turn around and solve the school bus problem. We've also heard some talk from the people to the south that said they bought in that subdivision because it didn't have a back door. It is a no exit. You get in, you can't make a loop through there. End of comments."

**Chairman Hancock** said, "Okay, thank you. Is there anyone else who would like to address this item today?"

**Mr. Michael Murphey** said, "I live at 14021 North Point Drive. I own these lots, there are seven of them right along here, as well as that land right there. I own these seven lots. With what has been proposed, my math isn't real good, but it looks like I'm coughing up \$65,000 for a piece of land that I have no intention of developing. Then when you get right down to it and you plug in the sewer and the water into that, I'm going to be paying more than most people did in the south end. I'm going to be paying \$65,000 and no water and sewer. I'm really going to be under water on some lots that I have no intention of developing. I bought that little piece of land so my daughter could keep her pony there, occasionally, and that's the only interest we have in the land. We have no plans to sell these lots or develop them.

"At the meeting, the other evening, it appeared that the vast majority, 15 of the lot owners minimum, are opposed to this road being paved. Also, the plan long-term was 'gee, some day they're going to develop that land right there across the fence row'. My family owns that land and we have no plans, whatsoever, to develop it. So, we have no interest in continuing that road east.

"Also, we've been talking about a collector road here. I fail to see the need for that. We'd prefer not to

### **Regular Meeting, December 22, 1999**

have the road paved but if it is paved, I'd like to see just a narrower standard city street. I don't see that much traffic on it, which would save some expense. If this project goes ahead, I'd like a little time to delete these eyebrows. They are right there and right there. Get a chance to replat these lots because if I'm forced into a paving situation, sewer, and water, I'll have to sell these lots. I'd like a little time to replat them and do something that makes a little more sense and save you guys a little money on those cul-de-sacs.

"I was also flabbergasted at how this project is going to cost \$350,000 for a quarter of a mile and I just witnessed the other street going north, three lanes and two lanes, for the same price? I don't understand. I've been in the construction business all my life. I don't quite get the difference in the dollars there. My closing thought is, if some people would like to get out of this area that own lots there, the other lot owners and I would go together and buy those lots, so there wouldn't be a hardship and just close this deal. Thank you."

**Chairman Hancock** said, "A question before you go, Mr. Murphy. When you bought those lots, and I guess I'm speaking to everybody who bought lots at the tax sale, and if you didn't buy them all from one end of 9th to the other, what did you think the other lot owners were going to be able to do with the lots?"

**Mr. Murphy** said, "I didn't buy these at the tax sale. I bought them from an individual."

**Chairman Hancock** said, "Wherever you bought them, this is a platted subdivision and not one person owns all the lots. Not even two people own all the lots. What did everybody who bought these things think the other lot owners were going to do, the same thing you're going to do?"

**Mr. Murphy** said, "I had no idea what the other people were going to do. I saw it as a little piece of ground that we could use for recreation and enjoy. We did not envision it turning into a development. I realize that is an option that could happen."

**Chairman Hancock** said, "It is a platted area. I know what you were thinking for your property, but what were you thinking for the other folks who own lots there."

**Mr. Murphy** said, "I really didn't think about the other people. I saw a piece of land that we liked and we bought. Also, while we're talking about sharing costs here, we have got three lots that are already on pavement and these people here, you're going to charge them who already have access to this and you are going to charge them for pavement there. Then you have two people right here who already have access. Fair is fair, so if I have to pay for these three, that are already on pavement, and these people

## Regular Meeting, December 22, 1999

have to pay here, you probably want to include these two lots right there.

"This has really been a hurried up deal for us. Now we have the holidays. So if we can't encourage to abandon this, we'd like some time to really rethink this and maybe post it for 90 or 120 days and really get our act together and come back and talk about it again."

**Chairman Hancock** said, "Thank you. Are there any other speakers who would like to address this item today?"

**Mr. Paul Stephenson** said, "I live at 14031 North Point Court and I am a joint owner in the properties that Mr. Reilly described and was a former owner of property in the first phase, the Overbrook Addition going back to 1983, so I'm familiar with the history, generally speaking, of the whole area and the development of the area that is now called Stonegate. While we appreciate the County's effort to look after us, I guess we were surprised and somewhat disappointed that this process had come to this point, without sharing that this process was at work, in as much as none of the property owners, with the exception of the gentleman that you heard from, had any desire to have this land developed. I'm also familiar with the development that occurred in Stonegate and the real estate parties involved.

