

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

### **REGULAR MEETING**

**March 7, 2001**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, March 7, 2001 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chair Carolyn McGinn; with the following present: Vice Chair Ben Sciortino; Commissioner Betsy Gwin; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Mr. Jarold Harrison, Assistant County Manager; Mr. Rich Euson, County Counselor; Mr. Randall C. Duncan, Director, Emergency Management; Mr. Marvin Krout, Director, Metropolitan Area Planning Department (MAPD); Ms. Stephanie Payton, Assistant to the County Manager; Ms. Ann Swegle, Deputy District Attorney, District Attorney's Office; Ms. Deborah Donaldson, Director, Division of Human Services; Mr. Gerald Frantz, County Appraiser; Ms. Jeannette Partridge, Contract Administrator, Comprehensive Community Care (COMCARE); Mr. Richard Vogt, Chief Technology Officer, Division of Information and Operations; Mr. Pete Giroux, Senior Management Analyst, Budget Department; Mr. David Spears, Director, Bureau of Public Works; Mr. Jerry Phipps, Senior Purchaser, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Sandy Swank, Director of Homeless Ministries, Inter-Faith Ministries.  
Mr. Daniel Claassen, Owner, Fuel Outlet.  
Mr. Larry L. Brown, 1516 University, Wichita, Ks.  
Mr. Ray Rancuret, 232 S. Millwood, Wichita, Ks.  
Rev. Lincoln Montgomery, Tabernacle Baptist Church.  
Ms. Mary Swenton, Minority Outreach Coordinator, Care Coordination Team.

### **INVOCATION**

The Invocation was led by Reverend Roy Nelson of St. Paul United Methodist Church.

### **FLAG SALUTE**

### **ROLL CALL**

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

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**PROCLAMATIONS**

**A. PROCLAMATIONS.**

**1. PROCLAMATION DECLARING MARCH 4-10, 2001 AS “BLACK CHURCH WEEK OF PRAYER FOR THE HEALING OF AIDS.”**

**Chair McGinn** said, “Commissioners, we have a proclamation today and I’ll read it into the record.

**PROCLAMATION**

**“WHEREAS**, of the estimated 40,000 new HIV infections each year, more than 50 percent occur among African Americans; and

**WHEREAS**, AIDS is the number one cause of death for Black adults aged 25 to 44, before heart disease, cancer and homicide; and

**WHEREAS**, the role of religious institutions is crucial in educating communities about HIV/ AIDS and is vital to heal hearts and minds of silence, denial, silence, and the stigma that interferes with prevention, treatment and testing in Black communities; and

**WHEREAS**, the Black Church Week of Prayer for the Healing of AIDS is modeled after the groundbreaking Harlem Week of Prayer for the Healing of AIDS, established in 1989 by Pernessia C. Seele, and is supported by over 65 AIDS service organizations and health departments across the United States; and

**WHEREAS**, the Black Church Week of Prayer for the Healing of AIDS is a week of education and AIDS awareness that spotlights the role that churches are playing in addressing the AIDS crisis; and

**WHEREAS**, the 12<sup>th</sup> year of the Black Church Week of Prayer for the Healing of AIDS will be observed March 4-10, 2001, as over 10,000 churches nationwide accept the call to educate communities about AIDS/ HIV.

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**NOW THEREFORE BE IT RESOLVED**, that I, Carolyn McGinn, Chair of the Board of Sedgwick County Commissioners, do hereby proclaim the week of March 4-10, 2001 as

**“BLACK CHURCH WEEK OF PRAYER FOR THE HEALING OF AIDS”**

and encourage all citizens to participate in the education and awareness of AIDS.

“And I know one person isn’t on my list. Mary Swenton? Okay, from Minority Outreach Coordinator, Care Coordinator Team and Reverend Montgomery is here, from Tabernacle Baptist Church. Let me hand that to you and if you have some comments, we’d sure like to hear them. Thank you for being here.”

**Ms. Mary Swenton**, Minority Outreach Coordinator, Care Coordination Team, greeted the Commissioners and said, “We’re trying to reach out to all areas of the minority community here in Wichita and do awareness, education and prevention. Thank you.”

**Reverend Lincoln Montgomery**, Tabernacle Baptist Church, greeted the Commissioners and said, “I want to thank the Commission this morning for this proclamation. I am also applauding the efforts of Mary and all of the members of the Care Coordination Team. I’ve been privileged to go to Sub-Sahara in Africa for the past six years and so I have seen what denial and the lack, perhaps, of public awareness and also of a pro-active approach to the problem of AIDS can do in the current text of a nation and communities. So, that’s probably one of the primary reasons that I am involved in this effort. Again AIDS, while it’s a devastating issue for the entire nation, it’s disproportionately beginning to affect African-American communities and for that reason, as a churchman, as a man of faith, and as a man that’s committed to the community in which I serve, again, I wish to applaud the efforts of this group and ask again for the support of this entire community in dealing with this issue. Thank you.”

**Chair McGinn** said, “Thank you for being here today. Reverend Montgomery, I noticed this was the twelfth year of the Black Church Week. Does that also mean that it’s been going on here in Wichita, as far as the awareness campaign?”

**Ms. Swenton** said, “This is the fourth year here in Wichita.”

**Chair McGinn** said, “Okay. Very Good. Well, thank you for being here today and this is certainly a cause that we do need to raise awareness to and see how we might prevent it and decrease it in the future. Thank you.”

**MOTION**

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Commissioner Gwin moved to Adopt the Proclamation and authorize the Chair to sign.

Commissioner Norton seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, "Next item."

**2. PROCLAMATION DECLARING MARCH 12-16, 2001 AS "SEVERE WEATHER AWARENESS WEEK."**

**Chair McGinn** said, "Commissioners, I will read this proclamation into the record."

**PROCLAMATION**

"WHEREAS, it is estimated that at any given moment nearly 2,000 thunderstorms are in progress over the earth's surface; and

**WHEREAS**, tornados occur in many parts of the world and in all 50 states, but no area is more favorable to their formation than the Continental Plains of the United States, and no season free of tornados; and

**WHEREAS**, local government has the responsibility to inform the public and promote awareness in an effort to reduce the loss of life, property and personal injury; and

**WHEREAS**, the National Weather Service and the Kansas Division of Emergency Management will hold a statewide tornado safety drill Tuesday, March 13, 2001, designed to test the emergency warnings systems throughout Kansas; and

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**WHEREAS**, the Sedgwick County Department of Emergency Management will participate in this drill to enhance the public's awareness in this vital area of personal safety;

**NOW THEREFORE BE IT RESOLVED**, that I, Carolyn McGinn, Chair of the Board of Sedgwick County Commissioners, do hereby proclaim March 12-16, 2001 as

### **“SEVERE WEATHER AWARENESS WEEK”**

in Sedgwick County, and urge all residents to participate in the scheduled activities.

“And accepting today we have Randal Duncan and I don't have to ask Randy if he'd say a few words, because I know he will. Glad to have you here today, Randy.”

**Mr. Randall C. Duncan**, Director, Emergency Management, greeted the Commissioners and said, “Thank you and the Commission for being willing to consider this proclamation today. As you well know, Kansas, Oklahoma and Texas make up the area proverbially known as ‘tornado alley’ inside the United States. In a typical year, here in the State of Kansas, we'll average about 48 tornados. Oklahoma will average about 52 and everybody knows, the over-achievers from Texas will average about 119. However, interestingly enough, if there is an F-5, which is the largest category for the measurement of damage caused by tornados, a tornado likely to occur is most likely to occur here in the State of Kansas. I wish I could answer you why we are number one on that particular list, because I think we'd like to be elsewhere.

“However, that being the case, we need to be prepared to deal with the consequences of severe weather. So, as you mentioned earlier, during our statewide tornado drill on Tuesday, the 13<sup>th</sup> of March, we would ask everybody when they hear the activation of the various warning systems throughout Wichita, Sedgwick County, and the other communities within the County, please take a moment and think ‘where would I go to seek shelter within five minutes of hearing this warning’. And that's how we can effectively impact and save our families and our loved ones the injury and horror associated with the occurrence of a tornado. Thank you, Commissioners.”

**Chair McGinn** said, “Randy, I notice you have your Project Impact button on, and could you just briefly give us a little background on that and what we're doing there?”

**Mr. Duncan** said, “Yes, I'm pleased to say that Sedgwick County and all the communities within Sedgwick County have been designed as Project Impact area, through the Federal Emergency Management Agency, for 2001. The bottom line goal of this is to try to make our communities more resistant to the occurrence of disasters. The way we do this is by forming partnerships. One

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example is occurring in this very building, today, below our feet down in the basement in our offices, we're putting on a class talking about the management issues associated with disasters. Present in that class are members of local government from across the State of Kansas, members from various military . . . primarily Nation Guard folks and we've even got some private enterprise folks from large businesses located within Sedgwick County present. So, the concept is we want to take those partnerships and do all we can to make sure that when the next tornado occurs, the damage is going to be the least that we can make it. I think we also saw a really excellent example of the impact that Project Impact can have on a community recently with the earthquake in Seattle. You'll notice the mayor of Seattle attributed the partnerships and readiness issues associated with Project Impact to the very low rate of fatalities and injuries associated with that major event."

**Chair McGinn** said, "Okay, thank you. We have a Commissioner that's been there and done that who would like to make some comments. Commissioner Norton."

**Commissioner Norton** said, "Thank you, Chair. Well, I applaud you for your efforts. We think about tornado season as coming up, but when I was in Washington I happen to visit with the county judge of Pulaski County and he had just had tornados in Little Rock just that week. So, the season is starting and it can be devastating.

"Tell us a little bit about Storm Fair this year. That's kind of another part of all of this and I know it was successful last year. But tell everyone a little bit about Storm Fair and where you're going with that this year."

**Mr. Duncan** said, "Great. We're taking kind of a new concept with that this year. We're referring to it as Extreme Weather Fair and it's scheduled for Saturday, the 17<sup>th</sup> of March, out at the Kansas Coliseum. As Kristi Zukovich mentioned earlier, the event is free to the public. We'll have a number of displays set up where people can learn about things like 'safe rooms' and how to build shelters within their existing home, things that can be done to make that home safer, in case a tornado does occur. There will also be displays of some of our emergency equipment. We'll have all sorts of information out there about the situation and we just want to urge everybody to take a few minutes on Saturday March 17<sup>th</sup>, from 9 a.m. to 4 p.m. stop by the Coliseum and find out more about what they can do to protect themselves and their property from the occurrence of severe weather."

**Chair McGinn** said, "Commissioner Sciortino."

**Commissioner Sciortino** said, "I assume that that's free to the public. There's no charge for that Fair."

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**Mr. Duncan** said, “Yes, sir. That is correct. Attendance is free and I would also be remiss if I didn’t make one final comment before I relinquish the mic here and that is, the single thing I think that people could do that would prepare them the best to find out, react to and take care of severe weather issues. Please go out and get a NOAA weather radio and have one in your home, your place of business or other public gathering place.”

**Chair McGinn** said, “And they can call your office to get that information?”

**Mr. Duncan** said, “Yes, they can call us at 383-7546. I might also mention, we had a special tabloid in today’s edition of the Wichita Eagle which also has that telephone number and some additional information about all types of hazards.”

**Chair McGinn** said, “Okay, very good. It’s always nice to see you in a suit and not in your work clothes.”

**Mr. Duncan** said, “Thank you.”

**Chair McGinn** said, “All right, thank you.”

**MOTION**

Commissioner Norton moved to Adopt the Proclamation and authorize the Chair to sign.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin		Aye
Commissioner Tim R. Norton	Aye	
Commissioner Thomas G. Winters		Aye

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Commissioner Ben Sciortino  
Chair Carolyn McGinn

Aye  
Aye

**Chair McGinn** said, "Next item."

**COMMUNITY ENRICHMENT AWARD**

**B. PRESENTATION OF COMMUNITY ENRICHMENT AWARD TO SANDY SWANK.**

**Chair McGinn** said, "Commissioners, we've started this year the Community Enrichment Award and we're giving those out twice a month and the award is presented to citizens in Sedgwick County who work to improve our neighborhoods and our communities. These individuals are recognized for their volunteer efforts, which assist Sedgwick County in providing needed services. And today, Commissioner Winters will be making the presentation to our third recipient."

**Commissioner Winters** said, "Thank you, Madam Chair. It is certainly my privilege today to share our Community Enrichment Award with you all as we introduce Sandy Swank and present her with this token of our appreciation. You know, behind every story there is another story, and I've invited my wife Gerry here today. Gerry is in the back of the room. Gerry started out working on the Wichita Homeless Services Coalition early on and so it was through Gerry that I met Sandy back in the early 1990s, 1992 or 1993. I really think through Gerry that I have developed certainly a friendship with Sandy, but certainly appreciation for the work and the effort we do as we try to address the needs of homeless in our community.

"Sandy began at Inter-Faith Ministries in 1990. Prior to that she had been an English teacher and worked as a director of a private and professional vocational training group. She was appointed as a member of the Governor's Commission on Housing and Homelessness in 1993. She served as a member of the Wichita Homeless Services Coalition for many years.

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“Sandy has long been recognized as a strong advocate for the voice of the homeless population in Wichita and throughout the United States. Her council is sought regularly on a local, state and national level to address these issues. Sandy is certainly an expert on an area where we wish we didn’t need any experts, but she is certainly one of those folks.

“She started at Inter-Faith Ministries in 1990 as a House Manager and was rapidly promoted to the Director of the Homeless Ministries and that’s her current position. In that position, she reports to Reverend Sam Muyskens and Reverend Muyskens is in the audience today and we’re certainly pleased that you’re here to help share this award with Sandy.

“Sandy is involved with case management services to all clients in each of the shelters and does, besides doing the case management, is involved in directing the bus ministry, which is certainly vitally important, to make sure that all clients have transportation to their medical, social needs, service job placement and other appointments that will ensure that they are able to improve their quality of life and ultimately leave the shelter and sustain, as an individual, an independent living.

“Sandy interacts with each of these clients of the Inter-Faith on a daily basis and they see her as a role model and a strong part of their support system and as a good friend. Sandy lives by the following statement that’s a quote from an article she wrote several years ago; ‘I believe in unconditional love. That means that we’re going to love you no matter what you do.’ And that’s what Sandy practices with all of the clients and individuals she serves and as a result, she has experienced many miracles with those clients she has assisted in enriching their lives and it has enriched the lives of folks here in Sedgwick County and the City of Wichita.

“It’s certainly our privilege to present Sandy with this Sedgwick County Community Enrichment Award and, as Commissioner McGinn instituted this process of recognizing individuals, we know that there are thousands of people working in this community at the direct level with those who need services most. And Sandy, you’re certainly one of those. I’ve appreciated your friendship over the years and we have certainly appreciated the work that you’ve done. I know that there are several other people here in the audience who are here to share in this and on behalf of them, on behalf of the Board of Sedgwick County Commissioners, we want to present this award to you and say thanks for all the work that you do in our community.

**Ms. Sandy Swank**, Director of Homeless Ministries, Interfaith Ministries, greeted the

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Commissioners and said, "Because I can never attend a meeting without saying something, I first want to tell you that I can't even begin to tell you not only how surprised I am, thank you very much, but I am so grateful for you're having made this award to me. I would be remiss if I accepted the award only on behalf of myself because the truth of the matter is I would not be able to do what I do had it not been for, in the beginning, Inter-Faith Ministries. Inter-Faith Ministries allowed me to become more inclusive, more understanding, more involved in social justice ministries and just being commonly concerned about people in general.

"I would also tell you that an important part of what I do, particularly around the overflow shelter, involves you all as Commissioners and particularly Tom. In the early days I used to hike it up to his office and sit down and complain about what we needed and then we'd talk a little bit about what we might be able to do and he always was open to listen to what I needed and also other things that I had to talk about. The Commission has always been there, not to say what you couldn't do, but how can you help. There was never a question and I greatly appreciate that, because were it not for you I would not be able to have done the things that I've done. And on behalf of the homeless people that we've all served, and everyone of us have served those people, even if it's just within this one particular ministry, the many lives that you all have touched I couldn't even begin to count, because it's not only the persons that are in the shelters, but the families of those individuals that seek for them to have a safe place to stay and know in their hearts that we will somehow try to help them.

