

CITY COUNCIL PROCEEDINGS

May 20, 2025

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, May 20, 2025

Tuesday, 09:00 AM

The City Council met in regular session with Lily Wu, JV Johnston, Brandon Johnson, Becky Tuttle, Mike Hoheisel, Dalton Glasscock, and Maggie Ballard.

Staff Members Present: Robert Layton, City Manager, Jennifer Magana, Director of Law, and Shinita Rice, Deputy City Clerk.

Meeting called to order at 9:02 a.m.

[Approve the minutes of the regular meeting May 13, 2025](#)

Motion

Mayor Wu moved to approve the minutes of the regular meeting May 13, 2025

Motion carried 7 to 0

[AWARDS AND PROCLAMATIONS](#)

[Proclamations:](#)

National Public Works Week

End the Stigma Day

Maternal Mental Health Month

I) [PUBLIC AGENDA](#)

CITY COUNCIL PROCEEDINGS**May 20, 2025**1.) Leo Angbo - The Independent School student - Future of Wichita

Lee Angbo stated Hello, City Council. Thank you for allowing the students of The Independent School come here to speak today. I'm here to talk about wind energy and other things. I'd like to see in the future of Wichita. Before I do, I'd like to show you my quadrant I have. You know wind is a resource that means that we're not running out of it. I want to get the energy behind harnessing the winds, kinetic energy, kinetic energy is energy and motion. After the white spider goes down a shaft to a powerhouse or to be stored to layer usage. Also, do you know that the worst running my quadrant also has both made from recycled concrete? From facts according to the US Energy Information Administration. Include that Kansas was one of the top five states with wind energy. This is good but I still think we can do more. In 2022, winter bonds equal 10.2% of total US utilities. Scale electricity and lastly in Kansas, wind is almost everywhere. A reason why you should consider using renewable energy as it helps the environment and keeps keeping Wichita clean. Some pros of one energy include is a God Turner for fossil fuels in general, while there is a cost for installing the wind turbines the money it makes will pay for itself. And it's cheaper than using fossil fuels. Also, adding wind turbines will create more jobs. Some cons include some birds and bats stuck and went to buns and die, according to the US Fish and Wildlife Services, most of these birds that are harmed are songbirds, but some other types of birds and mice have died or eagles, Hawks, Falcons, Golden Eagles, red tailed Hawks and bats. In addition, wind turbines take up many acres of space. Wind turbines may catch on fire. Some solutions to the problems of water energy are to checking the parts more often. So they don't catch on fire. We should also look at the migratory paths in seasons such as running winter months, more often in the winter to avoid birds and bats, or replace wind turbines in heavier populated areas. This is important because it would save the lives of birds and bats as well as the ecosystems and food chains or other species. Finally, we can try to smaller parts to use less land. Since small turbines can be beneficial for individual homeowners. Before I go, I'd like you to consider some of these things to Wichita. According adding our earth homes. Earth homes means structures built into the Earth offering natural resolution and are energy efficient. These homes are made from recycled materials such as old tires and bottles. These homeowners don't throw away their water until it is black. Wichita is in a drought and these kinds of acts would help our water shortage. These homes are also shielded from tornadoes, wind damage and hail. I would like to have more local farms too that would allow us to have fresh food and I can use those fossil fuel in the process. Thank you for listening.

Council Member Glasscock stated Leo, thank you for coming and talking today. I sort of say great job with your presentation and keep that confidence going because there's a lot of people that come to this bench. They don't have the confidence that you just had. So thank you for doing it. I also thought you would be interested in information. While you were talking I looked up how much wind energy was being produced in Kansas at this exact minute and 56% of the energy produced and 56% of the energy being

CITY COUNCIL PROCEEDINGS**May 20, 2025**

used to light this room is coming from wind energy right now in Kansas. This is a success and should be hailed. And so thank you for trying to lead the effort on this and there are plenty of jobs in the energy sector that will look forward to your expertise in the future. So thank you for being here.

Robert Layton, City Manager, stated I can mention Council Member. We actually purchased more wind energy than the average, so we're over 90% wind energy.

2.) [Cohen Crites - The Independent School student - Future of Wichita](#)

Cohen Crites stated hello I'm happy to speak to you today and I've studied hydropower. The benefits to hydropower are it doesn't create air pollution. It can be used in most parts of the world, and it currently accounts for 5.7% of electricity in America, according to the US Energy Information Administration. Some limitations of hydropower are that it can hurt fish, may change water temperatures, and can also change water chemistry. Some solutions said the dams don't hurt fish anymore, would be to have fish elevators. So the fish could get to the top of the reservoir, like at the Safe Harbor Dam in Pennsylvania. I think that on one side of the river is they could let wildlife and biodiversity thrive. This might work by the Keeper of the Plains where the Little Arkansas meets the Arkansas River. In addition, scientists need to research more solutions to avoid changes in water temperature and water chemistry. My quadrant has hills for recreation, such as climbing, hiking, sledding or grass skiing. The two houses are white, including the rooftops to absorb less heat because Wichita gets very hot during the summer. I also have a hydroelectric dam connected to the Arkansas River. I would like to see more electric cars and I would like more bus routes. Train transportation would be a good idea. People would use less gas and because they hold more people in cars and are more efficient, especially if we were to move to electric trains, we need to make Wichita more futuristic city so more people will come to Wichita. Thanks for letting me speak to you.