"To your point directly, Commissioner Hancock, the County was clearly aware of the development of that area at the time that is was occurring, yet allowed the development to take place without addressing the ingress and egress issues off of 9th Street. I think it was safe to say that, as those lots became for sale, through tax sale sources and the rest of the land to the north of 9th Street was already for the most part named agriculture, that people assumed that there was no active plans for the development of a road through there. Having said that, everyone at that meeting concurs with the need for proper transportation for the children and for safety. With the information that was shared with us from the township, it seemed to offer a very viable alternative solution to this issue. As part of the owner of the land up there, I would just simply concur with Mr. Reilly, we're more than happy to work with all those involved to provide room for a turn-around, if that is what you require. Thank you."

**Chairman Hancock** said, "Commissioners, questions? Thank you. Is there other speakers who would like to address this item today?"

**Mr. Allen Humbolt** said, "I'm at 14921 Sharon Lane. I don't think I need the pointer. If you look at the very bottom of your map, I am one lot north of there. Just some of my neighbors wanted one of us to come here. The thing we didn't understand, first of all, we're a long ways away from this development.

### **Regular Meeting, December 22, 1999**

We weren't quite sure how we were fortunate enough to get grouped into this benefit district. Second, I would like a little understanding of the cost of streets in the past. I paid over \$16,000 in special taxes from 1989 through last year, if you count all the interest. I heard, at the meeting, that people in the south had paid \$8,200. People at the north had paid \$6,900 and dollars that came several years later. I think I heard today that the information wasn't quite right but I'll admit I still did not understand what I paid in the south, as opposed to what people paid in the north. From our perspective, it seemed like in the south we bore the brunt of the cost of developing Sharon Lane and the further north you got, the more there was just a little more of Sharon Lane to develop and the more we had big long cul-de-sacs. Just as an example of how that worked, this past year with the big rains, the flood waters at my house come up two thirds of the way into the yard. Of course they didn't used to do that, but up north we have developments that have really long cul-de-sacs with no storm sewers required along those cul-de-sacs. So I just wanted to present the point of view of some of us in the south.

"First of all, we kind of think the benefit ought to be somewhat proportional as to how far away you are from the street. But if it is just everyone should have special taxes that total an equal amount, we'd like to understand that a little better because the initial information there was \$1,300 difference. I think I heard that wasn't quite right, but I didn't really understand quite what we were saying of what the people up north were paying, versus the people down south. Those are my comments."

**Chairman Hancock** said, "Thank you, sir. Questions? If not, thank you. Good job. Is there anyone else who would like to address this item today? Is there anyone else who would like to address this item? I'm not going to close the public hearing, however, I'm going to continue you. I do know that one of the Commissioners is going to reschedule this at some future point and we're not going to close the public hearing on this item today. Commissioner Gwin."

**Commissioner Gwin** said, "Thank you, Mr. Chairman. The issue of this project obviously doesn't come to us from the folks who live around it but rather from the folks who live farther away from it and who, as the speakers have indicated, have told Mr. Weber and me over a course of many years about an appropriate second source of ingress and egress to the subdivision. As far as school buses, as far as fire equipment, and as far as traffic, as it comes in and out on Sharon Lane. Certainly, no one out there along

## **Regular Meeting, December 22, 1999**

the proposed 9th Street indicated that they want us to come and raise the taxes and pave the road, but the calls I get are from others, who live to the south of that, who are looking for a solution to the three problems I just mentioned to you.

"This one is a lot more complicated than 143rd Street because I think we have to look at the long term need of this particular roadway and what the future is going to hold for it. We know that 143rd is going to be open to the public. The issue of this one, even though it has been platted for as long as I know for 9th Street, to be a collector road. Whether or not that might happen today or happen in the future is something that I think each of us has to kind of work through over some time.

"I'm glad that Ms. Ramsey took the time to call Andover, because that is one thing that I noticed in the questions that we need to get some clarification on. As I'm going to move to defer this project to get more information for us, I'm going to suggest that we contact the Andover School District and try to get something in writing from them, that we visit with the township people since you all heard from them for the very first time the other night. Let's talk about what their proposal is and how it may or may not meet future needs of what is happening here.