"I want to tell you that maybe next year, since Mr. Buchanan is not here today, I want to tell the rest of you that maybe for one night next year, if we do operate the overflow shelter, you should really take the time to be homeless at least one night and come down and appreciate the wonderful spaghetti that this man and Mr. Buchanan and a few other fix because the first year they said they were going to cook I thought, 'Nah'. The second year I tried it. This year they really perfected it. So, you really should try it.

"Again, I want to thank you very much for this award. I'm deeply touched and I'm . . . just thank you."

**Chair McGinn** said, "Sandy, would you stay up here just a minute. Have her come back up. Last night I attended the NCCJ awards banquet and had an opportunity to visit with Tom and his wife Gerry about you and we talked, though, about the changes that have occurred and it sounded like the early years you had to do a lot of work to go out and raise the money yourself. And I guess I'd just kind of like to hear, maybe, some of the extra efforts you took then to help out the homeless people and how that perhaps that has changed today."

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**Ms. Swank** said, “I’d like to tell you that we are able to fund everything completely. That is not the case. Always it’s a struggle to try to fund homeless ministries, very often because people are unseen, particularly on the streets. A lot of folks don’t see that it’s an emergency need that needs to be dealt with.

“In the early years, I think one of the biggest problems that we had is that there were a lot of stereotypes about who was actually homeless and who should be helped. And one of the things that the County Commission, at that time and still does today as I understand, stood very strongly with the same belief that Inter-Faith Ministries has had is that everyone should be included. And that’s a problem sometimes in funding, because sometimes people forget that whether we approve of a person’s social lifestyle or not, during the coldest months of the year it’s particularly hard for people to survive and that even when they’re not able to provide, we as human beings, need to provide a safe place for them to be.

“You know, it’s sort of that concept about when you can’t love yourself, hopefully there’s somebody else around that can love you. So the funding, particularly in the areas of the overflow shelter, and our ministries in social services has perhaps . . . I think there’s more legitimacy to the idea that homelessness is an issue that we need to deal with, but it’s still not dealt with in the upfront way that it should be, particularly from the State down to local levels. One of the things I will tell you is that there’s never been a time when I have presented an issue to Tom, that Tom hasn’t said, ‘Let us know when we’re ready to talk’. So, the dialoguing within the County has always been open to whatever changes may come but it’s still very hard to get funding.”

**Chair McGinn** said, “Okay, and just one other comment. I appreciated what you said about the stereotyping. In the last five to ten years, we’ve seen more documentaries and those types of things about homeless people and that’s something, when I think back to my late-teen and early twenties years and my dad wouldn’t give me any money and I had to buy my car and my tires weren’t any good and all those kinds of expenses. And you think about that, if you don’t have a safety net, it can happen to anybody to be homeless. It just takes certain small crisis that happen in your life that just put you out of pocket.”

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**Ms. Swank** said, “Well, the truth of the matter is that the people that we have in the shelter are just like we are. There really is no difference at all. This last year, as we look at statistics, and particularly individual profiles, we’ve had several doctors, a lawyer. We’ve had many, many well-educated people that have just simply fallen through the cracks and how that happens, a lot of times, is that it could be a major illness, it could be a divorce, a loss of a family member that perhaps creates an emotional problem for that person for a short time. But what used to be two paychecks away is now no paychecks away from being homeless because most people are not able to create the savings that we once were able to do. Most people don’t have those kinds of funds to bolster themselves for a few months without income. You’re correct about not having the safety nets and another issue too that I think is important is that it used to be, years ago, that family members used to take us in, or they could take their loved ones in. Today, with written contracts and apartment dwellings and things, people are not allowed to take in the great numbers of people that they used to be and they’re not able to support them on the incomes that they have. So, it’s a much tougher time than it used to be.”

**Chair McGinn** said, “I would agree. Thank you. Commissioner Sciortino, did you have anything?”

**Commissioner Sciortino** said, “Well, I did. I have to come and check out that spaghetti, because I’m a full-blooded Italian and if two white guys are making spaghetti, why don’t you hold comment until we can maybe get you some ‘spaghetti’.”

**Ms. Swank** said, “Well, I didn’t say that it was authentic, I said it was good and original.”

**Chair McGinn** said, “All right, thank you.”

**Commissioner Winters** said, “Thank you very much, Sandy. And thank all of you who came to share in this award with Sandy. We appreciate it very much.”

**Chair McGinn** said, “Clerk, call the next item please.”

### **PLANNING DEPARTMENT**

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**C. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).**

- 1. CASE NUMBER ZON2001-0002 – RESOLUTION CHANGING THE ZONING CLASSIFICATION FROM “RR” RURAL RESIDENTIAL TO “GC” GENERAL COMMERCIAL, LOCATED ON THE NORTHWEST CORNER OF 143<sup>RD</sup> STREET EAST AND HIGHWAY 254.**

**POWERPOINT PRESENTATION**

**Mr. Marvin Krout**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “We have three items on your Planning agenda this morning and the first item is a zone change request and it’s out in the northeast part of the County. The area that’s outlined on the map in front of you is at the northeast corner of 143<sup>rd</sup> Street East and K-254. This is a six-acre tract that’s zoned Rural Residential. All the land in this vicinity is zoned Rural Residential. There aren’t any homes within about a half-mile of this tract at the closest. This is the site of an old service station that I’ll show you. It was constructed before there was zoning in the County and there’s some question as to whether or not it maintains its non-conforming use today, because it was closed for some time. But it certainly an existing building and if it has non-conforming rights it has the right to reopen as a similar use. But the applicant and owner of this property has put it to two uses, neither of which at this point have the proper zoning. One was they’re operating a propane sales operation. That requires a conditional use in Rural Residential and so that was one application that the applicant made. The other is that the applicant fabricates pieces of canopies and support structures for his main business in town, which is Fuel Outlet. You’ve seen the Fuel Outlet self-service gas stations in town and this is where some of the fabrication for those structures is coming together.

“So, there’s two uses on this property. We advised the applicant, actually, to file for two different cases. One, the Condition Use for the propane sales, which we thought was an easier case. One that would certainly be approved and if the General Commercial zoning, which is the other application, failed at least he would be able to continue the propane use. So, there were two applications. The Conditional Use was approved. It was supported by staff. It’s an activity that you would commonly find in a rural area. It supports rural uses and agricultural uses and the Conditional Use was approved by the Planning Commission and is in place.

“The General Commercial Zoning though was required for this fabrication and assembly use, which

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is also occurring with about ten or twelve employees now, I understand. It's a separate use inside this building and that requires General Commercial zoning. That would be the lowest zoning category that would be allowed. The Planning staff did not recommend approval of the General Commercial zoning. We've been pretty consistent about industrial/ commercial uses that are outside of areas that have public services, with public water for fire protection, with public sewer to control disposal and make sure that there is good monitoring of waste disposal. There's also the sort of camel's nose under the tent theory in planning, which is that once the use is established it tends to expand and to intensify and we didn't think this was the proper location, at least not at this time, without services for that kind of use.

“The Planning Commission considered this at their public hearing and the Planning Commission voted and their vote was nine to one to recommend approval of this, subject to a Protective Overlay which would limit the uses that would be permitted on this site and would also limit the scale of the operation to the three acres that it's currently occupying, versus the six acres that's the whole tract of ownership that was the original request. Now, the Planning Commission's reasoning was that they thought that this was a good place to make an exception. That this was an existing building and we should take advantage of existing buildings and put them to some kind of economic use. That there were no residents in the vicinity, so there wouldn't be anyone who would be detrimentally affected by the operation and also that the Protective Overlay that we recommended if they approve this case would limit the uses to limited manufacturing type uses, to the propane use and to just other uses that are otherwise permitted in the Rural Residential district and not open it up to all uses allowed in General Commercial. So, that was the Planning Commission's vote.

“I'll go through the slides quickly. Here in the lower right-hand corner you can see the location and the nearest home is probably, to the northwest, less than maybe a quarter of a mile, a little bit more than that. This is the use itself. You can see the propane tanks on the site today. And we're looking now to the south, across K-96 at basically vacant land. This is looking west, down K-96 on the left, and the station. Looking northwest at probably what is the nearest house maybe 2,000 feet away. Looking straight north, a house about a half a mile away and to the east, north of K-96.

“I'll try to answer any questions that you have at this time. There was no opposition, by the way, at the Planning Commission hearing and no protests were filed.”

**Chair McGinn** said, “Okay. Commissioner Gwin.”

**Commissioner Gwin** said, “Just real quickly, Marvin, when the Planning Commission looked at this they took two different votes?”

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**Mr. Krout** said, “They took a vote on the Conditional Use and they approved that and then they took a vote on the General Commercial zoning and they approved that. If you approve the General Commercial zoning, then you’re approving both of the uses that are currently operating.”

**Commissioner Gwin** said, “Okay, but the Conditional Use doesn’t have to come to us, since it was approved, is that correct?”

**Mr. Krout** said, “That’s right. It was approved. It wasn’t protested. Right.”

**Commissioner Gwin** said, “Okay. Thank you, Madam Chair.”

**Chair McGinn** said, “Thank you. Commissioner Winters.”

**Commissioner Winters** said, “Marvin, could you go over again just the Protective Overlay on this again? I was listening but maybe you could just re-talk about what is going to be limited on this piece of property.”

**Mr. Krout** said, “The Planning Commission agreed to limit it to . . . they voted to limit the use to uses allowed in Rural Residential district, the propane sales uses, which would otherwise anyway be permitted by the Conditional Use, and limited manufacturing and limited manufacturing is defined in the code as meaning basically hand-manufacturing, not involving large-scale heavy machinery, high-horsepower motors. General, probably part of a process that’s not going to result in waste products that are going to be questionable.”

**Commissioner Winters** said, “Okay. Well, I’m certainly going to look to Commissioner Gwin’s guidance here. This is in her district. From what I can see, it looks to me like this is pretty acceptable. If though there was . . . somebody really wanted to developed say a high production machine shop and I’m talking lathes, punches, presses and that kind of thing, then I would think that this would take another look. If someone decided to do that kind of really more intense machine shopping, would it be allowed under this qualification?”

**Mr. Krout** said, “No, clearly not. There’s a separate definition for machine shops and for General Manufacturing and if someone wanted to remove that restriction, they would have to go through that same public hearing process and ask the County Commission, basically, for permission to change the Protective Overlay.”

**Commissioner Winters** said, “All right. Well, I think that’s satisfies my question. Thank you, Madam Chair.”

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**Chair McGinn** said, "Okay. Commissioners, are there any other questions?"

**Commissioner Gwin** said, "You want to see if there's anyone here that wants to talk about it?"

**Chair McGinn** said, "Is there anyone here today that would like to speak to this issue? Come forward please and give your name and address for the record please."

**Mr. Dan Claassen**, Owner, Fuel Outlet, 14300 E. 61<sup>st</sup> Street, greeted the Commissioners and said, "The use of this facility and its history was developed, of course, as a convenience store where it had gasoline sales. They also had outside bulk storage and then made bulk deliveries with fuel. They had the convenience store that operated with that, a restaurant and then the corporate offices associated with that, Coy- Burge. I don't know, some of you may be familiar with him. He's the one that build and operated that. Then comes 254 and the expansion of 254. It cuts off the access and then the facility is taken out of service.

"What has happened is we have come in and we have improved the facility and cleaned up the facility and turned it into, if you will, our corporate headquarters for Fuel Outlet. What we do in the way of manufacturing at the facility is very minor. Probably less than one percent of the actual effort at the site. There are six employees on site, of which two would be involved in the manufacturing process. The heaviest that we would do is to cut off metal with a chop saw and weld it with a Mig welder. Things are assembled then in the shop. Parts are brought in. The Dispensers are built in the facility and then they're taken out and installed by construction crews on-site. So, it's all internal, in the building and very light type of work."

**Chair McGinn** said, "Okay, thank you. Commissioner Gwin."

**Commissioner Gwin** said, "Mr. Claassen, you could live with the Protective Overlay that's been applied to this parcel?"

**Mr. Claassen** said, "Yes."

**Commissioner Gwin** said, "Okay, thank you. Thank you, Madam Chair."

**Chair McGinn** said, "Commissioner Winters."

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**Commissioner Winters** said, “Mr. Claassen, I don’t know that I really have a question. I guess just to express a comment. I’m going to be supportive of this, particularly if Commissioner Gwin is. You know, so many times we see, and I’m familiar with that corner, used to do business with Coy Burge years ago, so I was familiar with his operation. And I think you have, probably, improved the corner, as opposed to what it was after he closed his operation. One of the things that I think we see sometimes, though, is people move into a facility that is right for a small operation but then, years later, it becomes a big operation or larger and then you give to the point where, as Marvin said then, services do become important. Fire protection, if you’ve got a lot of assets out there, your insurance company begins to say, ‘Well, you’re too far away’. So, I think we still need to remember that we do have industrial parks and industrial areas for a real clear reason and that’s because that’s the best location for those facilities.

“So, with that statement, I think I’m still going to be supportive of your operation but I think that’s something, as a business person, I’d encourage you to think about over the years when you think about if you’re going to double, triple, quadruple your business, that might not be the best place to do it. But I’m going to be supportive of this. Thank you, Madam Chair.”

**Chair McGinn** said, “Is there any other questions? If not, what’s the will of the Board?”

### MOTION

Commissioner Gwin moved to adopt the findings of fact of the Metropolitan Planning Commission(MAPC) and approve the zone change subject to the additional provisions of Protective Overlay #87 district and subject to platting within one year; adopt the Resolution and authorize the Chair to sign; and instruct the MAPD to withhold publication until all conditions have been complied with.

Commissioner Sciortino seconded the Motion.

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

### VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

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**Chair McGinn** said, "Next item please."

- 2. CASE NUMBER ZON2001-00063 – RESOLUTION CHANGING THE ZONING CLASSIFICATION FROM “SF” SINGLE-FAMILY RESIDENTIAL TO “MH” MANUFACTURED HOUSING, LOCATED SOUTH OF 47<sup>TH</sup> STREET SOUTH AND EAST AND WEST OF BROADVIEW (EXTENDED).**

### **POWERPOINT PRESENTATION**

**Mr. Krout** said, "Commissioners, this area, as you can see, is in the center of a subdivision. It's the Deer Lake Estates manufactured park subdivision. It was approved by the County Commission back in 1979 and I think it's one of the nicer manufactured home subdivisions that we have in the County. It's at 47<sup>th</sup> and K-15 and it's approximately 50 or 60 units that are there today. And this tract was an out-parcel. It wasn't part of the subdivision. It's two and a half acres and the applicant and owner would like to sub-divide it into ten lots for manufactured homes but it wasn't zoned for manufactured homes back in '79. It was a separate ownership and so, it has the Single-Family zoning and under the zoning code now, it takes zoning to Manufactured Home to have either a manufactured home subdivision with homes for sale on lots, which is this situation, or manufactured home park.

"I think that we have a slide that shows . . . this is the aerial photograph and this is the slide that shows the proposed subdivision into ten lots that are approximately the same size as all the other lots in the subdivision. The applicant has also agreed privately, with the homeowner association, that he will file private restrictive covenants that are equivalent to those that were filed for the original subdivision. Based on that, the Deer Trails Homeowners Association is officially on record as supporting this request. There was no other opposition and the staff and Planning Commission has recommended that the zoning to Manufactured Homes be approved.

"And I'll go through the slides quickly. Hopefully, we won't see anymore of that white stuff. Here's the character of the subdivision today and it really has a nice character and it is a subdivision and not a park, so people own these properties and they own the land underneath them and they pay real property taxes. I'll be glad to answer any questions that you have."

**Chair McGinn** said, "Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Madam Chairman. Marvin, I noticed in the Derby

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Planning Commission letter to us they had requested that McConnell Air Force Base be notified of this request prior to the subsequent hearings. To the best of your knowledge, have they been notified?"

**Mr. Krout** said, "Yes, in fact, we're in regular touch with McConnell, whether it's towers or other issues and they're on our official list and they get copies of our subdivision plats if they're anywhere in the vicinity and I think that they understand and, in this case, don't have an objection to the minor increase in the density. There's probably no other reasonable use to put to this property than manufactured homes."

