

*Northwest Village
2nd Addn.*
COMMISSIONERS PROCEEDINGS

JOURNAL 127

APRIL 7, 1981

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ENGINEERING CONTRACT
OAK CLIFF 2ND ADDN

ENGINEERING AGREEMENT - OAK CLIFF ESTATES 2ND ADDITION, presented.

The Engineering Department requests approval of this three-party agreement for engineering services between the City of Wichita, Professional Engineering Consultants, P.A. and Inland Investment Company. Terms of the proposal specify that Professional Engineering Consultants will furnish the City plans for paving and sanitary sewer improvements in Oak Cliff Estates 2nd Addition at a cost not to exceed \$13,800.

Motion -- Knight moved that the agreement be approved and the Mayor be authorized to sign. Motion carried 4 to 0.
-- carried

ENGINEERING AGREEMENT
NORTHWEST VILLAGE

ENGINEERING AGREEMENT - NORTHWEST VILLAGE 2ND ADDITION, presented.

The Engineering Department requests approval of this three-party agreement for engineering services between the City of Wichita, Professional Engineering Consultants, P.A. and Inland Investment Company. Terms of the proposal specify that Professional Engineering Consultants will furnish the City plans for paving and sanitary sewer improvements in Northwest Village 2nd Addition at a cost not to exceed \$20,800.

Motion -- Knight moved that the agreement be approved and the Mayor be authorized to sign. Motion carried 4 to 0.
-- carried

RUTAN AVE TRAFFIC
DIVERTER
(ITEM 23)

RUTAN AVENUE TRAFFIC DIVERTER, presented.

The Engineering Department requests approval of an agreement between the City of Wichita and 32 individuals called the Rutan Street Committee. The agreement provides for the installation of a traffic diverter with a turnaround on Rutan Avenue near Third Street. The City Commission approved the installation of the traffic diverter and turnaround on December 16, 1980. The traffic diverter and turnaround, when completed, will become the property of the City. A certificate of insurance covering the installation has also been submitted.

The agreement and certificate of insurance has been approved as to form by the Department of Law.

Motion -- Casado moved that the matter be deferred for two weeks to avoid a possible moot vote, and to allow the newly elected Commissioners to participate.

Comm. Casado Commissioner Casado stated that he was opposed to this and he further felt the question of diverters was a very hot issue.

Mayor Knight Mayor Knight inquired if anyone present wished to speak and no one requested to be heard.

-- carried Motion carried 3 to 1. Porter "NO"

Discussion Discussion was had as to further hearing on the matter, and the City Manager stated that the matter would be returned on the Manager's Agenda in two weeks, and indicated that there were area residents in opposition to the diverter installation.

REVISED SUPPLEMENTAL
STREET LIGHTING
AGREEMENT

REVISED SUPPLEMENTAL STREET LIGHTING AGREEMENT - KELLOGG (U.S. 54)
AND RIDGE ROAD, presented.

The Engineering Department reports that a supplemental agreement providing for the installation of street lighting at the intersection of Kellogg (U.S. 54) and Ridge Road was approved by the City Commission at their meeting of March 3, 1981. Since that date, a revised supplemental agreement has been received and it deletes Section 5 which provided for the following:

The contractor shall indemnify and save the Secretary and the City of Wichita harmless from and against all liability for damages, cost and expense arising out of any claim, suit, action or otherwise for injuries and/or damages sustained to person or property by reason of the work performed by the contractor, his or her subcontractors, agents, or employees under this contract.

The Kansas Department of Transportation found it necessary to rescind this section as the installation of the street lighting was already under contract.

The supplemental agreement has been approved by the Director of Law.

Motion -- Knight moved the the action taken on March 3, 1981, regarding the supplemental agreement be rescinded and the revised supplemental agreement be approved and the Mayor be authorized to sign. Motion carried 4 to 0.
-- carried

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S/D 81-22 - PLAT OF
NORTHWEST VILLAGE
2ND ADDITION

S/D 81-22 - PLAT OF NORTHWEST VILLAGE SECOND ADDITION LOCATED EAST OF TYLER IN AN AREA NORTH OF 13TH STREET, presented.

A 59-lot, residential plat containing 17.9 acres.

The Planning Commission recommends approval subject to recording within 30 days.

Certificate

A Certificate, dated 4/08/81, from Inland Investment Company, Inc., for improvements in the Northwest Village 2nd Addition.

Water Petition

A Water System Improvement petition, dated 4/14/81, for the property adjacent to Nantucket from Tyler Road to Evergreen, Evergreen from Nantucket to Thurman and 15th Street from Nantucket to Evergreen in Northwest Village 2nd Addition. (Benefit District - 863-81)

Paving Petition

A 100% petition, dated 4/17/81, for pavement for Nantucket and Evergreen from the east line of Tyler to the south line of Thurman and 15th Street from the north line of Nantucket to the west line of Evergreen. (G.O. - \$16,000, S.A. - \$359,000)

Paving Petition

A 100% petition, dated 4/17/81, for pavement for Thurman from the east line Tyler to the east line Northwest Village Addition and Robin from the north line Thurman to the north line Northwest Village Addition. (G.O. - \$13,500, S.A. - \$246,000)

Sewer Petition

A 100% petition, dated 4/17/81, for Storm Water Sewer 204 serving an area north of 13th Street North and East of Tyler Road (Northwest Village Addition) (S.A. - \$170,000)

Sewer Petition

A 100% petition, dated 4/17/81, for Lateral 66, Westlink Sewer serving an area north of 13th Street North and east of Tyler Road (Northwest Village Addition) (S.A. - \$175,000)

Sewer Petition

A 100% petition, dated 4/17/81, for Sanitary Sewer lateral to serve an area between Nantucket and Thurman from Tyler to Evergreen (Northwest Village 2nd Addition) (S.A. - \$95,000)

Motion --

Casado moved that the water engineering feasibility report be received and filed, the resolution of finding and the resolution ordering and directing the water system improvement be adopted; the petitions be approved and the Director of Law be instructed to prepare the necessary resolutions; the City Clerk be instructed to file the certificate of petitions with the Register of Deeds, the recording costs of which shall be billed to the applicant; and the plat be approved as approved by the MAPC and the Mayor be authorized to sign. Motion carried 4 to 0.

-- carried

RESOLUTION

A Resolution of finding as to the advisability and a resolution authorizing construction and ordering and directing under and pursuant to K.S.A. 12-6a, an improvement consisting of a waterworks system to make water and water service available to the property adjacent to Nantucket from Tyler Road to Evergreen, Evergreen from Nantucket to Thurman and 15th Street from Nantucket to Evergreen in Northwest Village 2nd Addition, pursuant to findings of advisability made by the governing body of the city of Wichita, Kansas, presented. Casado moved that the resolution be adopted. Motion carried 4 to 0. Yeas: Casado, Kirk, Wright, Brown.

Z-2321 - ZONE CHANGE
"AA" TO "A"

Z-2321 - ZONE CHANGE FROM "AA" SINGLE FAMILY TO "A" TWO FAMILY ON THE NORTHEAST CORNER OF SMITH AND MEMORY LANE, presented.

Deferred one week from March 24, 1981, and four weeks from March 31, 1981, for hearing by a full Commission.

The Planning Commission recommended approval subject to platting within one year; and that the ordinance establishing the zone change not be published until the plat has been recorded with the Register of Deeds.

NOTE: Forty-three and five tenths (43.5%) protest petitions have been received.

Robert Lakin

The Director of Planning showed slides, reviewed the application area and noted that due to the protest received, a 4/5th's vote of the Commission would be required for approval. He also stated that the Area Council recommended approval.