"I delayed the other one a shorter period of time because I don't think it is as complex as this one. We don't meet on the 26th of January, I don't think, and so the next meeting after that would be February 2. I'm going to move that, as the Chairman said, we continue the public hearing open but we defer any action on this item until February 2. I need you all to get me and us some additional information on some of the issues that have been raised here. Even at that, I don't know if, on February 2, if I'm ready to make a decision or not. This one is a lot more complex, I think, than 143rd and is going to take some time. I've heard about it forever, but to talk to my colleagues and to get some picture of what the long term need out there is."

### **MOTION**

Commissioner Gwin moved to continue the public hearing open but defer any action on the item until February 2, 2000.

Chairman Hancock seconded the Motion.

**Chairman Hancock** said, "Commissioner Sciortino."

**Commissioner Sciortino** said, "I'm going to support that motion. My concern for wanting to do

### **Regular Meeting, December 22, 1999**

something there is on the safety issue. If I could maybe respond a little bit to the last speaker who has a house just north of his ingress and egress. He probably will never have to access 9th Street, whatever we wind up doing on it, to get in and out to serve his needs and get him in and out of his property. But on safety, I could paint a picture and there is a tornado and that ingress there is blocked with trees and his house is on fire, I could see having an alternate way to get to his property for safety reasons or having someone in his home injured and needing to get an ambulance there. It is sort of an insurance policy for the people there. The item of the school bus. I think it is an excellent idea for us to get a first-hand feel from the Andover School District. I applaud the property owners who are willing to do something that would allow a turn around for the school buses. I think that is a great idea. If I could hazard a guess to the one person who spoke that wanted to know why that short section of road would be as expensive as maybe a mile section, I'm going to suspect that it is perhaps in the preparing of the road to be built and 143rd Street has got a lot of that ground preparation already done. I think that is perhaps where some of the expense has come in. I'm sure that Public Works can address that particular question a lot better than I can and perhaps when you come to us in February you could have those questions addressed also. That's all I have."

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

**Commissioner Winters** said, "I agree with Commissioner Gwin. This is a complicated case and if you come up with any creative ideas or suggestions, working with the township, I'll be very supportive. I do certainly think that this is a unique situation that these folks who really have bought lots at a tax foreclosure sale and have really improved their property to a higher standard and then all at once get thrown in as the major contributors to this street just doesn't sound right. We'll kind of follow your lead but I'll be supportive any way I can to come to some kind of solution."

**Chairman Hancock** said, "I look at that a little bit different and I'll apologize to my colleagues. This is a platted property and each one of those particular lots in this development, what comes with it are vested rights in a piece of property. These are not tracts of land. These are parts of a plat that was approved, although be it undeveloped. Everyone of those owners along there, if you buy one of those lots, you deserve utilities and transportation. If I own a lot there, any one of them, I deserve to have that street, at some point, built whether it be by the County, the township, or someone. I think it is a pretty nice deal for everyone to come in and buy these lots and then not develop them and it adds to the value of the property they have improved."

## Regular Meeting, December 22, 1999

"But the point is, if you own a lot next to a lot that you chose to develop, you have the right to do that. It just seems to me that at some point, we're going to have to develop this street or decommission this plat, one way or the other. Marvin is here and I don't know what the process is, but it seems to me that if all those lots are bought up by folks who chose not to improve them, then we need to make this not a plat any more. Because vested rights come with each of those lots. It is immaterial as to whether Mr. Kunkle has paid his taxes or not. If he owns it, he deserves a way to get to it.

"I don't like the way any of this sounds, too much. This whole thing, it seems to me that one bad thing led to several other bad things which created other bad things. But the fact remains that this is a plat and we need to think of it in those terms. We will learn more about it as time progresses and Joe will bring us new information and Betsy finds out some stuff. Maybe I don't know the whole story yet, but it seems a little strange to me. Commissioner Winters."

**Commissioner Winters** said, "Just one quick comment. I agree with you, Commissioner. But it is like this is a problem when you do a development in phases where you can't see the end. You can't see the back door. Somebody made a mistake when we did this, with no access out the back, with no secondary access. But once that happened, you can't go back and relive that. But I agree with your comments. I just have my sympathy side on or something, I don't know. I think these people are in a dilemma."

**Commissioner Sciortino** said, "Mr. Chairman, I also understand a little bit. I know enough about platting to be dangerous and I'm learning. I have an area in my district that went through two or three ownerships and foreclosures and new developers and it gets very convoluted. I'm glad we're taking the time to really try to go through this and it is not simple. I agree with you, there are certain rights that are assigned to a person that buys a lot in a platted area and maybe decommissioning it would solve it. I understand that. I'm glad we're going to walk through this slowly, before we act."