**Commissioner Sciortino** said, "And they will be on foundations. They'll own the property, so it will actually be treated as if it was a stick-built homes as far as . . . ?"

**Mr. Krout** said, "That's right. They'll be on permanent foundations. They'll be treated as real property and taxed as real property."

**Commissioner Sciortino** said, "Okay. Well, thank you. That's all I have. I'm going to be supportive of this project. Thank you."

**Chair McGinn** said, "Okay, I don't see any other questions. We do not, officially, have a public hearing but if there is anyone here in the audience today that would like to speak to this issue, please come forward. Seeing none, I will limit discussion to the Bench. Commissioners, is there any other questions? If not, what's the will of the Board?"

#### **MOTION**

Commissioner Sciortino moved to Adopt the findings of fact of the MAPC and approve the zone change subject to the condition of platting as a manufactured home subdivision within one year; adopt the Resolution and authorize the Chair to sign; and instruct the MAPD to withhold publication of the Resolution until the plat has been recorded with the Register of Deeds.

Commissioner Gwin seconded the Motion.

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

#### **VOTE**

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Commissioner Betsy Gwin		Aye
Commissioner Tim R. Norton	Aye	
Commissioner Thomas G. Winters		Aye
Commissioner Ben Sciortino		Aye
Chair Carolyn McGinn		Aye

**Chair McGinn** said, "Next item."

**3. RESOLUTION ADOPTING THE DELANO NEIGHBORHOOD REVITALIZATION PLAN AS AN AMENDMENT TO THE WICHITA-SEDGWICK COUNTY COMPREHENSIVE PLAN.**

**Mr. Krout** said, "Commissioners, the Planning Department has been involved in neighborhood planning for several years now. I want to say that probably our first true neighborhood planner was Ray Ontiveros. And Ray initiated a number of the plans that you've already seen and also initiated this plan and really gave some of the early inspiration to the people in the Delano neighborhood that they could come together and prepare a vision and implement it. Ray died unexpectedly about a week ago. He left our department about six months ago and I'm sure you've heard about that and we're very sorry. He was an inspiration for every citizen that he met. He was an inspiration for the Planning staff. He kept us on our toes and he had a sense of optimism that I really appreciated and helped keep me going and he's a real loss, I think, to New York and to Wichita both.

"But we've kept on and we've had some good quality support in this particular effort but I think a good neighborhood plan needs to have strong neighborhood organization that's there to prepare the plan, to make it their plan and to be able to implement. And in this case, we had three different associations from the neighborhood, a business, a residential, and a clergy association who have come together, had regular meetings, have wonderful attendance out there and input from the people who live and work and own businesses in that area. We also took advantage of a State grant that allowed us to hire Law Kingdon, a local architecture and planning firm. They have some terrific skills and they were able to really visualize the vision that the neighbors had for this area and you'll see a couple of examples in the slides that I have.

"Also, Dave Barber and Rian Harkins, who are both here from my staff, I think gave good assistance to the community and helped pull this plan together so that we think it is adoptable now.

**POWERPOINT PRESENTATION**

"This is the Delano area. It's bounded by the Ark River on the north and the east, by Kellogg on

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the south and by Meridian on the west. It's a very diverse area. It's got a very colorful history. It has diverse land uses, diverse citizens, diverse architectural character. It has some of the most important institutions in the city located out here as anchors, from Exploration Place along the River, to Friends University and other uses in between. The predominate land use, as you can see from the yellow, is Single-Family Residential though. And this use pattern of commercial mainly along Douglas, primarily residential and institutional uses beyond, isn't necessarily reflected in the existing zoning pattern, which is about 60 or 70 year old. And that zoning pattern was when we wanted industry to locate along the river and along railroad tracks, including this railroad track, which is now abandoned and I think that we've come some way since. But our zoning code now, and for some time, doesn't allow industrial and residential on the same property and so you have properties that are commercial on Douglas, with second and third floors that could be used for apartments, but they can't be because they're zoned Industrial. You have other properties that are zoned Industrial but they're residential in character and if the house falls down for some reason or burns, it can't be rebuilt because the zoning is Industrial and you don't have the right in an Industrial district to rebuild a residential house. You have other areas that are zoned for high-rise apartments at 70 units per acre and that doesn't reflect the pattern or the vision that these neighbors have for this area.

“So, one of the important things in this area is to take a look at the zoning and try to convince other property owners in this area that that zoning may be one of the things that may be actually holding back some of the potential revitalization in the area. So down-zoning, which sounds like something negative but isn't necessarily and I think has good support in the neighborhood and would be done by these neighbors through a petition process and working block by block and trying to make people understand what the implications of the zoning are, and coming back at a later time and asking the Planning Commission to consider zoning changes is one of the major objectives of the plan.

“Another is something called the mixed-used urban village and the idea is that some of that Industrial, particularly close to the river, may not be, in today's world, the highest and best use for that property and something of a different character that would have a large residential base, new construction, a new exciting place to live and work across from Exploration Place would be an interesting idea.

“Third is the idea that the public can do some things with aesthetic enhancements and there is already a streetscape plan that the City Council has approved for the Douglas Street area, between the River and Seneca. This plan recommends an extension of those amenities and some other kinds

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of amenities. Formation of the community development corporation; that this neighborhood understands that the City or the County or both of them together aren't going to be the major players in making this area turn around. That they have to do it themselves and forming an entity that has the ability to actually buy land and sell land and develop property is going to be an important part of that effort and so they're in the process of establishing a community development corporation which will qualify them for other types of funding.

“And last, establishment of design guidelines. The idea is that our zoning code kind of works fairly well for areas that are developing at the fringe of the City, but it doesn't really deal with the character of older areas. We require setbacks for commercial building. There's no setback on Douglas and there shouldn't be a setback on Douglas. It's not the character of that area and homes have a certain quality and so any new construction should probably try to blend in and respect that quality and that can be handled without creating a historic district necessarily, but by having design guidelines in the area. That can be done through zoning. It can be done voluntarily. There are a number of ways you can go about doing that.

“This is a plan that represents the overall concept of the neighbor's vision and this is that urban village that I was talking about and that's a substantial redevelopment project. It would require large land assembly but the idea is that there you could have several hundred new dwelling units and other uses that would have access to the river and other amenities of the river corridor. There is the abandoned Union Pacific railroad, which is proposed as a greenway that would run all the way from the river, back to the interior areas of the neighborhood where it would open up and create some additional park space. That eventually, in the long term, some of the industrial uses in the other areas may convert to multi-family uses. There's the idea that the neighborhood can be buffered by the noise of Kellogg by permitting apartment development along the edge of Kellogg. A redevelopment for apartment uses. Apartments that maybe could be at least in part student housing for Friends University as they continue to expand but would create some new housing and also create a buffer, rather than trying to build a wall, which would be very difficult and probably ineffective to try to simply build a wall. Have the housing act as a wall instead. Commercial activities would continue to be concentrated along Douglas, with the amenities of the streetscape continued west of Seneca and then in the residential area and kind of a boulevard-form out to Meridian.

“So, those are some of the major ideas. These are some drawings that show relatively low-cost entry markers that would create a sense of identity. The idea is to create a sense of identity, which will give people a sense of pride and ownership in the area and assist in investing and try to reach back to the history of this area and promote it.

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“This is a concept of what that housing wall along Kellogg might look like. While it does provide the buffer and it does have the typical apartment density, the form is in a form that is similar to the houses that back up to this area on University, which is a very historic block and the forms are picked up in this suggested elevation.

“There would be capital improvements, some of which . . . depending on who you talk to, this is a twenty-year plan or a thirty-year plan. I mean, it is a long range plan and so, no one expects that all of these things are going to be funded immediately and it’s going to take a variety of funding sources and there are sources out there, besides the local sources, to look forward, in terms of State/ Federal foundation money but the idea is to create this greenway. It is long and it would be fairly expensive to do it right. To extend the Douglas streetscape, the university area requires . . . the plan says historical lighting like we have in the Fairview/ Park Place Historic Neighborhood. That can be done, in all or in part, by assessments to property owners as well as by other sources. There are suggested locations for gateways and there also will be, if you’re going to do this urban village concept, there will have to be some public assistance in assembling land, vacating streets and making sites available for developers to make that kind of large-scale redevelopment work. So, there are a lot of dollars that are involved but hopefully it will leverage a much larger private investment. I think the neighborhood leaders understand that they’re going to have to look to a variety of sources for funding and they’re going to have to be the source of the energy to implement this plan in the future.

“Adopting this plan does not commit the City or the County to funding any particular projects or to any level of funding. It does say that the City and the County agree that they can be partners in the overall plan for revitalization of the area and that this plan does make sense and should lead to a more viable area and an improved tax base for the whole community.

“The Planning Commission held their official public hearing and recommended unanimously that this be adopted as an element of the Comprehensive Plan. Yesterday, the City Council also voted unanimously to adopt this as an element of the Comprehensive Plan. For it to be part of the City/ County plan, it needs to be adopted also by the County Commission. There probably are a couple of speakers here who would like to say a few words to you this morning. And I’ll try to answer any questions.”

**Chair McGinn** said, “Commissioner Sciortino.”

**Commissioner Sciortino** said, “I’ll wait until the speakers.”

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**Chair McGinn** said, "Okay, that's what I wanted to know. Would you like have them come forward now? Is there anyone here to speak on this item? Please give your name and address for the record. Thank you for being here today."

**Mr. Ray Rancuret**, 232 S. Millwood, Wichita, Ks., greeted the Commissioners and said, "I guess I'm the culprit that started this entire project a number of years ago. However, I could not have gotten this far without the support of other people within the Delano neighborhood. Without the support of the business association members, as well as the clergy association members, we probably would not have gotten anywhere. And this is what I think is so unique, in that members of the three associations decided to come together, discuss, disagree but do it civilly. And that was probably the biggest revelation, as I went on with this plan. Yes, it was my dream and I'm very pleased to see my dream get this far. Now, Marvin talked about 20 and 30 years. I want you to know, at 72, I don't have that many years. So, we want to go to work and we want to get cracking on it and I know I will not see this plan coming to total fruition, but obviously we would like to have your support in the plan, so we can get ahead and get the funding. We are, indeed, working on the community development corporation. The bylaws are pretty much complete and ready for review, not only by our own people, but by legal staff, and then if we have some additional funding we can get that going as well. I'd be glad to answer any questions you may have."

**Chair McGinn** said, "I don't see any questions just yet, but hang around. Thank you. Is there anyone else that would like to speak to this issue?"

**Mr. Rancuret** said, "We do have members here, if I may."

**Chair McGinn** said, "Would you have them stand and introduce them please?"

**Mr. Rancuret** said, "Okay. Coming up here to speak is Larry Brown, one of the neighborhood association directors. At the far end of this row is Wayne Wells and he is a director and we have one of the ministers. Half of them left. Dave Anders, from Westside Baptist Church. We had two others here earlier but they had to go for meetings. And next to him is Tony Timpy from the business association. That's the Westside Flower Shop on West Douglas that's what she operates. And I don't see any more. Yes, we have the Reverend Father Daniel Andree just walked in. I knew that if I needed support I could call on him, another member of the clergy association."

**Chair McGinn** said, "All right, thank you."

**Mr. Larry Brown**, 1615 University, Wichita, Ks., greeted the Commissioners and said, "This area of town has been a part of the city since 1881. Prior to that, it existed as a separate community and

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was considered to be Delano town. It had its own post office. It was a cow town but it's lost all its cowboys at this point. The zoning is no longer appropriate. There are a lot of changes that have occurred since this community was begun and it's time for us to step up to the modern day and become a part of the metropolitan area and we appreciate your consideration of this.

"I'm one of the residents that lives on University Avenue and directly east of the Friends University area and there are a lot of us that are very concerned about historical quality of the neighborhood. Thank you."

**Chair McGinn** said, "Mr. Brown, for the record, you are Larry Brown, correct?"

**Mr. Brown** said, "Larry Brown and I live at 1615 University."

**Chair McGinn** said, "All right, well thank you for being here today. We have questions, but since you brought up the historical aspect and if my Commissioners would bear with me, I would like to just read a little something about Delano, because I think it's very interesting and I think for the folks out there in our viewing audience that don't know about the history of Delano, I think it would give them an idea of some of the things that you guys might be trying to build on.

"Early residents were able to settle in the area as a result of the 1862 Homestead Act, which required a payment of only fifty dollars to take up a residence on 160 acres of land. From these early settlers, Delano developed as a separate city. Delano was named after Columbus Delano, Secretary of the Interior under President Ulysses S. Grant. In 1872, the Delano area experienced noticeable growth associated with farmers bringing in wheat by wagon, cattle being driven across the Lawrence family land and the opening of a new toll bridge at Douglas. In 1871, Jennesson and Walker's Hotel and Saloon were opened. Red Beard and Rowdy Joe established themselves on the west bank in 1872 and new businesses developed along what was to become Douglas. For a brief period, Delano had a post office but it was closed when Delano became annexed into Wichita in the late 1870s. By 1885, new settlers began building and developing home lots. In 1887, Garfield University was built, which later became Friends University in 1898. The construction of a watch factory at St. Clair and Douglas was completed and I don't know if I can pronounce this, I want to say Schueler-Crawford Grocery Store opened at Maple and Seneca. Many of the streets were named after early settlers and their children. Exposition was named after the 1893 World Exposition in Chicago.

"They had a boom in 1884 and then they had economic recession. But then in 1889 the City had lost half of its population. Oil and manufacturing developed after this and they had another boom until the Depression years. Thereafter, Wichita became Air Capital of America and they had aircraft manufacturing industry down there as well. The aviation industry soon became the

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dominant industry in the City during the war.

“I think that was worthy to point out, because of some of the things that you guys are going to try to build upon. Very interesting, and the map we have in here, it’s an old map and what I caught . . . I never got myself involved in east versus west, but by looking at the map, you could tell how that all started. And it’s interesting on here, just across the river is east Wichita on this old map.”

**Mr. Rancuret** said, “It’s interesting to note, for instance, that at least in my opinion, the aircraft industry in Wichita, in Kansas, would not have started if it wasn’t for Clyde Cessna and some of these early pioneers that started their business in Delano and some of those buildings are still on West Douglas and on Second Street and that is something that very few people know nor understand. And Friends University and the Kansas Masonic Home are very much in favor of what we are doing and have been very supportive.

“Yesterday, following our meeting with the City Council and their unanimous approval, I called some of the clergy members of the clergy association that could not be present yesterday and the comment that he made he said, “Well, this probably gives my church a life-line for the next five to ten years’, because their board is considering possibly closing the church because of dwindling membership. But this is a possibility of re-infusion of neighborhood people moving into the neighborhood and possibly attracting members. I mean, this plan has many, many possibilities that I never even considered, initially.”

**Chair McGinn** said, “Well, thank you, Ray for coming here today and sharing that. We have some questions but I think they might be for staff. I don’t know. Commissioner Sciortino.”

**Commissioner Sciortino** said, “Thank you, Madam Chairman. Marvin, I guess I have a question for you. Just to get me up to speed. Some of the things that you showed on the thing that said were in the CIP budget. Is that the City’s CIP budget?”

**Mr. Krout** said, “No, I didn’t intend to mean that they were in the CIP. The City CIP does have a Douglas streetscape project from the River to Seneca. It’s a two and a half million-dollar project. None of the other listed items are in anyone’s Capital Improvement Program but they are Capital Improvement types of projects.”

**Commissioner Sciortino** said, “And would they normally go into the City’s CIP or should we be considering putting them in our . . . I mean, how does that work? What I’m trying to figure out is, I understand this isn’t a commitment from the County for dollars, but I’m trying to get my arms around if this project does go through, which I think is a very worthwhile project, is there any kind

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of a ballpark figure that the County may be looking to for dollars to complete this project?”

**Mr. Krout** said, “I would be reluctant to hesitate a guess on that. I mean, I don’t know that Delano is prepared to submit a project request and I think a project has to be initiated by someone making a request and I don’t know what they would have in mind or what they have in mind for the City. I think that these are the sorts of things that you decide on a case-by-case basis. If you take the core area, the downtown core area, the City Council says that they have spent or have programmed about \$150,000,000 over the last ten years and into the future for downtown revitalization. The County has chosen, on a project by project basis, to participate in parts of that, such as Old Town and Exploration Place.”

**Commissioner Sciortino** said, “Okay, I understand. Thank you.”

**Chair McGinn** said, “Commissioner Norton.”

**Commissioner Norton** said, “Thank you, Chair. I have several comments. First of all, I think the rich history of Delano is very, very important. I have walked a lot of that area through my campaign and it has a wonderful neighborhood, but some of them are in disrepair and need some help and I think this will infuse that. I disagree a little bit with Ray that he won’t be here when this is finished, because I know him to be pretty ornery and I think he’ll hang around just to make sure this progress goes on and that this is finished.

“A couple of challenges, because I think this is the corridor that leads to Exploration Place, and leads to Cow Town and Botanica and the art museum. So much of the traffic that gets to those areas go right through this corridor. I think it’s critically important that the County is involved because those are programs that we put a lot of money into, we think are very important to the County, and I think creating that atmosphere around Exploration Place and leading into Cow Town and Botanica and the art museum is going to be critical to making sure they flourish.

“Nothing could be worse than having a \$92,000,000 Exploration Place and have the Delano corridor and area implode and become a place that we wouldn’t be very proud to have tourists drive through. And you see that in a lot of other major municipalities that have put together something on the waterfront but to access it you go through some of the worst slums and blighted areas in their town and I think we have an opportunity to change the history on that area.

“I’m a little interested in challenging business developers, private entities to get involved in this. It is not going to be all government money and it’s certainly not going to be neighborhood associations’ money that leads us to be able to complete this. It’s going to be a cry for all of us to work together and I think private business, realtors, developers, capital venturists will have to come

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in and be part of this. And it will be important to the County that they're involved.

"I'd like you to talk a little bit, Marvin, about neighborhood revitalization and TIFs and how that may work in the mix on this project, because I think there are some things maybe we can do, as government, to spur some of that on to give incentives. Could you talk to that a little bit?"

**Mr. Krout** said, "Tax Increment Financing is a tool that is permitted in Kansas. There are several Tax Increment Districts that have been established, one downtown, one in Old Town, one at 21<sup>st</sup> Street in Wichita. And it's a mechanism by which the increase in taxes, due to private investment that would otherwise be paid by a property owner for a period of time, goes into a pot and that pot is used to pay for public improvements in the area that complements the project. They can go to land acquisition and they can be a very powerful force, in terms of finding funding for development, without taking it directly out of general funds. The concept is that this is tax money that would not otherwise be spent, except for investing it back into this neighborhood through collecting and targeting those tax funds for a period of time.

"The City Council, the County Commission and the School Board would all have to approve a Tax Increment District, if one was established for some parts of this area, but I'd say that a project like the proposed urban village, where you could be talking about 40 or 50 million dollars of private investment, would generate a considerable increment that could be used to help with acquiring land and doing improvements in that area."

**Commissioner Norton** said, "Okay, that's all I had. Thank you."

**Chair McGinn** said, "Marvin, I just wanted to echo your comments about Ray. I had the opportunity to work with Ray, one, on the highway, northwest highway situation and then, more closely on the core downtown development. And one thing I know, in the two years that I worked closely with Ray, was his passion to revitalize neighborhoods and I appreciate the comments that you made. And I'm thinking through some e-mail that I received. Isn't there going to be . . . is there going to be a service for Ray here in this community?"

**Mr. Krout** said, "There is. It's March 26<sup>th</sup>, 4:30, I forget the name of the church but I think it's at 330 N. Broadway."

**Chair McGinn** said, "Okay, well keep us posted please. The other thing, this is the third neighborhood plan approved, is that correct? Is that where we're at, as far as through the Metropolitan Planning Department?"

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**Mr. Krout** said, “Yes, Hilltop, Center City and this is the third plan.”

**Chair McGinn** said, “Okay. And the next steps will be figuring out how to finance or will there be something in between that?”

**Mr. Krout** said, “Well, I think the neighborhood is already at work working on their development corporation and working on a strategy for dealing with the zoning issues that I described. And I think that their next decision has to be where to concentrate on, in terms of future capital investments. Is it the greenway, is it the urban village, is it Douglas Street, because I don’t think you can accomplish them all at once.”

**Chair McGinn** said, “Okay. And is the down-zoning process, is that very difficult? I noticed you said petition process and that type of thing. It has to be done through that?”

**Mr. Krout** said, “It doesn’t have to be done by petition process but it can be very controversial. If someone perceives that you’re taking away rights to use a property for certain purposes that they have and they’re going to lose and they’re not convinced that they’re getting something better in return, they’re going to be opposed and there could be very controversial hearings about that. And I think that the neighborhood strategy is that it doesn’t have to be done by petition, but I think the neighborhood wants to show that there is going to be strong support, that people understand what a change would mean and that they support it, so that even though it may not be unanimous, the Planning Commission and the City Council would ultimately have to make those decisions and understand that there is some support behind it. So, I think that’s their strategy.”

**Chair McGinn** said, “Okay. And the last question I had, on the greenways, would those be eligible for T-21 money?”

**Mr. Krout** said, “Yes. They are eligible for surface transportation funds. They’re eligible for the enhancement funds, that special fund that we apply for annually, and occasionally there’s other federal grants that are available, so we’ll be on the lookout for those.”

**Chair McGinn** said, “Okay, thank you. Commissioners, are there any other questions? If not, what’s the will of the Board?”

### **MOTION**

Commissioner Norton moved to Adopt the Resolution.

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Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, “Thank you, Marvin. Next item please. Thank you all for coming today.”

**NEW BUSINESS**

**D. PRESENTATION REGARDING THE ARK VALLEY LODGE COMMITTEE RECOMMENDATIONS.**

**POWERPOINT PRESENTATION**

**Ms. Stephanie Payton**, Assistant to the County Manager, greeted the Commissioners and said, “The purpose of this morning’s presentation is to acquaint you with the steps taken over the last year towards the restoration of the Arkansas Valley Lodge #21, located at 615 North Main, and to offer the Manager’s recommendation for the facility’s restoration and its use.

“I’d like to begin this morning, for the benefit of those not acquainted with the Ark Valley Lodge, by giving a virtual tour and highlighting the physical condition of the building. Here’s a picture of the façade of the building, looking at it from the southeast. It’s adjacent to our public parking garage. As you can see, the building stands today at two stories. The original structure was three. The building is approximately 100 feet long and 26 feet wide. This slide is a close-up view of the main entryway of the Lodge. From 1910 to 1974, the Arkansas Valley Lodge housed the Ancient, Free and Accepted Prince Hall Masons. During its prominence, the Lodge was considered a community locus within the historic Black business district, circa 1910.

“In the original three-story structure, the first floor had one room that was rented to community business, the second floor was a community recreation area and the third floor was reserved for the activities of the Lodge membership. This slide features the cornerstone, in the northeast corner, noting that the building was erected in 1910.

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“This slide shows the view of the bricks falling off the building’s outer wall, on the southeast corner. This slide illustrates the building’s deterioration and some of the damage that it has suffered over the past few decades.

“This view is from the rear of the building, on the west side. This is the view of the building that the public rarely sees. It shows the garage door, several boarded up windows and a fire escape that was added later in the life of the Ark Valley Lodge.

“This slide gives you a pretty good sense of the interior dimensions of the first floor. This features the interior first-floor north wall, looking at the wall from the southwest. You can see a structural beam in the center of the room, which was added later, to lend further support to the structure. Additionally, you can see the historic tin ceilings. In this particular frame, you see the portion of the ceiling that has been fairly well maintained over the years.

“This next frame here hones in again on the tin ceilings, but illustrates a lot of the damage that has been suffered over the past few years.

“This ends the virtual tour. I would now like to review some of the more significant dates in the history of the Ark Valley Lodge. The Ark Valley Lodge building was established June 26<sup>th</sup>, 1885. Rather the Ark Valley Lodge itself was established June 26<sup>th</sup>, 1885. In 1946, severe wind storms damaged the third floor. In 1948, that necessitated its removal. The building was purchased by Urban Renewal and last occupied by the Ark Valley Lodge in 1974. The building was placed on the National Registry of Historic Places in 1977 and noted as a Kansas National Landmark.

“Sedgwick County entered the life of the Lodge in a meaningful way in 1986. In 1986, Sedgwick County purchased the building for one dollar. From 1986 to the present, the building has only been used for the storage of County property.

“The creation of an Ark Valley Lodge Committee; Sedgwick County initiated steps to restore the Ark Valley Lodge in 1996. In 1996, \$850,000 was originally set aside by the Sedgwick County Board of Commissioners for the restoration. In 1998, \$425,000 of the original funding was transferred for jail-related expenses associated with the Sedgwick County jail expansion. In June, 2000 Sedgwick County Commissioner Carolyn McGinn announced plans to restore the Ark Valley Lodge building. In July, a committee was established to evaluate the building and make use

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recommendations to the Sedgwick County Commission.

“The Ark Valley Lodge Committee was comprised of the following members: Gerald Frantz, Sedgwick County Appraiser was the Committee Chair. Beverly Gutierrez, Director of Tri-Color Media Publishing House Incorporated, Jessie Hill, current President of the Ark Valley Lodge #21, Eric Key, Director of the Kansas African-American Museum, Colin McKenney, Director of Sedgwick County’s Community Developmental Disabilities Organization, Kathy Morgan, Historic Preservation Planner, Metropolitan Area Planning Department, Darren Muci, Director of Purchasing for USD 259 John Williams Bey, Member of the Board of Directors of the Kansas African-American Museum and architectural consultant Wesley Darnell, of the architectural firm Wilson Darnell Mann. Staff support included me, Randy Partington, Management Assistant and Stephanie Knebel, Facility Project Services.

“The charge of the Ark Valley Lodge Committee was to define a use and purpose of the Ark Valley Lodge and to make recommendations to the Board of County Commissioners and County Manager on an architect for the rehabilitation. The first meeting was held Tuesday, July 25<sup>th</sup>, 2000 in the Sedgwick County Board Room. Commissioner Carolyn McGinn and Manager Bill Buchanan were there to issue the charge and set the tone for the process. A facilitated community dialogue was held in September, at the Kansas African-American Museum, a point that I will discuss in greater detail in a moment, and the committee met on a regular basis from July through November, 2000.

“The facilitated community dialogue I referred earlier was held to gauge the opinions of the community as to the appropriate and constructive uses for the Ark Valley Lodge. It was made clear that the Ark Valley Lodge was seeking input into the use and brain-storming process and that any recommendations that would come from the community would be forwarded to the committee for their consideration in making recommendation to the Board of County Commissioners. Approximately 30 members of the community attended the dialogue. There were five primary uses identified by the community for the Ark Valley Lodge.

“The first use was a community art center, with kitchen, literary and performing arts space. While this option was well received, there was a contention among the committee members that this purpose may already be served by the City Arts Building, which is located downtown, which might have a similar functioning.

“The second recommendation was youth outreach programs. Again, this was well-received but the committee considered that the locus of the African-American community is no longer in the

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downtown area and that, perhaps, if there are youth outreach programs that are in existence, the Boys and Girls Club of Wichita/ Sedgwick County might already serve that purpose.

“The third option that was discussed was office space and a business, perhaps, inside the building. A fourth option was the extension of the Kansas African-American Museum. While again this was well received, the Kansas African-American Museum does have plans for eventually relocating to the museum district, its museum location. And the final recommendation from the community was a senior center. Again, members of the committee were concerned that the current locus of the African-American community is not downtown. There would be transportation issues to contend with, with seniors getting to this location, and there would be issues with ease of access.

“The committee developed five recommendations. Each of the five recommendations had the following three assumptions: to have the look and feel of the original architectural style, referencing the appearance of the building in 1910, to have a historical exhibit on the Lodge and the African-American community, dedicated and contained within the Ark Valley Lodge building, and if the County wants to place an addition on the lot adjacent to the Ark Valley Lodge building, the committee would have no objection.

“The five recommendations, in priority order, were as follows: the first, to restore the building to three stories. Two floors for County use and one floor for lodge use. The second recommendation was to restore the building to three stories. The County would control the entire building and its use but would entertain interesting and competitive proposals for community use for up to two of the three floors. The third recommendation was the restoration of the building to two stories, the second story for lodge use and the first floor used as a community multi-purpose room. The fourth recommendation was the restoration of the building to three stories, the third floor for County office, the second floor as a community multi-purpose room, first floor for office rental. The fifth and final recommendation concerned the restoration of the building to two stories and the County would have the entire use of the building’s interior.

“The estimated cost of restoration; according to architect Wesley Darnell, a three story restoration, ready for use, would cost between \$600,000 and \$700,000, with an additional \$400,000 for equipment and furnishing. A two story restoration, ready for use, would cost between \$400,000 and \$500,000 with an additional \$275,000 for equipment and furnishings. In addition to these estimated costs is an architect and engineering fee, which would be tantamount to 10% of the total cost.

“This next slide shows you the current look of the Ark Valley Lodge at two stories and gives you an idea of what the restoration to a three story would look like.

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“Estimated project costs; looking at this a little bit more closely, Facility Project Services has estimated project costs to include, for a three story restoration, construction costs of \$665,000, architect and engineering costs of \$66,500, furnishing and equipment costs of \$400,000. This results in a total estimated project cost, for a three-story restoration, of \$1,131,500.

“Where will the funding come to restore the Ark Valley Lodge? The funding sources have been identified as follows: 2000 end-of-the-year funds equaling \$500,000, CDDO, Community Developmental Disabilities Organization, \$470,000, Heritage Trust Fund grant for 2001 for \$66,500 and a Heritage Trust Fund grant application for the year 2002 of \$95,000 for construction. Total sources available for this project equal \$1,131,500. Estimated project cost similarly at \$1,131,500.

“Once the Ark Valley Lodge is restored, who will occupy this space? Some of the suggestions have included Human Services, COMCARE, CDDO, Human Services Selected Aging Functions and a multi-purpose meeting and conference room.

“The Manager’s recommendation is to remodel the Ark Valley Lodge consistent with the committee’s recommendation, restoring the building to three stories with occupancy by COMCARE’s CDDO. The building would contain a multi-purpose meeting room, meeting and conference room, with the interior theme dedicated to the history of the African-American community.

“Where do we go from here? The restoration project timeline calls for the determination of the use for the Ark Valley Lodge building by the BoCC by March 7<sup>th</sup>, 2001. Based upon this critical step, an architect and engineering bid opening is scheduled for May 1<sup>st</sup>, 2001. The grand opening and official ribbon cutting is planned for sometime in 2003, October, realizing of course that we want to accelerate that timetable as much as possible.

“Commissioners, I would recommend that the Manager’s recommendation be approved and staff given the authorization to proceed with the restoration. I’m available for questions. Stephanie Knebel from Facility Project Services is here as well. Prior to taking questions, however, I would like to recognize several of the Ark Valley Lodge Restoration Committee members who are in attendance today. We have Darren Muci, Purchasing Director for USD 259. We have Eric Key, Director of the Kansas African-American Museum and we have John Williams Bey, member of the board of the African-American Museum as well.”

**Chair McGinn** said, “Well, I want to thank you all for being here today and we have a great deal of

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experience on that committee. Some of the background that they have, Eric being the Director of the Museum, Mr. Williams Bey is on the Museum board and Darren Muci, who's had a lot of background here in Sedgwick County and others that were on the committee as well. I'm going to . . . well, before we change that slide, we discussed that 2003 number and part of why that was in there had to do with it just depends on if we have delays with the State's approval, because it is a historical building, I believe, and so if we can move that along, we won't have that problem. Commissioner Winters."

**Commissioner Winters** said, "Thank you. Stephanie, it's my understanding that this building is on like a national top-ten list of buildings that need to be restored in the United States. I mean, it really has some national significance. Am I correct in thinking that, or did I just dream that?"

**Ms. Payton** said, "No, I do believe you are correct in thinking that. I do believe it's on the Historic Registry for its particular use and for the people that were in this building at that time, not necessarily for its architectural features but really for the people who frequented that building and its use for the community."

**Commissioner Winters** said, "But there are those involved in historical preservation, both here in Kansas, and even nationally that believe that this is significant building that needs to be and should be restored."