**Commissioner Gwin** said, "Trust me, we have walked very slowly. This has been years that Jim and I have been wrestling this thing, trying to either tackle it and pin it to the ground or whether we're ready to give up. So this is not one that has just come out of the blue. This has been an ongoing problem, for as long as I've been here. The more people who moved in, the more complaints I got. We continue to deal with it."

**Chairman Hancock** said, "Thank you. Further comments? We have a motion and second, Clerk call the vote please."

**Regular Meeting, December 22, 1999**

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you. Thank you all for being here. Item H please."

**H. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.**

**Mr. Charles Magruder**, MD, MPH, Director of Community Health, greeted the Commissioners and said, "Just three items real quick. Regarding our WIC, IAP immunization program that I've been updating you on. Just to let you know, one of the concerns that we had in the back ground was that the people desiring to get WIC services would decrease, as a result of having the immunization program in place. We now have firm data to show that that is not the case.

"Item two, regarding the Olds model, the Health Department is now fully poised for implementation. One additional item to relate to you, I received a phone call yesterday from the Barton County Health Department. Apparently, a juvenile justice judge has decreed that the Health Department will implement that program. They called the people who run the Olds model and those individuals told them that for them to be able to implement, they would have to operate under our administration, the administration of the Wichita/ Sedgwick County Health Department. I have told them to get the details of that worked out and to send me a proposal and I will get that information to the County Manager as soon as I receive it. I also understand, from the Director of the Health Department, that Mr. Buchanan's counterpart will be contacting him and discussing that issue as well.

"Regarding the legislative issues that are coming up, I wanted to thank all of you for putting public health issues in the platform that you have sent forth. The Health Department staff greatly appreciates that. Beginning this year, I will begin to get my feet wet in trying to examine that process that takes place in Topeka and will be working with the KDHE staff and others to see how we can improve our lot here in Wichita Sedgwick County for public health. I thank you. I'll be happy to answer any questions that you have. Commissioner Sciortino."

## **Regular Meeting, December 22, 1999**

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Doctor, let me understand, we haven't passed on the Olds model, yet, I believe, in Sedgwick County. But I'm hearing now that another County that has approved their Olds model will need to tie into ours if we decide to do it?"

**Dr. Magruder** said, "Yes sir. The rules and regulations that govern this system from the organization that operates out of Colorado, they require certain capabilities and administrative infrastructure. I am assuming, although I don't know this for certain, I'm assuming that, since I received this phone call, that the people who run the Olds model, in getting their preliminary questions answered, have determined that the Barton County system does not have adequate structure to be able to implement independently. That is another assumption on my part. I just wanted to relate to you that the Barton County Health Department Director has called me. They just called yesterday. They have relayed that information and the only thing that stands, now, is the fact that I have asked them to send me a document that describes exactly what they have been told to do and how they feel they would need to work with us, should that take place. There is nothing that is agreed upon. There is not even any written documentation that has been received yet. I'm just informing you of that conversation and that we will be getting that sort of information."

**Commissioner Sciortino** said, "Thank you."

**Chairman Hancock** said, "Thank you, Commissioner. Further questions? Charles we're sorry we made you wait for so long. Good to see you."

**Dr. Magruder** said, "I rather enjoyed it because it was an opportunity for me to see government in action that impacts me personally. I was actually rather excited about it."

**Chairman Hancock** said, "Do you own a lot on 9th?"

**Dr. Magruder** said, "Actually sir, it was the previous item that has an impact on me."

**Commissioner Sciortino** said, "Are you for it or against it."

**Dr. Magruder** said, "Sir, it would probably be against my better judgement to present any opinion on that."

**Chairman Hancock** said, "Thank you, Charles."

**Regular Meeting, December 22, 1999**

**MOTION**

Commissioner Gwin moved to receive and file.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Have a good Christmas and please tell everybody in your department to do the same. Next item please."

**I. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD) MONTHLY REPORT.**

**Mr. Marvin Krout**, Director, MAPD, greeted the Commissioners and said, "I don't have any Christmas presents like Jim Weber to bring you this morning but boy they sure sound familiar. I don't know if I ought to tell you, but the last couple of months the Planning Commission approved another 27 plats. I hope that won't be a problem in 10 or 20 years.