**Ms. Payton** said, "Well, I certainly have appreciated the work that Commissioner McGinn has done. We have been kind of on dead center. We had originally thought that we were going to progress with this much soon and, in fact, had even begun to put money back to do this project several years ago. Commissioner McGinn has kind of taken this on as a project that she thinks is certainly very important to her district and is going to move forward. So, I'm certainly going to look to her recommendations today as what she thinks will be the best way to proceed and I certainly do appreciate the committee that has worked on that. I'm not sure you mentioned Gerald Frantz when you were introducing folks that were on the committee, but Gerald is here, too. "I have one question about the third story and I'm just going to pose it as a question today and you do not need to answer it today, because the architect folks weren't here. From my unsophisticated eye, as I just looked at a 26 foot wide building and adding another floor, it looks like this is going to be an awful tall, narrow building. And so, could you get me some information, if we decide to do the third floor, is 26 foot wide at the bottom sufficient to hold up a three-story building?"

**Chair McGinn** said, "I can dangerously speak to that and then Stephanie, come forward."

**Commissioner Winters** said, "Stephanie, maybe you could just address . . ."

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**Chair McGinn** said, “First of all, it’s 28 feet wide, so it’s two more feet. And the other thing, because I had the question of how much taller it would be, and it’s my understanding that what you’re seeing right now is part of the third floor already. That’s part of it. So, when they took it down, they didn’t take the whole floor down. So, Stephanie do you have some other comments?”

**Ms. Stephanie Knebel**, Project Manager, Facility Project Services, greeted the Commissioners and said, “Yeah, a few. Stephanie, could you just flip back to the slide that shows the different elevations. That will help a little bit. While we were in our discussions about the possibility of adding back on the third floor, Wes Darnell did spend some time understanding if the building was strong enough to hold the third floor back on there and the answer is ‘yes, it is’. We may need to do a couple of different things with the support columns that are in there, but yeah, we’ve got the structure there to be able to do that.

“As Stephanie flips through that, I asked for this elevation to begin to understand what the building height is now and what it would be with a third floor. And as you can see, the picture there on the left, it shows 135 feet tall right there. First of all, you have to understand that because architects don’t do math well, everything on the ground floor starts at 100 feet. They assume that bottom level ground floor to be at 100 feet. So, you can easily do the math and see if the bottom is 100 foot, we add the 135 feet, that building right now really is 35 feet tall. That’s how that math works. When you go over to the next slide, you can see the building is now 148 feet tall. So, when we go through this project, we’re only adding 13 feet back onto that building to accomplish the third floor.”

**Commissioner Winters** said, “Okay, that’s fine. And if you could maybe just flip back to the very first picture that is on the presentation and I think I can see . . . I was just looking at that picture, and think if you add another third of the building, it would look like it would be awful tall and thin. But maybe if somebody could just help me get comfortable with that, that’s the only question I have, about the third floor. Thank you, Madam Chair.”

**Ms. Payton** said, “Commissioners, I did neglect to introduce Jerry Frantz, who was the Chair of the committee. And Jerry actually does have a few comments to make, with regard to the community

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dialogue.

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

**Mr. Gerald Frantz**, County Appraiser, greeted the Commissioners and said, "And it was a privilege to serve on this committee with these folks. First, if you'll allow me to repeat what Stephanie said and what Commissioner McGinn said, to thank each of the members and the contributing staff that participated in the Ark Valley Lodge Restoration Committee. Their efforts to preserve a piece of our community's history are very much appreciated and certainly to be applauded.

"This project, which was championed and spearheaded by Commissioner McGinn, allows the community to pay homage to the Ark Valley Lodge and the African-American community. The committee and the participants in the community dialogue both expressed, and I'm going to repeat one of the things that Stephanie said, they expressed two primary goals coming out of this: one, for the building to have the look and feel of the original architectural style, preferably to include the re-addition of that third story, second, to have a historical exhibit on the history of the Lodge and the Wichita/ Sedgwick County African-American community. The County Manager's recommendation to you is responsive to what we heard. It provides a mindfulness of our sense of history, while addressing the more utilitarian need for additional office space for the County. And so, we feel very, very good about this. The committee, everyone involved, the staff feels that this is a good project and we feel as though the recommendation that the County Manager is making is one that we fully support. So, thank you."

**Chair McGinn** said, "Thank you, Jerry and thank you for chairing that committee. Commissioner Gwin."

**Commissioner Gwin** said, "Gerald, question. There is some space between the north side of the lodge building and the south side of the parking garage. Did this committee talk about how to utilize that space?"

**Mr. Frantz** said, "Well, in the parking garage is a storage area, where the salters and lawnmowers and those kinds of things are stored. So, we talked about that, but actually, anything that would close that down at all would mean that we would have to stop using space over there, behind where some of those parking spaces are, right there near the front. So, that area probably can't be cut down much at all. We did talk about, in terms of future expansion, going in the other direction, I think where Sheriff's Deputies currently park, if we were ever to consider some additional expansion, heading towards the COMCARE building."

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**Commissioner Gwin** said, "Okay. And so, that would be a possibility. Then on the south side of the building, between the building and the parking garage, that's just going to remain open?"

**Mr. Frantz** said, "Yeah, it's really not a lot of space there and, as I said, if we cut that down at all, I mean there's some room to cut it down. I think you might want to pretty it up a bit. It certainly isn't very pretty in there right now. We've got a bunch of paving bricks from the street over there by the jail that are sitting there and I definitely think it probably wants to get prettied up a bit. But there really . . . it would probably be, at this point, not a very good sound idea to try to cut down on that space at all."

**Commissioner Gwin** said, "Yeah, okay. Thank you. Thank you, Madam Chair."

**Chair McGinn** said, "Okay, thank you. I guess I'd just like to make a few comments. This building, I guess, I was attracted to, especially when I found out that it's one of the last remaining buildings in the Black Historic Business District. We have the church, which is across the way, but this is what's left of the business district and as I learned more about it and finding out that it was the top ten in the nation of buildings to preserve and it's . . . the significance of that had to do with, not just the building structure itself, but who it was used by. And so, I think that's important to our community that we have facilities like this that we can remember our past and share with our future children.

"One of the things that I heard loud and clear from the committee's report was that they wanted to restore the third floor and I must say when this whole process started that wasn't something that I was really thinking about. And we looked at adding a room to the side, as Jerry expressed, but it kept coming back to we want to restore it to its original architecture and I feel strongly that's the number one criteria that the committee came back with. I think that's something that we should do.

"The other thing that I think is important, since it is going to be used by County services, how do we invite the community to come in and see and have a feel for what this building was once used for? And part of what we're going to do is we will have a community room downstairs, although it will be small, so it won't be something that will be used for large groups and that's because of the dimensions of the building itself. But another thing, just to give you an idea, we can put art in there and we've visited with a certain famous artist from this state, about getting some art to put in there.

"The other thing is, if you've been in the Keen Cutter building, which is the old hotel down in Old

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Town, and you've gone to the different floors and you've looked at the museum cases that are on each floor, they have artifacts from that building of the past and that's something I hope we can incorporate here as well. So, if we have, even though we may be doing County services, County business, that building will be open and available during the week for people that want to come in and look and remember the historical significance of the building.

“So, with that, I'm going to make a Motion that we take the committee's recommendation to add the third floor and staff's recommendation for how we fund this project and move forward on this and see if we can finish this project soon. There are a lot of people in the community that have been waiting to have this done. It's just been sitting there idle. It's of no good to the community to just sit there and slowly deteriorate. I think it will be a great asset to the community though to be able to share our past and also provide services to all of the citizens of Sedgwick County.”

**MOTION**

Chair McGinn moved to Receive and file, approve a recommended use and authorize staff to proceed with restoration

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, “Thank you, Stephanie for all your work. Thank you, Gerry Frantz. Thank

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you to all those that were on the committee and spent many hours trying to decide what we were going to do. Appreciate all your time and Randy from staff as well. So, thank you. Clerk, call the next item please.”

**Commissioner Sciortino left at 10:50 a.m.**

### **E. GRANT APPLICATION FOR STATE CRIME VICTIMS’ ASSISTANCE FUNDING**

**Ms. Ann Swegle**, Deputy District Attorney’ Office, greeted the Commissioners and said, “I’m here this morning seeking your approval for a grant application to the State Crime Victims’ Assistance fund. We are requesting continued funding of a full-time position as Restitution Coordinator in our Case Coordination Division. The Restitution Coordinator is charged with the responsibility of assisting crime victims who are seeking to recover economic losses that result directly or indirectly from criminal conduct. The Restitution Coordinator assists victims by helping them compile documentation regarding their losses, providing them information regarding possible sources for compensation and providing information to the courts, so that appropriate orders of restitution might be entered.

“The total project cost is \$31,899. Of this, we are requesting \$23, 924 from the Crime Victims’ Assistance Fund. The remaining required cash match of \$7,975 will be paid for from existing asset forfeiture funds. I would ask that you approve the application and authorize the Chair to sign.”

### **MOTION**

Commissioner Gwin moved to Approve the Grant Application and authorize the Chair to sign.

Commissioner Winters seconded the Motion.

**Chair McGinn** said, “I have a question. I guess I’m not quite understanding the dollars. The \$23,000, that’s a grant fund, and then we have the cash match. Where does the grant . . . I didn’t

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quite get where that grant fund is coming from.”

**Ms. Swegle** said, “The grant fund does come from the State Crime Victims’ Assistance Funds.”

**Chair McGinn** said, “That’s the State and then we match the \$7,975.”

**Ms. Swegle** said, “Right, from our Asset Forfeiture Funds.”

**Chair McGinn** said, “Okay, and in looking in the background information that you provided, it certainly looks like it is well worth our money to provide that match and some of the things you’ve been able to accomplish.”

**Ms. Swegle** said, “Thank you for recognizing that, Commissioner. I will tell you that we have had many crime victims tell us how thankful they are to have the services provided by the Restitution Coordinator particular and, of course, also by our entire Case Coordination Division.”

**Chair McGinn** said, “Okay. Well, it’s money well spent. Thank you. We have a Motion and a Second. Any other discussion? Hearing none, Clerk call the vote please.”

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Absent
Chair Carolyn McGinn	Aye

**Chair McGinn** said, “Thank you. Next item please.”

**Commissioner Sciortino returned at 10:53 am**

**F. DIVISION OF HUMAN SERVICES.**

**1. AGREEMENT WITH FAMILY CONSULTATION SERVICE, INC. FOR SEDGWICK COUNTY TO PROVIDE PREVENTION FUNDING.**

**Ms. Jeannette Partridge**, Contract Administrator, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, “The agreement with Family Consultation Service sets the

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terms and agreements for administration of the 2001 Community Crime Prevention grant that they received. It's for their Expect Respect program, which provides a nationally renowned curriculum for students targeting domestic and relationship violence. Currently, the program serves all ninth graders in USD 259. The prevention grant will allow that program to expand to serve all school districts in Sedgwick County. The program is administered in 9<sup>th</sup> grade gym classes, so it pretty much hits every student. It provides education to students as far as resources and support if they themselves are in a violent relationship or they have a peer that is. It also provides education as far as just that violence is never normal and that it's not a part of a relationship that they should consider normal.

"The program was awarded a \$43,029 grant for 2001. This is a program that is new to the prevention fund. The recommended action is to approve the agreement and authorize the Chair to sign."

**Chair McGinn** said, "Thank you, Jeannette. You said this was new to the program."

**Ms. Partridge** said, "Yes, this is the first year that Sedgwick County has funded this program."

**Chair McGinn** said, "I guess it couldn't have come at a better time. I'm sitting here thinking about the Expect Respect and how you have 9<sup>th</sup> grade gym classes targeting domestic relationship violence and, in light of the shooting, there was a lot of factors but one had to do with being bullied around and we're obviously not capturing those folks yet, in trying to help them and this looks like a very good program. Commissioners, are there any other questions? If not, what's the will of the Board?"

### **MOTION**

Commissioner Winters moved to approve the Agreement and authorize the Chair to sign.

Commissioner Norton seconded the Motion.

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

### **VOTE**

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Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, "Next item."

**2. CONTRACT WITH WICHITA PSYCHIATRIC CONSULTANTS TO PROVIDE HOSPITAL-BASED PSYCHIATRIC SERVICES TO PATIENTS SERVED BY COMPREHENSIVE COMMUNITY CARE (COMCARE).**

**Ms. Deborah Donaldson**, Director, Division of Human Services, greeted the Commissioners and said, "This first item is with Wichita Psychiatric Consultants. It's a renew of our agreement with them to provide coverage for in-patient services within Sedgwick County. I would recommend your approval. Be glad to answer any questions."

**Chair McGinn** said, "Commissioners, are there any questions for Debbie?"

**MOTION**

Commissioner Gwin moved to Approve the Contract and authorize the Chair to sign.

Commissioner Norton seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, "Next item."

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**3. SECOND AMENDMENT TO LEASE AGREEMENT WITH BRUCE J. KOUBA AND EDWARD J. HUND FOR SPACE HOUSING COMCARE'S CRISIS INTERVENTION SERVICES AT 934 NORTH WATER.**

**Ms. Donaldson** said, "Commissioners, the reason for this amendment is the additional office space that was needed for our Crisis Case Management Program. We added 690 additional square feet and that required some remodel, which we shared costs with the owners of the building with. And that remodel cost was \$14,809.39. And then this also adds the additional lease cost, which will be \$6,210 a year. These will come out of State funds. I'd be glad to answer any questions."

**Chair McGinn** said, "Commissioners, are there any questions for Debbie? If not, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to Approve the Second Amendment to Lease Agreement and authorize the Chair to sign.

Commissioner Norton seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, "Next item."

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**4. GRANT REVISION #1 WITH DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO PROVIDE ADDITIONAL FUNDING TO ASSIST CONSUMERS IN OBTAINING AND/OR MAINTAINING COMMUNITY TENURE.**

**Ms. Donaldson** said, “This adds \$10,000 to our grant award from SRS. These monies are to be used for such things as deposits, helping folks with overdue rent or utilities, but really focusing on keeping individuals with a serious mental illness in the community and not put them in a crisis situation, which may result in hospitalization. I would recommend your approval of the addition to the grant and would be glad to answer any questions.”

**Chair McGinn** said, “Commissioners, do you have any questions? If not, what’s the will of the Board?”

**MOTION**

Commissioner Gwin moved to Approve the Grant Revision and authorize the Chair to sign.

Commissioner Norton seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, “Next item.”

**5. AGREEMENT WITH FAMILY CONSULTATION SERVICE TO PROVIDE**

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**GRANT-FUNDED FUNCTIONAL FAMILY THERAPY FOR REFERRED JUVENILE OFFENDERS AND THEIR FAMILIES.**

**Ms. Donaldson** said, "Commissioners, as you heard earlier, there was a prevention funded program and that was with the County prevention funds. This particular contract is funded through the Juvenile Justice Prevention funds and this is with Family Consultation and it provides functional family therapy. FFT, as it is called, is a model program that has been proven to be effective when working with juvenile offenders and working for violence prevention, which again we've talked about. It focuses on family intervention. It averages around twelve sessions, has been a blueprint program and found to be very effective. Most of these interventions actually occur in the home. It's structured and calls for complete fidelity to the program, so it's very well mapped out what happens within these sessions. Referrals are drawn from the front end of the Juvenile Justice system. Those will be individuals who have been seen in our Juvenile Intake and Assessment program more than once, through probation or diversion programs. The focus is to stop that move into delinquency that we are seeing when we see individuals at that level.

"It was selected through a competitive RFP process and they will receive \$368,699 to implement and operate the program through June 30<sup>th</sup> of 2002. And we expect them to serve between 125 and 150 families. I'd be glad to answer any questions and recommend your approval."

**Chair McGinn** said, "We do have a question or a comment. Commissioner Gwin."

**Commissioner Gwin** said, "Thank you. Debbie, is this the first time that we're going to try this program in this community?"

**Ms. Donaldson** said, "This is a new program."

**Commissioner Gwin** said, "Okay, and we have ways to track successes or those kinds of things?"

**Ms. Donaldson** said, "Yes, and that's one of the advantages of these model programs is built into them often is you know what you're looking for, you know what the outcomes are and so, it's built into the program."

**Commissioner Gwin** said, "Okay, all right. I look forward to hearing about its success."

**Ms. Donaldson** said, "I think it should be a wonderful program."

**Commissioner Gwin** said, "Okay, thank you. Thank you, Madam Chair."

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**Chair McGinn** said, “Thank you. Commissioners, what’s the will of the Board on this item?”

**MOTION**

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

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, “Thank you, Debbie. Next item.”

**F. ADDITION OF ONE TEMPORARY PROGRAMMER POSITION, RANGE 23, TO THE DIVISION OF INFORMATION AND OPERATIONS (DIO) STAFFING TABLE.**

**Mr. Richard Vogt**, Chief Technology Officer, Division of Information and Operations (DIO), greeted the Commissioners and said, “This request is to create a Programmer position in the Division of Information and Operations. This 16 month temporary position has a budget impact of \$75,536 for the duration of the position. The purpose of this position is to provide programming support required by the County’s Juvenile Justice programs. Funding is provided from the Juvenile Accountability Incentive Block Grant, fiscal years 2001 and 2002. The Department of Corrections is in agreement with this solution and Team Justice Executive Committee has reviewed and approved this request. Sufficient funding is available. If you have any questions, I’m available for

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them right now.”

**Chair McGinn** said, “Commissioners, are there any questions on this item? If not, what’s the will of the Board?”

**MOTION**

Commissioner Winters moved to Approve the addition to the DIO Staffing Table.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, “Thank you. Next item.”

**H. AMENDMENTS (THREE) TO THE 2001 CAPITAL IMPROVEMENT PROGRAM (CIP).**

- 1. TENNIS COURT REPLACEMENT AT SEDGWICK COUNTY PARK**
- 2. FIRST FLOOR PAY STATION, CIP #1999 PB375**
- 3. ARK VALLEY LODGE RENOVATION, CIP #288**

**Mr. Pete Giroux**, Senior Management Analyst, Budget Department, greeted the Commissioners and said, “The first amendment is to repair tennis courts at Sedgwick County Park. They are over 20 years old. They are made of asphalt and they have finally exceeded their useful life. A project

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to replace these courts was originally approved in both the 2000 and 2001 Capital Improvement Program for \$35,000 each year to replace two courts. The Park staff has pursued a project solution for the past 18 months and believe they have finally found a suitable long-term replacement source. Estimated cost for this project is \$70,000 to \$75,000 for two doubles courts and it proves a durable concrete foundation.

“This amendment provides consolidation of the existing 2000 and 2001 CIP funding and replaces the worst two doubles courts in the Park. We expect to repair the remaining courts in the 2002 and 2003 CIP programs for \$72,000 and \$75,000 respectively and those will be reflected in the 2002 to 2006 CIP that we’ll bring to you later this year.

“Estimated life for the new courts, with regular maintenance, is projected for 30 years. Both the staff and the CIP Committee recommend approval of this request. I’ll attempt to answer any questions. If not, Mr. Harrison is fully conversed in this.”

**Commissioner Gwin** said, “May we take this separately?”

**Chair McGinn** said, “Well, I was hoping we could take 1 and 3 and come back and have discussion on Item 2. So, let’s go ahead and take number 3 and then we’ll approve it and come back to number 2 separately.”

**Mr. Giroux** said, “This CIP amendment will remodel the Ark Valley Lodge consistent with both the Manager’s recommendation and your approval this morning, restoring it to three stories. The building would be occupied by COMCARE as stated earlier and the financial information is consistent with what Stephanie Payton presented to you in her briefing. Do you have any additional questions?”

**Chair McGinn** said, “Yes, I do. I have a question on Item 1. I think about what I pour concrete for out on the farm and can you help me out a little bit here why it costs this much money to form a concrete pad. I know you’re going to be putting in probably poles for the tennis net. Will there be fences around it and . . .?”

**Mr. Giroux** said, “This is a turnkey operation. They’ll leave the existing court in place, excavate around it, lay a base over the court, then put a . . . I believe it’s about a four inch concrete pad on top of that. It will be stressed and they’ll stress it a couple of times right after the installation, so that should provide plenty of protection for cracking, of course, which is a challenge here.”

**Chair McGinn** said, “Jerry, did you have anything else you wanted to add?”

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**Mr. Jarold Harrison**, Assistant County Manager, greeted the Commissioners and said, "I just wanted to say that would be a complete replacement of the court surface. It would also involve painting the new lines of the court, new nets, new net poles and a complete new perimeter fence around the entire court, so it's not just the concrete."

**Chair McGinn** said, "Okay, thank you. We have another question. Commissioner Winters."

**Commissioner Winters** said, "Well, just very generally, on these two items, the first item concerning the tennis courts at Sedgwick County Park. This is just a consolidation of what is already in the Capital Improvement Projects budget for 2000 and 2001. This is combining those two years into one project on one tennis court."

**Mr. Harrison** said, "It's combining the funding for those two years, so that we can get the one project done. We'll have to resubmit the other project."

**Commissioner Winters** said, "Right, and they'll stand on their own, later on in the budget cycle or whatever."

**Mr. Harrison** said, "In the CIP, yes."

**Commissioner Winters** said, "In the CIP budget."

**Mr. Harrison** said, "Yes, sir."

**Commissioner Winters** said, "Okay and then the third item, actually it's the second item we're discussing now, it just then is the amendment for the discussion we had concerning the Ark Valley Lodge earlier this morning, is that correct?"

**Mr. Harrison** said, "That's correct, sir."

**Commissioner Winters** said, "All right, thank you. That's all I have."

**Chair McGinn** said, "Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Madam Chair. I want to just ask a question on H-3. I know we've put back in some funding, that's what the half million dollars was for the Ark Valley

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project.”

**Mr. Harrison** said, “That’s correct, sir.”

**Commissioner Sciortino** said, “But didn’t we still have \$425,000 or something in that CIP for that project? I know we took half of the money away, temporarily, to give us assistance on the jail, but there was like \$425,000 or something left in the budget.”

**Mr. Giroux** said, “Yes, sir.”

**Commissioner Sciortino** said, “Where is that here? I don’t see that reflected here, as far as the way we’re going to pay for it.”

**Mr. Giroux** said, “The recommendation includes CDDO funds.”

**Commissioner Sciortino** said, “What do those letter stand for?”

**Mr. Giroux** said, “Community Developmental Disabilities Organization, sir.”

**Commissioner Sciortino** said, “Okay, but that isn’t the money . . .”

**Chair McGinn** said, “I think it’s the \$500,000 the year end, that is part of the replacement funds.”

**Commissioner Sciortino** said, “I thought we were going to take it back up to the \$900,000 or something it was originally budgeted to do. So, we only added \$75,000. Oh, okay. That’s all I had. Thanks.”

**Chair McGinn** said, “Commissioners, are there any other questions? If not, we will be voting on H-1 and 3. What’s the will of the Board?”

### **MOTION**

Commissioner Sciortino moved to Approve the CIP Amendments for Items H-1 and H-3.

Commissioner Norton seconded the Motion.

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

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### VOTE

Commissioner Betsy Gwin		Aye
Commissioner Tim R. Norton	Aye	
Commissioner Thomas G. Winters		Aye
Commissioner Ben Sciortino		Aye
Chair Carolyn McGinn		Aye

**Chair McGinn** said, "Item H-2."

**Mr. Giroux** said, "As you are aware, after a great deal of work between the Treasurer, County staff and the District Court staff, with support of Facility Project Services, a detailed project design for remodeling the south side of the first floor has been completed. It would require Commission approval of a CIP amendment to approve the amended project budget.

"This project will create a pay station environment in what is now the Treasurer's Office. The pay station would house the Treasurer's Office, District Court payment staff, the current Traffic Office and certain members of the Appraiser's staff. It would move the snack bar, install work stations, a call center and upgrade systems within the Treasurer's Office which should result in much greater efficiency. This project provides the needed infrastructure, both physical and technical, to enhance District Court, Treasurer and Appraiser customer service. People who need to pay bills, traffic fines or conduct other business with the Treasurer or court will be able to easily do so on the first floor, rather than visit various offices on different floors of the building. This enhancement will allow these offices to implement these plans to work more closely together, and as a result, better serve their customers.

"The original project was approved in the '99 and 2000 CIP programs and funded at \$238,300. Additional funds are proposed from the following prior-year CIP projects, as well as contributions from current budgets. The first of these would be the remodeled Jury Room and north hallway project for \$152,000. We would continue to design that project. The second would be the mechanical upgrade roof replacement for the Juvenile Detention Facility for \$332,877. Finally, the contributions from the Treasurer would be \$20,000 and District Court \$10,000.

"Do you have any questions?"

**Chair McGinn** said, "I'm sure we will here in a minute. I guess I'll kick it off here. I think the concern on this has to do with . . . well, first let me say that I think that this first-floor pay station is an excellent idea and I know, even before I became a Commissioner, thinking I knew quite a bit about government. It's very confusing, sometimes, when you go into a building or you call a

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department and you keep getting sent around to a different place or put on a different line or given another number. And I think just having this one-stop area is something that will serve our citizens very well and make it easier for them to take care of their business. So, I totally support that.

“I think there’s some concern about the fact that, if I understand right, two years ago it was put in the CIP at \$100,000. Then it doubled the next year and then it’s tripled this year. And the reason that’s a concern is not that perhaps the project isn’t the right thing to do and the right way. It has more to do with there are three phases to this project and if it’s going to escalate over time like that phase one, what is phase two going to do? Will it go through the same kind of process in phase three and we really don’t know what the end product of updating and renewing our Courthouse, which we understand it is an old building and it does need some remodeling and renovation, but with some of the other budget constraints and things we have to look at, here in the future with our CIP and with our budget, I think there’s concern out there as what is this whole thing going to look like and how will it effect the mill levy.

“So, I’m going to stop with that and hope that some lights come on here and get some other comments from other Commissioners, because I know there’s been some discussion about this and I guess I’d like to get some guidance from other Commissioners in the direction that they’d like to go on this. Commissioner Gwin.”

**Commissioner Gwin** said, “Kathy Sexton, can you come up?”

**Ms. Kathy Sexton**, Director, Division of Information and Operations, greeted the Commissioners.

**Commissioner Gwin** said, “Good morning. When the Chair alluded to our CIP, where there is a certain amount set in one year and then a different amount the next, explain that to me. I’m going to go under the assumption that as in most major projects, we start with some planning dollars and those kinds of things, and then design dollars and then construction. Is this not a part of that, or am I looking at it differently? Can you explain those different numbers?”

**Ms. Sexton** said, “Be happy to. That is how we plan projects now. We try to do some planning up front, with minimal dollars to figure out what the needs are, get an architect to help us figure out what’s possible, do a cost estimate. Then we get a project in the CIP, the Capital Improvement Plan because we then know the cost estimates and the scope of the work to be done. Then we can design it. Then we construct.

“In this case, some of you commissioners may remember that some of drawings and just basic ideas

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for first-floor renovations of this building were created nearly ten years ago. Okay. Back when there was one study done for the entire building that said, 'Here's some things you ought to do'. You ought to remodel all these areas. You ought to do some things in the lobby and on first floor. Well, those pretty pictures were all that was done. That planning stage kind of stopped at that point. What happened was we started working on specific remodeling projects on specific floors. The first was planned for, actually I think to start happening last year, and looking at the project last year, I looked at it and said, "Well, this hasn't been designed". There's not enough work on the planning stage.

"So, that's what we're doing now is trying to pick up this first-floor project, complete the planning, complete the design, etcetera. On this first phase that we were asking you to approve today, phase one of first-floor, the Treasurer's and the pay station, that had been nearly complete on the design. So, once design was nearly complete we got a construction cost estimate this fall, fall of 2000. It of course showed we do not have near enough money in the project plan. As far as phases two and three, the lobby and the jury room, we'll be designing those this year and getting accurate cost estimates this year. So, hopefully we will approach the other phases in a much more informed manner, realizing now what it really costs to remodel a building like this."

**Commissioner Gwin** said, "And we did have a big plan to renovate space in this building. Most of that . . . didn't we start with what was the old jail space? Is that why this one's left, because we started with that space first?"

**Ms. Sexton** said, "That's right. The first priority was to convert what was the old jail, after the new jail that we know of today came on-line in 1989, 1990 time frame, we started converting and remodeling the old jail portion of the building. Then we started with some other offices for efficiency's sake. District Court, Family Court, that floor has been remodeled. Many other floors of the courts have not been remodeled yet. We've just been taking them kind of one by one."

**Commissioner Gwin** said, "Since you now have the onerous task of overseeing the Facility's Management and those kinds of things, the operations of our buildings, can you tell me, based upon other needs that we have for operations and for the buildings themselves throughout this entire government organization, how do you rank this project? I mean, is this up there in your top five? Is this in your next five? I mean, I know it's here in front of us, but how important is it, do you think, to you as our DIO Chief?"

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**Ms. Sexton** said, "I think it is important, Commissioner, and it's hard. It's very difficult. There are a lot of maintenance kinds of things that we need to do and those, obviously, are in my top priorities. I consider this project partially maintenance and partially a customer service improvement. I firmly believe that this project will enhance customer service, because like you said earlier, Commissioner McGinn said earlier, that when people come to the courthouse, it is confusing. I just talked to people this morning who said, 'well, they said to go to third floor and I guess we'll see a sign or something'. It's confusing and I think it's important to address those things as well as the maintenance issues. I do consider this a high priority, or we would definitely not have it in front of you today."

**Commissioner Gwin** said, "And another question has to do with the drawings, or my vision of what we were trying to accomplish here. I had it in my head that, besides a pay station, that we were also going to try to create some sort of an information station, so that folks would not have to run around the courthouse to find out the value of their house or to check and see whether the deed had been filed right or those kinds of things. Is that a part of this, or is that apart from this?"

**Ms. Sexton** said, "I think some of that will be accomplished with this project, and if by information station you mean the computerized kiosk type of thing, is that what you've talking about?"

**Commissioner Gwin** said, "If they can't operate that, it would be nice to have a person that they can talk to. I know some folks are frustrated with computers and keyboards with an expectation that everyone is comfortable with that method of data retrieval. Some of us very well may be, but then someone is going to have to show me how to use it. I mean, if I'm just coming in to check those things, there's a keyboard and a screen for me, but I'm not sure what to ask, how to ask it. And so, I saw it as an opportunity for both a person to person visit, if someone is comfortable with that method of data retrieval or someone there to help guide them through the information, whether it's a touch screen or something, to kind of show them how to get from point 'a' to point 'b' and gather some information that would, again, keep them on the first floor, keep them from having to run through all the different levels of this courthouse getting information that's public and should be easily available to them.

"So, part of my wish is that that be integrated into this project. I think what I'm asking for is not

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necessarily more space but a more cooperative attitude of those departments and bureaus who hold that information, so that the employees who are relocated to this floor do in fact have cross-training and do in fact know where the information is, so that they can assist someone in getting it. So, I still see, for me to be completely happy with this, I guess I am going to need to get some more answers about the commitment of those folks who are sending their employees to this new facility, as to their commitment to meeting the needs of the public who come into this courthouse and I may need some time to get that information before I'm ready to approve this or deny it."

**Ms. Sexton** said, "Commissioner, I will relay that to all the parties involved. I can feel confident today in coming to you and telling you that the cooperative nature here that has made this project possible has been among the District Court, the Treasurer and the County Appraiser and they are all three departments, I think, committed to this project, see it as a real good improvement in customer service. You mentioned Register of Deeds and that's not one that is included in this, for space reasons, but I have to tell you they're on-board with this concept of improved customer service and the imaging project that you all approved last August will help that tremendously, because once they image their documents, put them in their computer and other people then in this pay station, the Treasurer's people, can then call those documents up on screen and look at those, rather than having to go upstairs. So, it does definitely reduce the courthouse shuffle, as we all lovingly call it."

**Commissioner Gwin** said, "And I would encourage the Register of Deeds and the Clerk's Office, to the best of their ability, to be a part of this information, not just a pay station, but an information station for me. I mean, it was yesterday or the day before, we were returning to the courthouse and some folks were looking to where they needed to go to buy a fishing license. Wouldn't it be handy if all they had to do is step right over here on the other side of the elevators and buy a fishing license, instead of trying to guess which floor, which office. And so I think there are some additional enhancements, other than paying your taxes or paying your fines or paying child support or whatever that is just convenient. I mean, 'oh, and by the way, yes you can buy your fishing license here', without them having to go, 'I don't know if we have to go to three or two or what'.