"It was a busy couple of months. I was not here because I was at San Diego at a conference last month. It was another busy couple of months. We had 65 total cases and 27 plats. Among the cases, there were two, one County case and one City case, both of which have been sent back to the Planning Commission for reconsideration. They were both mobile home parks. Your case at 55th and Broadway. The City Council heard a case at 55th near West Street for a mobile home park. Sent it back to the Planning Commission. I think that everyone is sort of grappling with this question about the location and the design of mobile home parks.

## **Regular Meeting, December 22, 1999**

“We had an interesting discussion with the Planning Commission, where there was discussion about maybe we ought to distribute them on some sort of quota basis to different parts of the County. Of course the part of the County that didn't have mobile home parks didn't think too much of that solution. I think the Planning Commission realizes this is a bigger issue than they can grapple with right now as part of the overall Comprehensive Plan, but we're going to put it in our work program to try to get into in more detail. Invite the industry and invite people to talk about that issue and see if we can develop some locational guidelines and design guidelines that are a little more predictable than the situation we have now. By the way the case that was heard by the Planning Commission the second time out from County is coming back to you with a second recommendation for denial once again.

"In current plans, we also dealt with the issue of wireless telecommunications. You were at the workshop that we had with the Planning Commission and the City Council in November, that followed a dialogue discussion that we had the month of October. I'd say that the draft plan wasn't totally received with welcome arms, either by the industry or by some of the people that were around the table. We have what I guess you'd call a red mark copy of the draft plan from the group that represents the carriers. That City/County staff committee has met with the tower builders, which are one group of interests and also the carriers, the telephone companies, like AT&T and Sprint and so on. They really don't have exactly the same interests. We'll be meeting right after the first of the year with neighborhood groups, who probably don't have quite the same interest as any of those. In the meantime, the Planning Commission, we had towers that were approved. In two of those cases though, the applicant still needs to demonstrate that there is not, when he submits a building permit, that there is not a feasible alternative on an existing tower. One is in the Pawnee and Webb area where there is a potential still for locating on the existing Southwest Bell tower in that area if Southwest Bell is cooperative. They haven't necessarily been in the past. Then the other location out in the northwest area, there is a potential to locate on school grounds, on Pleasant Valley school grounds, where there is an existing microwave tower owned by the school system. They are working through their legal problems of how they can deal with a for-profit commercial entity on those towers through the City's Public Building Commission and their legal counsel. They think they have a solution to that problem but it may not meet the time frame for ATT to construct a tower. So that process is continuing.

## Regular Meeting, December 22, 1999

"A lot of efforts dealt with the Comprehensive Plan. Not only the workshop that you attended on the Comprehensive Plan but the Planning Commission has been meeting almost weekly on that, including their last meeting, just yesterday afternoon, where they pretty well finalized what will be in the advertised version of draft amendments. They have agreed that they'll have evening public hearings on the evenings of January 19, 24, and 25. They'll take that input and probably make further revisions based on that. So there has been a lot of work on the Comprehensive Plan and that includes the transportation plan, where we continue to work on, not only what improvements are needed but we're also required to do a financially constrained plan, which means that we need to try to estimate what the overall revenues and overall costs for road improvements and other improvements are going to be for the next 30 years. We've gone through that process.

"Also, in transportation, we helped both the County Public Works and City Public Works preparing their application for the systems enhancement improvements that were submitted earlier this month to KDOT. We also found out that we were awarded grant funds from the State Department of Commerce and Housing to enable us to hire a consultant to look at two more neighborhood areas. One is the area we've talked to you about stretching from south Wichita through an unincorporated area into Haysville. The other is in the Delano area, just west of the west bank of the river, just west from downtown, an older neighborhood that is very well organized and feels the need for some organized planning efforts there. I'll stop there and see if you have any questions."

**Chairman Hancock** said, "Thank you, Marvin. Commissioner Winters."

**Commissioner Winters** said, "We talked about the Comprehensive Plan. Again, I'm still having a little bit of difficulty seeing how we'll get to the end result. Could you maybe lay out a plan or framework or we can talk about this later. Are we going to wait until the MAPC has made their recommendation and then we get that document and then we'll wrestle with that and make changes, additions or stamp and approve or are we going to enter into some sort of dialogue with MAPC and we're going to say some things and suggest some changes and give it back to them and let them wrestle with that? How do you envision that?"