"So, I understand the concept and I understand it will be an improvement and services will be better for folks. I still think there needs to be some other things that are considered, too . . . or I need more discussion before I'm prepared to approve it, I think."

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**Ms. Sexton** said, "Okay."

**Chair McGinn** said, "Thank you, Commissioner Gwin. Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Madam Chairman. Kathy, I think, because as I understood this project like Commissioner Gwin said, I thought it was going to be the one-stop shopping thing, but in reference to those going . . . isn't that in another phase, didn't you share with me that that would be in phase two or three where we would get the informational thing and what have you?"

**Ms. Sexton** said, "Yes, the computer portion of it, the information kiosk. That's why I was trying to clarify, make sure we understood. Yes, that is in phase two and three of this project."

**Commissioner Sciortino** said, "And I also see that we're talking some money out of one of the other phases to fund this phase, which would mean when that phase comes in, there's going to be more money asked of that phase. Is that correct?"

**Ms. Sexton** said, "That is true. That is on recommendation from our Finance Office. They're trying to clean up old funds and since we know we're not going to do the jury room construction this year, that we have that money sitting there and we should use that for this project and then reallocate monies next year for the next project."

**Commissioner Sciortino** said, "And I guess I have a question of either Jerry or Chris. We had talked about the whole concept of the CIP budget and the fact that, historically in the past, there would be a number put in there but it really wasn't as true as to the money that would be spend and then it wasn't until we got construction design and what have you would the Commission get a more realistic number as to what that project is going to cost. As I understand it, we're working on a way of remodeling how we make presentations of the CIP and you're looking now at the whole CIP plan to come back with us and let us know that these are more realistic numbers, plus here's all the projects in the past have already been committed, so you can see that. And is it still your target to have that to us in May?"

**Mr. Harrison** said, "We will actually have the recommendation to the Manager in a couple of weeks. He will then be visiting with you individually, making sure that we have addressed your priorities in the CIP, individually."

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**Commissioner Sciortino** said, "What was the May date that you had told me?"

**Mr. Harrison** said, "I believe the recommended CIP will be to you in that May timeframe in a draft form."

**Commissioner Sciortino** said, "So, it may be coming to us earlier than May, is that right?"

**Mr. Harrison** said, "As far as discussions about where it is in the development process, that's correct."

**Commissioner Sciortino** said, "Okay. And that would take showing us all the projects that were approved in the past, what those are. Maybe some of those will be taken off because decisions were made not to do those projects. But what the status of the money that we've committed, maybe previous Commissions have committed, and then a more accurate look at this year to 2005, what the more realistic figures of those different CIP projects are."

**Mr. Harrison** said, "Yes. It is our intent to include, which we have not done in the past, is the prior year approved projects, so that you know everything that's out there that's still in the works."

**Commissioner Sciortino** said, "Okay. Thank you. I don't have any other questions."

**Chair McGinn** said, "Commissioner Winters."

**Commissioner Winters** said, "All right, thank you. Well, I was ready to support this and probably still am. I think I did then hear Commissioner Gwin say she needed a bit more information."

**Commissioner Gwin** said, "Well, I'm going to need some time. I'll be in Colorado next . . . at first I thought a week deferral but then I remembered I'll be in Colorado for a Juvenile Detention Planning session and will miss next week's meeting and I would respectfully ask, and I won't put it in a Motion yet, I want to hear discussion, that we defer for two weeks and that will give me some time to talk to staff and get the answers that I need on some of these other issues and then hopefully would give Commissioner Sciortino an opportunity too, and all of us, to get information from Budget and from the Manager on pending projects and those kinds of things so we can have a better overall look at what's ahead of us here. So, two weeks would be fine for me, if my colleagues would approve that."

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**Commissioner Winters** said, “Well, thank you. I’m going to be out of town in two weeks and I would be glad to defer that for two weeks, if I could trust all you folks to agree with me and do the right thing while I’m gone. But you know, just a couple of quick observations here I think. The reason I support this project is because of the customer service aspect of it. I think we need to get on about with it. I think it’s going to be an improvement. I think the central pay station is going to be helpful and also, we need to continue to upgrade this building. I mean, we’re living in a 1960s building. If we don’t continue to upgrade and modernize it, I think we would be making a mistake. But I do hear, and I share the agreement that we need to continue to look at how our budget is going to unfold over the next two or three years, and I think, as people begin to look at these kinds of projects, we need to make sure that this is a priority project. I’m not concerned about it, in the realm of a three-pronged project down there, this, the jury room and the entrance. I mean, if we get to the point that the other two aren’t done then so be it, but I’m ready to start with this one, and then we’ll see how those others fall in place.

“But I would be glad to take two or three weeks here and see how this project is fitting in with the budget projections for 2002 and 2003. I know that the Budget Department is probably actively working on what their budget projections are going to be, so I think they can help us with this. I’m not too excited about delaying it till May. Kathy, could you speak to the delay of say two or three weeks.”

**Ms. Sexton** said, “Yes, sir, I’d be glad to. I think that the project could still stay on schedule if you all would like to go ahead and delay for two or three weeks either way. We’ll go ahead and continue to prepare our final documents and our bid documents, that type of thing, and just awaiting your approval. The importance of the timing of the project though is that taxes are due June 20<sup>th</sup> and December 20<sup>th</sup>. Okay, and this is the office where people come in and pay those taxes and deal with whatever discrepancies or issues they may have. And so, those are very busy times for the Treasurer’s Office and for the courthouse in general, so we’re trying to time the construction project between those two critical dates of July 1 and December 1. So, that’s why we would like to do the project then. I did talk to the Treasurer the other day to find out, if we delayed it, and she really expressed to me the importance of . . . Well, we’re trying to improve customer service, but during construction it would be a lot worst customer service, because of re-directing people to other places. So, we want to minimize that, but a three week delay would not hurt the project at all.”

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**Chair McGinn** said, "Okay. Are you finished, Commissioner Winters?"

**Commissioner Winters** said, "Yes."

**Chair McGinn** said, "Okay. Commissioner Norton."

**Commissioner Norton** said, "Thank you, Madam Chair. I really just have more comments than specifics, since I'm kind of the new kid on the block, although I've deal with capital improvement budgets and budgets in general as a mayor. One thing that concerns me is doing studies and then putting them on a shelf for very long. I think they grow old and they have to be restudied. You have to restudy the study to find out what is new and exciting and update the construction cost and the architectural costs and everything. So, I have a real problem with that.

"I don't have a long history. Some of you do, but ten-year lag time seems like a long time to decide that we need to do something and then finally start working with a budget that's kind of protracted and been robbed and pushed around and not really taken as serious. So now we're taking it as serious and we have to make a quick jump to judgment on this. It would have been nice if this was hard monies in the CIP budget with an architectural design that said ten years ago we knew we had a building that was getting old and now, today, we're rushing to judgment on something that's really, really important to the future, the next fifty years of this building.

"I'd like to see CIP monies be a little more of a concrete number. You know, less floating. Now, I'm the new kid on the block but I've worked on like the drainage plan. You know, there's \$26,000,000 in there and those are things that really need to be done and there's a concrete number in there of about 1.7 million for this year, but then, as I started analyzing that 1.7 million and Dave Spears and I spent a lot of time looking at it. It wasn't a concrete number. It was a number kind of plugged in but not particularly for anything that came out, concretely out of that \$26,000,000 recommendation. It was just a number put in so that we could get started. And I really have a problem with that, if we're going to be fiscally responsible to the citizens, then we need to tie down these CIP monies more to a program succinctly every year. I think we get into problems when we do that.

"The final comment that I have is that I have a problem robbing one project to pay for another. It's like dominoes. I don't know . . . I agree with Ben. What's going to happen to the Jury Room,

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which is the next great project that we know needs to be done and where does that money come from if we don't have that nailed down succinctly in a CIP budget for the next year and the year after. I think I really support this project, as I looked at it and observed what we're trying to accomplish in customer service. I think it's critical but I think it's only the first phase of really making the front of the courthouse workable. I mean, we have a real quagmire of people trying to come in and go through Seneca and it's not very friendly in the first place and then we tell them, 'Well, we've got a new remodeled area that's going to be real friendly to you'. Well, their first feeling of coming in the courthouse isn't friendly in the first place. Maybe we can make amends by one-stop shopping or a pay station.

"But I have a real problem with robbing, year after year, one CIP program, kind of move some money around to pay for the next. If we're going to do a five-year program, we need to nail that down and know that we have a passion for those projects, that they're really important and we're going to have the money there, instead of 'Well, let's noodle it around a little bit and let's take a little here and a little there'. Now I'm concerned with, okay, we're taking money out of the mechanical, air conditioning thing for Juvenile Detention. I don't understand enough, if that money's not really needed there. Maybe it's not. Staff will have to explain all that to me.

"Those are some of my concerns. I think I support the project, but I really agree with a couple of my colleagues that two or three weeks is not going to put this dead in the water until we study it. Maybe it even needs to go until we get into the total CIP project, which I think is kind of what Ben is alluding to, that maybe we want to have hard numbers instead of guesswork. Thank you, Madam Chair."

**Chair McGinn** said, "Thank you for your comments. Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Madam Chair. Maybe we can . . . I think we're all trying to go down the same track. I think all of us are saying that this project is very worthwhile and I don't want to rush to judgment. I have a little concern with putting a timeframe of two weeks or three weeks on it, for fear that we won't have sufficient information and I understand staff's concern that we have these windows of opportunity with which to do the construction and if we delay it till we get our hands around the whole concept of the CIP, we've lost that window of opportunity, meaning we can construct from June to December. But the worst possible scenario that I could see is that if we take enough time to really grasp what we have committed to in the CIP, looking at projects like drainage and where is the priority, what's the real number, maybe the worst-case scenario, we've delayed it one season. In other words, instead of building it this June through December, it's maybe build it January to June and I don't see . . . we've waited ten years, I don't see, if the worst-case is we delay it six months so that we can more intelligently get a handle on what we've really committed to in the past and what we've committing to in the future is of great concern to me. I'd rather be more accurate than speedy, in this case.

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“I also share with Commissioner Gwin, I’d like . . . I think this is where you were going, is there any way to massage this phase to include some of the things that we both thought were going to be in this phase, and that’s the ability, in essence, to get maybe 99% of the reason you’re in the courthouse done right in one area, instead of meandering all over and it wasn’t included in this phase, because that’s committed in another phase or whatever. And I would like to see if we could get comfortable requesting of staff to speed up as quickly as possible this renovation of the CIP and that we delay this item until we can see, more accurately, what we’re really committed to in the past and what we’ve committed to in the future with the eye toward we could jump in and approve this concept quicker than maybe the other ones. But I get a little uncomfortable saying two weeks or three weeks, because I don’t know that we’ll really know what the total picture is in that time.

“Jerry, is there any way that you could commit that we could start seeing a concept quicker than May? I mean, could it be done in April?”

**Mr. Harrison** said, “The CIP Committee’s work is to make a recommendation to the County Manager and we should have that to the County Manager within three weeks.”

**Commissioner Sciortino** said, “Okay, so there could be a possibility that we could have all the information in three weeks.”

**Mr. Harrison** said, “Could be.”

**Commissioner Sciortino** said, “Okay, so Commissioners, if I heard right from Jerry, he’s saying that very possibly we could have the information within three weeks. I’d be more comfortable then making a Motion that we delay this until we get the information. Very possibly it could be three weeks. It might be a little bit longer. Knowing that, worst-case scenario, all we’ve done is pushed this project back six months and that’s worst case and put a little pressure on staff to get it to us in a more timely manner. But wait until we get the information before we make an intelligent decision.”

**Chair McGinn** said, “I still have questions. Would you like to make the Motion now, or finish listening to the other comments?”

**Commissioner Sciortino** said, “I will whenever you ask me to.”

**Chair McGinn** said, “Let’s go ahead and hear everybody. Commissioner Norton.”

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**Commissioner Norton** said, “Thank you, Madam Chair. One thing that I would comment is that I’ve been through remodels in the private sector, \$4,000,000 remodels of a facility and I think it’s a misnomer to say that you have to give bad customer service when you’ve got a remodel going on. I think good communication, heightened awareness, understanding of your people that the public just needs to be pampered a little bit more, will lead you to give just as good customer service when you’re in the middle of that kind of a project. In fact, some of the times, you give better customer service because you do have that heightened awareness, you are talking about it a lot. You’ve got more communication, not only to the people that are giving the customer service but maybe the support people, like our Security people up front. They know that it’s kind of a mess, so that they kind of communicate a little bit more to people than just point, going ‘Ah, it’s over there’. Now they have to say, ‘Well, let me walk you over to where you’re going to go’ or whatever. So I think it’s a misnomer to believe that you give poor customer service when you’re in the middle of a project like that. I just think you have to work a little harder to give that customer service. That’s all I had, Madam Chair.”

**Ms. Sexton** said, “Point taken. Thank you.”

**Chair McGinn** said, “Thank you. Commissioner Winters.”

**Commissioner Winters** said, “All right, thank you. Well, what I’d like to think about, in the form of a Motion, is to move that we bring this back in three weeks and if there are not three Commissioners that have sufficient information in three weeks that we delay it again until there’s time that sufficient information is gathered. Well, if Ben has another idea I like to . . .”

**Chair McGinn** said, “I guess, can I have some clarification though first? I thought I heard from Jerry Harrison, that three weeks we’re going to know the outcome of the CIPs budget, too or just this other information.”

**Mr. Harrison** said, “No, we will have the recommended CIP to the County Manager.”

**Chair McGinn** said, “In three weeks. Okay.”

**Commissioner Sciortino** said, “Why would it take . . . I’m just saying, if he has it within three

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weeks, why was it projected that we wouldn't see it until May?"

**Mr. Harrison** said, "Well, he'll continue to work with the CIP with individual Commissioners, with the Finance Department. We want to lock down that five-year financing plan and say, 'Okay, if we do this CIP as recommended, here's what it's going to look like for the next five years'."

**Chair McGinn** said, "Okay. I want to throw one more thing out. Kathy's probably not going to like this. I know on the 28<sup>th</sup> we will have a busy day that day. Can I push for one more week?"

**Commissioner Winters** said, "Madam Chair, I would think that in three weeks, as we go into that meetings, we'll know that we've all got sufficient information and I think it would be a pretty quick discussion. We'll either know we've got enough information to move forward or we'll know that we don't have and we need additional time. So I would like, when it comes back on the 21<sup>st</sup>, I wouldn't anticipate a long discussion. I'd think staff would be able to ascertain that we've got sufficient information or there's still need."

**Commissioner Sciortino** said, "Could I throw this one out for an idea? And I understand the pressure that we're all feeling to try to get this project going and I think . . . I haven't heard anyone say that they're against this project. My concern with locking it in and then, if we don't have information publicly, we have to deferred it again for some other period of time. If there could be some trust amongst the Commissioners, knowing that we all approve the concept of this project, making a Motion to deferred this until such time that we get the presentation from the Manager on it, knowing that if we get it in two weeks or three weeks, we could put it in and that would not necessitate the need, if we haven't got it, of publicly having to defer it again. And I would be more comfortable saying that we deferred it indefinitely, until such time that we get the information, knowing that we all want to get there as quickly as possible."

**Commissioner Winters** said, "I wouldn't have a problem supporting that. I think, as soon as three of us get comfortable with the numbers we'll put it back on the agenda and we'll move forward."

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**Chair McGinn** said, "Would you like to make a Motion?"

**MOTION**

Commissioner Sciortino moved to defer CIP Amendment H-2 indefinitely.

Chair McGinn seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, "Thank you. Next item please."