**Mr. Krout** said, "My suggestion would be that we do set up another workshop session after the public hearing and before the Planning Commission takes the vote on the plan, so that they can get some informal input from you. We'll let you know. You'll probably want to attend some of those meetings yourselves. We'll have transcripts, too. We've had two workshops to try to keep the City Council and County

## Regular Meeting, December 22, 1999

Commission talking to the Planning Commission, one in July and one in November. I think, after the public hearing would be another good time to do that, before the Planning Commission decides what it is that they are going to recommend. I think they could use one more round of input.

"As you know, Commissioner, there is a group of farm related interests out there and is interested in trying to maybe insert some language back into the plan that the Planning Commission, so far, has chosen to take out. I think there needs to be continued dialogue. The idea is that if it doesn't look like we're too far from a solution, we probably would have that one dialogue session in late January or early February. The Planning Commission would then vote and send the recommendations on to the City Council and the County Commission. If it looks like the land use issues continue to be an issue that is going to consume months and months of our time, we have a plan B, which is to pull out the transportation section of the plan and get that adopted through the governing bodies so that we can be on the right side of the law with regard to the federal transportation agencies. Then we can continue the discussion on land use. I hope we can go through the whole process but we do have that plan B."

**Commissioner Winters** said, "Thank you, very much."

**Chairman Hancock** said, "Thank you, Commissioner. Further questions? If not, the Chair would entertain a motion."

### MOTION

Commissioner Gwin moved to receive and file.

Commissioner Sciortino seconded the Motion.

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

### VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

## **Regular Meeting, December 22, 1999**

**Chairman Hancock** said, "Thank you, Marvin. Have a good holiday and tell everybody in the Planning Department hello for us and Merry Christmas. Next item please."

### **J. KANSAS COLISEUM MONTHLY REPORT.**

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, "Again, the month of November a very active month for us. Almost 73,000 people attended 20 events with 32 performances. Our net revenues were in excess of \$177,000. Nice pretty well close to the end of the year for us. Opened up the month with the 21st opening game of the Wichita Wings. One of the things they brought along with them their opening day this year was a very successful soccer camp with Christine Lily. As you know, she played on the World Cup, the U.S. National Team that won the World Cup this year.

"We had the Farm Trade Expo. This show started about four years ago. A little-bitty show over in Pavilion I. The attitude was, let's try it and see how it goes. If we do okay, maybe we'll come back again next year. The next year they came back and did a little better and the next year they came back and did a little bit better still. Well, this year was the first year of a new five year agreement. Within two years, more than likely, they have filled up Pavilion I, the Fulco Pavilion now, they'll probably move over to Pavilion II and take two pavilions. The show has really grown and done very well for us. They had 17,600 come to that show this year. Very successful. Best year they've ever had.

"Concerts this year. They had ZZ Top, Leonard Skynard, extremely successful for us, 8,066 people in attendance. The show did not sell out, but actually it was a real block buster for us. It was reported as the 18th highest gross in the country for the week of November 22 in the box score of the Music Business magazine. There were about 130 concerts reported that week.

"To give you a little snapshot on what the economics of concerts are; concerts have the potential to generate more revenues than any other event that is out there. Almost \$300,000 in ticket sales and \$65,000 in food and beverage sales, and over \$72,000 in T-shirts and novelty sales. The ticket price for that show was \$35.00. So all 8,066 people who came to that show not only paid \$35 for a ticket, they also spent an additional \$17 per person on food and beverages and T-shirts. There is no other event in our business that generates those kinds of expenditures for one single performance in one evening.

## Regular Meeting, December 22, 1999

"Key performance measures. As we see concert tickets become more and more expensive, we've seen a corresponding growth in the usage of the Internet or the telephone and people charging them on their credit cards. So far, through the first 11 months of this year, we have far exceeded what we did the whole of last year, to the tune of 3,363 more tickets sold this year on the Internet and on telephones for a gross ticket sales in excess of \$122,000. That's a \$35 average ticket. As tickets become more expensive, we're going to see a corresponding growth in the service we offer. In addition to that, we had over 25,000 people attend hockey games from the month of November. If you have any questions, I'd be happy to answer them at this time."

**Chairman Hancock** said, "Thank you, John. Commissioner Sciortino."

**Commissioner Sciortino** said, "You had \$434,000 I think you showed in revenues for ZZ Top?"

**Mr. Nath** said, "That is total growth sales, correct."

**Commissioner Sciortino** said, "How much of that is Sedgwick County's revenue?"

**Mr. Nath** said, "Out of the ticket sales, the nearly \$300,000, they paid for all the labor and we received an \$18,000 figure as rent for the building. Out of the \$65,000 that was spent on food and beverage, we get 51% of that from our concessionaire."

**Commissioner Sciortino** said, "That's about \$30,000 some."

**Mr. Nath** said, "Right. Then out of the \$72,000 in T-shirts, we received approximately 18% of that."

**Commissioner Sciortino** said, "So we got close to \$100,000."

**Mr. Nath** said, "It was a very good night for us. That's not counting in the service fees we receive from Select-A-Seat sites, ticketing fees. We'll do a comparison next month. We had Amy Grant in December, an equally enjoyable concert. Different economics though that goes along with it."

**Commissioner Sciortino** said, "Thank you, very much."

**Regular Meeting, December 22, 1999**

**Chairman Hancock** said, "Further questions? If not, the Chair would entertain a motion."

**MOTION**

Commissioner Winters 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 Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Have a good holiday and tell everyone out there thanks for a great year. We really appreciate it. Thank you. Next item please."

**K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' DECEMBER 16, 1999  
REGULAR MEETING.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "I have Minutes from the December 16 meeting. It has been suggested that I not read through all the items. I'll be happy to entertain questions. There is nothing controversial, trust me."

- (1) **COLOR COPY MACHINE- COMCARE  
FUNDING: COMCARE**
- (2) **I.V. SOLUTIONS- EMERGENCY MEDICAL SERVICES  
FUNDING: EMERGENCY MEDICAL SERVICES**

**Regular Meeting, December 22, 1999**

- (3) **HYDRAULIC SPRAYER - PUBLIC WORKS**  
**FUNDING: PUBLIC WORKS**
- (4) **WOOD DISC CHIPPERS- LAKE AFTON PARK**  
**FUNDING: LAKE AFTON PARK**
- (5) **PROFESSIONAL APPRAISAL CONSULTANT - APPRAISER**  
**FUNDING: APPRAISER**
- (6) **LAPTOPS- APPRAISER**  
**FUNDING: APPRAISER**
- (7) **FOUR DOOR SEDAN - FLEET MANAGEMENT**  
**FUNDING: FLEET MANAGEMENT**
- (8) **OPTIONS ON 20 PASSENGER TRANSIT BUS-FLEET MANAGEMENT**  
**FUNDING: FLEET MANAGEMENT**

**Chairman Hancock** said, "The Chair would entertain a Motion."

**MOTION**

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

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Regular Meeting, December 22, 1999**

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

**CONSENT AGENDA**

**L. CONSENT AGENDA.**

**1. Right-of-Way Agreements.**

- a. Two Easements for Right-of-Way for Sedgwick County Project No. 807-K, L, N ½ M; Maize Road between 21st and 45th Streets North. CIP #R-246. Districts #3 and #4.
- b. One Easement for Right-of-Way for Sedgwick County Project No. 839-N; 143rd Street East between 13th and 21st Streets. District #1.

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

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V99085	\$575.00		Simmons Property Management
V99084	\$96.00	4	Steffens Property

**3. The following Section 8 Housing Contracts are 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>
C96017	\$168.00	\$167.00

**Regular Meeting, December 22, 1999**

V99009	\$232.00	\$270.00
V99021	\$81.00	\$149.00
V99038	\$425.00	\$260.00
V99052	\$157.00	\$254.00

4. **Agreement with Home Instead Senior Care to provide Developmental Disability Community Service Provider status.**
5. **Order dated December 15, 1999 to correct tax roll for change of assessment.**
6. **General Bills Check Register of December 17, 1999.**
7. **Budget Adjustment Requests.**

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

**MOTION**

Commissioner Gwin moved to approve the Consent Agenda as presented.

Chairman Hancock seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Is there other business? Thank you. We are adjourned."

**M. OTHER**

**Regular Meeting, December 22, 1999**

**N. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 12:30 p.m.

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

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**BILL HANCOCK**, Chairman  
Second District

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**BETSY GWIN**, Chair Pro Tem,  
First District

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

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**CAROLYN McGINN**, Commissioner,  
Fourth District

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**BEN SCIORTINO**, Commissioner

**Regular Meeting, December 22, 1999**

Fifth District

ATTEST:

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

APPROVED:

\_\_\_\_\_, 2000