**Commissioner Gwin left at 11:45 a.m.**

- I. ESTIMATE FROM SEDGWICK COUNTY ELECTRIC COOPERATIVE FOR RELOCATION OF LINES IN CONNECTION WITH SEDGWICK COUNTY PROJECT NO. 616-16-659; BRIDGE ON 13<sup>TH</sup> STREET NORTH BETWEEN 151<sup>ST</sup> AND 167<sup>TH</sup> STREETS WEST, CIP #B-329, DISTRICT #3; AND SEDGWICK COUNTY PROJECT NO. 789-V-2518, BRIDGE ON 247<sup>TH</sup> STREET WEST BETWEEN 47<sup>TH</sup> AND 55<sup>TH</sup> STREETS SOUTH, CIP #B-347, DISTRICT #3.**

**Mr. David Spears**, Director/County Engineer, Public Works, greeted the Commissioners and said, "Item I-1 is the approval of an estimate from the Sedgwick County Electric Cooperative for the relocation of electric lines in connection with two bridge projects. The first relocation involves a bridge on 13<sup>th</sup> Street North, between 151<sup>st</sup> and 167<sup>th</sup> Streets West, designated as B-329 in the CIP at a cost of \$5,025. The second is on 247<sup>th</sup> Street West, between 47<sup>th</sup> and 55<sup>th</sup> Streets South, designated as B-347 in the CIP at a cost of \$337. Both lines are in private easements. I recommend that you approve the estimate."

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**MOTION**

Commissioner Winters moved to Approve the estimates.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin		Absent
Commissioner Tim R. Norton	Aye	
Commissioner Thomas G. Winters		Aye
Commissioner Ben Sciortino		Aye
Chair Carolyn McGinn		Aye

**Chair McGinn** said, "Thank you. Next item."

**Commissioner Gwin returned at 11:48.**

**J. REPORT OF THE BOARD OF BIDS AND CONTRACTS' MARCH 1, 2001  
REGULAR MEETING.**

**Mr. Jerry Phipps**, Senior Buyer, Purchasing Department, greeted the Commissioners and said, "You have the Minutes of the March 1<sup>st</sup> meeting of the Board of Bids and Contracts and there are ten items for your consideration.

**1) BURIAL OF DECEASED INDIGENTS- CORONER  
FUNDING: CORONER**

"Item one, burial of deceased indigents for the Coroner's Office. It was moved to accept the low bid of Wichita's Mortuary for \$1,050 for burials outside Sedgwick County.

**2) BULLDOZER- FLEET MANAGEMENT**

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**FUNDING: FLEET MANAGEMENT**

“Item two, bulldozers for the Fleet Management. It was recommended to accept the bid of Foley Equipment for \$287,887.

**3) FLEET MANAGEMENT FACILITY- FLEET MANAGEMENT  
FUNDING: CAPITAL IMPROVEMENT FUNDS**

“Item three, Fleet Management Facility. It was moved to accept the low negotiated bid of Conco Incorporated for \$3,924,203.

**4) ROAD IMPROVEMENTS- PUBLIC WORKS  
FUNDING: GENERAL OBLIGATION BOND**

“Item four, road improvements of Public Works. It was moved to accept the low bid of Ritchie Paving for \$1,045,724.25.

**5) STRUCTURAL STEEL- PUBLIC WORKS  
FUNDING: PUBLIC WORKS**

“Item five, structural steel for the Public Works Department. It was moved to accept the low bid of Lanxon Piling Sales for \$10,688.

**6) RE-ROOF COMCARE- FACILITY PROJECT SERVICES  
FUNDING: CAPITAL IMPROVEMENT PROJECT**

“Item seven [sic], re-roof for the COMCARE Facility. It was moved to accept the low bid, including the alternate one of Mahaney Roofing for \$82,320.

**7) CONTRACT FOR UNIFORMS, BOOTS AND SHOES- EMERGENCY MEDICAL SERVICE  
FUNDING: EMERGENCY MEDICAL SERVICE**

“Item seven, uniform boots and shoes for Emergency Medical Service. It was moved to accept the low bid of Baysinger Police Supply for a total of \$2,236.

**8) TANDEM AXLE DUMP TRUCKS- FLEET MANAGEMENT**

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**FUNDING: FLEET MANAGEMENT**

“Item eight, tandem axle dump trucks for Fleet Management. It was moved to accept the sole source bid of Doonan Truck and Equipment for five tandem axle trucks for \$269,315.

**9) EQUIPMENT RESERVE- FORENSIC SCIENCE CENTER  
FUNDING: FORENSIC SCIENCE CENTER**

“Item nine, laboratory equipment for the Forensic Science Center. It was moved to accept the sole source bid of Agilent Technologies for \$130,886.

**10) CHANGE ORDER ON JRF ROOF PROJECT- FACILITY PROJECT SERVICES  
FUNDING: FACILITY PROJECT SERVICES**

“Item ten, change order for JR roof project. It was moved to acknowledge the change order of Baker Drywall for \$2,237.71. This was added to \$39,599 on original PO for \$41,836.71 for this project.

**ITEMS NOT REQUIRING BOCC APPROVAL**

**11) CONTRACT FOR UNIFORMS- JUVENILE DETENTION & RESIDENTIAL FACILITIES  
FUNDING: CORRECTIONS**

“You have one item not receiving consideration. It was uniforms for the JDF facility. It was moved to table indefinitely for review.

“I’ll be happy to take questions and recommend approval of the Board of Bids and Contracts.”

**Chair McGinn** said, “Jerry, would you explain to me, on Item one, the indigent burials outside of Sedgwick County are cheaper than the ones in Sedgwick County. Does that have to do with the location or what?”

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**Mr. Phipps** said, "That is correct. That will be in Kingman County in the township of Zenda and it is run by the township."

**Chair McGinn** said, "Okay. And then the other question that I had, I notice there are a couple of them here and I can understand some of them being very technical, why you would have only one bidder, but on item two you only have one bid on a bulldozer."

**Mr. Phipps** said, "It was sent out to seven vendors. Marvin Duncan is here and he can address those."

**Mr. Marvin Duncan**, Director, Fleet Management, greeted the Commissioners and said, "This bulldozer is going to be used by Stream Maintenance and when we built the spec, they're looking at a low ground pressure track, which is a wider track, and in the conditions they have to work in, incline to banks, soggy environment, it's good to have those and that's what they operate now is a bulldozer with that kind of track."

"The other thing that we were looking for is a high sprocket that drives the track. That keeps it up out of the muck and the trash. You don't have to clean it out as often. It doesn't require, probably, as much maintenance as a different model that would have the drive sprocket down in the water."

"When I looked at ten manufacturers of bulldozers, there are three that can give us the low ground pressure track. Of those three, there's only one that builds, at this time, a high sprocket, and that is the Caterpillar. Now, Kamatsu will be available this fall with the high sprocket. So, in the future, I would anticipate some competition from Kamatsu."

**Chair McGinn** said, "Okay. Commissioner Sciortino, is your question on this item, because Commissioner Norton was next? Okay, go ahead."

**Commissioner Norton** said, "Thanks. I have a concern. It says seven vendors responding and they all responded with no bid. I mean, is that really a response?"

**Commissioner Sciortino** said, "That's what he just said, was the way they structured the bid, there was only one vendor that could honor the bid. You know how you can do a spec. If you want a Volkswagon but don't want to name Volkswagon, you say air-cooled rear engine, etcetera, and if

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there's only one person that has that piece of equipment, that's the only one that can bid."

**Commissioner Norton** said, "Well, it seems like we almost made this a sole source, just by structuring that way."

**Commissioner Sciortino** said, "That's true, is it not?"

**Mr. Duncan** said, "Because we go out for an RFP, we don't know what vendors have. That's how I found out that Kamatzu will soon have a high sprocket and a low ground pressure track. But they're not ready to market it right now."

**Commissioner Sciortino** said, "Did we get any assistance from Foley in designing the bid specifications?"

**Mr. Duncan** said, "No. In fact, I used the previous spec, when we bought one in '97."

**Commissioner Sciortino** said, "Did we have any other vendors bidding on it when we bought it?"

**Mr. Duncan** said, "I think we did. I wasn't here at the time, but I think they did have other vendors but they weren't chosen, and it could have been the spec issue on the sprocket."

**Commissioner Sciortino** said, "How soon would we have competition? When is Kamatzu going to have a piece of equipment that would be able to be bid on this project?"

**Mr. Duncan** said, "When I called the vendors that gave us the no bids, I always call to see what the reasons are and the salesman I talked to said that they were aware now that they were going to come out with this production, but he didn't bid because he would have to give us a delivery date sometime in late fall and he didn't think that was fair to us to have to wait around."

**Commissioner Sciortino** said, "Which one of those was this here?"

**Mr. Duncan** said, "Berry."

**Commissioner Sciortino** said, "Berry Tractor?"

**Mr. Duncan** said, "Yes and when you look at the retail prices of the other two that compete with Caterpillar, they retail a little bit higher than Caterpillar. I know during the bid process they might come in cheaper, but they certainly start out higher to the private sector."

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**Commissioner Sciortino** said, “Was the individual from Berry, while his reluctance to bid was the fact of a longer delivery time, but did he have an idea on cost?”

**Mr. Duncan** said, “No, I didn’t discuss the cost with him.”

**Commissioner Sciortino** said, “One other question of David Spears. Is this that crucial that we get this piece of equipment right now, or does the idea of maybe potentially saving some money offset not maybe getting delivery until this fall?”

**Mr. Spears** said, “Well, I think we all like the idea of saving money. The only thing is, Marvin’s saying that and that’s what they’re telling him. You know, I’ve heard stories like this in the past and then you get to that point in the fall and they say, ‘Well, we’re not quite ready yet, it might be another six months’. And that’s what I would want to avoid. We’d like to get it this year.”

**Commissioner Sciortino** said, “So, if it could be delivered, drop dead certain, this fall that would still be okay with you?”

**Mr. Spears** said, “Well, Marv, do you want to comment on that, too?”

**Mr. Duncan** said, “I know, with working with your folks in Stream Maintenance, they’re anticipating an increase in this kind of maintenance, due to the drainage problem. The Caterpillar that we’re trading in on this thing is a very old one. It’s undercarriage is in pretty bad shape and there’s a possibility we’d have to put a lot of maintenance into it if we wait longer. Don’t know if it happens, but it could.”

**Commissioner Sciortino** said, “I don’t have any other questions. Thank you.”

**Chair McGinn** said, “Okay. Commissioner Norton.”

**Commissioner Norton** said, “Thank you. I’m almost of the opinion that very specialized equipment like this is what you want to design in maybe sole source and then on Item number eight, dump trucks, where you’ve got it sole sourced, is maybe where you want to bid it out because you’ve got . . . you know, the specs are going to be pretty standard, I would think.”

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**Mr. Duncan** said, “The dump trucks were competed in 1999. This is really a follow-on buy to the contract in 1999 and we have exercised that about three times now, so maybe the wording wasn’t quite right there when they say sole source from Doonan.”

**Commissioner Norton** said, “How often will we go back and re-bid that and not just keep adding on.”

**Mr. Duncan** said, “This should be the last time. When we bid it in 1999, we asked them for their price increases in 2000 and 2001 because we know we’re going to buy three or four every year and rather than repeat every year the process and the demos and all that. In this case, they have never increased the price from 1999. They have held it at zero increase, plus our trade-in values have gone up. I’m getting more for trade-ins this year than I did last year.”

**Commissioner Norton** said, “My concern there is that we wouldn’t want to go too many years without putting it back out for bid, to be sure that even though they haven’t gone up, somebody else has gone down or could give us a better cost or better maintenance or better trade-in.”

**Mr. Duncan** said, “This would be the last buy on that contract.”

**Commissioner Norton** said, “Okay. The last question I have, and this may be to David, is there some application on this piece of equipment, the bulldozer, for some of the drainage projects we’re going to be doing down south? I mean, I know it’s for stream maintenance, but we’re going to be doing some channeling and some drainage down there to.”

**Mr. Spears** said, “To be truthful about it, the projects down south and also Commissioner Sciortino, we have one in Oaklawn also that we’re looking at. Neither one would require the bulldozer and they’ll be bid out and a contractor will do that work. The dozer is used for, like Marv says, stream maintenance and it’s important to have the sprocket up out of the sand, because if it’s down in the sand, it’s going to wear the sprocket out and then you spend more time with it in the shop than you do with it out in the field. And we have experienced that in the past, too.”

**Commissioner Norton** said, “Okay now, one more question is, you talk stream maintenance. Will that tie in to what we’re going to try to do on the Cowskin Creek, eventually down the road, because there’s some work . . . that is a stream, I assume. Will it have some applications there?”

**Mr. Spears** said, “Not down in your area, because that part of the Cowskin is not part of the stream maintenance program, which those are set out by law, and that’s a petition process which part of the Big Ark, part of the Little Ark, part of Jester Creek and part of the Cowskin are on that system, and

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it does not apply to every stream and creek and river in Sedgwick County.”

**Commissioner Norton** said, “You’re not selling this very well to me, Dave, but thanks.”

**Mr. Spears** said, “Well, where we’re using it, it’s needed very bad. We’re working on the Big Slough right now. Of course, that’s in Commissioner Winter’s district.”

**Commissioner Norton** said, “Okay, thank you. That’s all I have.”

**Chair McGinn** said, “Thank you for the explanation. It helps to understand the sprocket situation and not that the RFP had green paint in there, those kind of things. There’s only certain products that come out that way. Marvin, while you’re up here, real quick, on Item eight, I see that’s another sole source bid.”

**Mr. Duncan** said, “Like I just explained, it really wasn’t a sole source bid. In 1999, we did a multi-year contract.”

**Chair McGinn** said, “Okay, I’m sorry. I didn’t know you were on that item. All right, thank you. Commissioners, are there any other questions?”

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin		Aye
Commissioner Tim R. Norton	Aye	
Commissioner Thomas G. Winters		Aye

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Commissioner Ben Sciortino                      No  
Chair Carolyn McGinn                              Aye

**Chair McGinn** said, "Next item."

**Mr. Phipps** said, "I would just add, for Commissioner Norton, on our bids we do put out one year, with two one-year options, and this is what Mr. Duncan was referring to. Thank you."

**CONSENT AGENDA**

**K. CONSENT AGENDA.**

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

One Easement for Right-of-Way and one Temporary Construction Easement for Sedgwick County Project No. 789-V-2518; bridge on 247<sup>th</sup> Street West between 47<sup>th</sup> and 55<sup>th</sup> Streets South. CIP # B-347. District #3.

**2. Order dated February 28, 2001 to correct tax roll for change of assessment.**

**3. Ratification authority to file civil lawsuit against Fireman's Fund Insurance Company.**

**4. Ratification of the acts and proceedings of the County Board of Canvassers held March 2, 2001.**

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

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V01032	\$375.00	4	Abraham Serrano
V01033	\$262.00	3	Mt. Hope Community Development, Inc.
V01034	\$303.00	4	Helms Rental Properties
V01036	\$375.00		Trinidad Alfaro
V01037	\$262.00	1	Steffens Properties
V01038	\$132.00	4	Valley View Apartments

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V01039	\$635.00	2	Stephan Bridwell
V01040	\$257.00	4	William Favreau

- 6. 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>
V940112	\$307.00	\$605.00
V200111	\$119.00	\$57.00
V2077	\$166.00	\$122.00

- 7. General Bills Check Register of March 2, 2001-.**
- 8. Budget Adjustment Requests.**

**Mr. Harrison** said, "You have the Consent Agenda before you. I would recommend its adoption."

**MOTION**

Commissioner Gwin moved to approve the Consent Agenda as presented.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Regular Meeting, March 7, 2001**

**Chair McGinn** said, "Commissioners, is there any other business to come before this Board."

**L. OTHER**

**MOTION**

Commissioner Sciortino moved that the Board of County Commissioners recess into Executive Session for 45 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to legal advice and also personnel matters of non-elected personnel, and that the Board of County Commissioners return from Executive Session no sooner 12:45 p.m.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, "We're in Executive Session."

**Board of Sedgwick County Commissioners recessed into Executive Session at 12:00 p.m. and returned at 1:32 p.m.**

**Chair McGinn** said, "Let the record show there was no binding action taken in Executive Session. Is there any other business to come before the Board? Mr. Euson? This Meeting is adjourned."

**Regular Meeting, March 7, 2001**

**M. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 1:34 p.m.

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

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**CAROLYN McGINN**, Chair  
Fourth District

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**BEN SCIORTINO**, Vice Chair  
Fifth District

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**BETSY GWIN**, Commissioner  
First District

**Regular Meeting, March 7, 2001**

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**TIM R. NORTON**, Commissioner  
Second District

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

ATTEST:

**Don Brace**, County Clerk

APPROVED:

\_\_\_\_\_, 2001