Mayor Wu stated Thank you very much, Cohen, and thank you for moving the microphone down so that we could see you.

Do you wanna share what's on your display?

Cohen Crites stated (unintelligible).

3.) [Sadie Cheng - The Independent School student - Future of Wichita](#)

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Sadie Cheng stated thank you for allowing me to speak to you today. I chose to research biomass, which is a renewable energy. Biomass is a renewable, organic material that comes from plants and animals. It also contains stored photosynthesis from the Sun. Biomass is usually measured in units using the process of organic waste to create power, you can create valuable energy benefits for biomass of that in 2007, according to the US Energy Information Administration.

And the US government set a goal to use 36 billion gallons of biofuels by 2022 and as a result, nearly all gasoline now sold in the US contains some ethanol. Biomass also keeps organic waste out of landfills. Some limitations for biomass are that it is really expensive and needs a certain amount of space. Biomass can also lead to carbon dioxide and methane emissions. However, these gases can be inserted into the ground, or the methane can be harvested for energy. Some of the disadvantages of biofuels apply to low diversity biofuel sources that are sugar cane oil, palms, corn and soybeans, which are traditional agriculture crops we raise around Wichita. Some people get their biofuels from cutting down trees, which is bad, though there are solutions to those limitations, like using wood, wood pellets and charcoal for heating, and it can replace fossil fuels. It may also result in lower CO₂ emissions overall, or we could harvest fast growing trees like Cottonwood trees for more biomass and separate bad ways before burning it. Because it could be important for reducing environmental issues. In my quadrant, I have a river and a highway. My buildings and roads are made of recycled concrete. The roof have a garden on top for better quality air, which leaves more space for plants and trees on the ground. On my roads and highways are strong material than a bridge for the cars to cross over. The Big river connecting to the highway. I would like to recommend the farmers to plant more diverse crops. So you can have more local food choices. Diverse farms also help our natural ecosystem. I would like to see more solar panels and windmills to make more energy. We need to rely less on oil and use renewable resources. Wichita has a tree problem. More citizens in the city need to plant more trees. Fast growing trees will equal more animal habitats and better quality air, while trees use water, they also produce water for our water cycle. This is also what Wichita needs. Thank you for letting me speak to you.

Council Member Ballard stated thank you so much for coming to speak. I just wondered if City Manager heard that suggestion about trees. Just wondered. No, seriously, I appreciate you bringing that up. That's something that's been really important to me and I appreciate you encouraging people to plant trees as well. Among all of the other things that you shared. So thank you for being here.

4.) William Antonios - The Independent School student - Future of Wichita

William Antonios stated hello, thank you for allowing me to speak to you today. I studied solar energy. Some benefits of solar power are that it is a good source of energy in sunny places. It also doesn't create carbon dioxide nor air pollution. In addition, animals except for insects are not hurt by solar panels. Solar photovoltaic cells are used to make all solar panels so small panels can power small devices. Such as calculators and watches. Well, larger panels can power larger devices, such as our

CITY COUNCIL PROCEEDINGS**May 20, 2025**

homes, cars and sorry, our homes, cars and businesses. The the cons about solar are that it can be very expensive. Furthermore, solar panels have difficulty collecting energy on cloudy or dusty days. Another limitation is that companies have to mine for elements to create solar panels. Some solutions to these cons are to give people that own solar panels tax breaks that increase the cost. We should also use Pero Skype cells that can be built at low cost, but work very well. In addition, you could save energy for cloudy days in a storage tank and hire somebody to clean off the dust on the solar panel, if needed. This would help provide more drops in Wichita. My quadrant contains houses that are powered by pero skype cells. I also have an electric station powered by solar panels which, if it was made in real life, it would be made out of recycled materials such as recycled plastic and metals like steel. I think Wichita should use solar energy because there are enough rooftops to fit a good portion of solar panels. This would take up less land space in the county. And because Kansas has a large amount of sun. According to visit Wichita, there are more than 220 days of the year that are sunny. I think Wichita should use these things to make the city a better place. I would like to see more nature friendly neighborhoods with trees and bushes so birds and insects have a place to live. Having more nature friendly parks also encourages people to be health to be happier and healthier humans. We could also have more recycling plants for major companies and schools because then more people would recycle. The kids might also then be inclined to recycle in the future, we could also ban plastic bags and have people bring their own bags. This will make our city cleaner. Also, ABC News ran a study in 46 States and found a majority of the plastic bags were not being recycled. We have options and we should use them because we only have one earth. Thank you for listening to my speak.

5.) [Dessa Thiry and Catalena Burk - The Independent School students - Future of Wichita](#)

Catalena Burk stated the energy we chose to research is bio mass. Biomass is capturing heat from decomposing plants and animals, and converting that heat into energy. The main byproducts for biomass come from plants, algae and animal waste. A benefit of biomass is biofuel. It is commonly advocated as cost effective, economically friendly and it is better for the environment than oil. Bio gas can be collected from landfills and livestock. Many facilities that produce bio gas capture biomass and burn the methane for heat or energy. We are grateful for the methane as being harvested off of the landfill. This makes sense and we should also be using livestock manure and have holding ponds. One limitation is that bio gas contains small amounts of hydrogen sulfide and noxants and potentially toxic compound, releases carbon dioxide in particulate matter. We know Wichita has poor air quality, according to the American Allergy and Asthma Foundation. However, to reduce these harmful gases, we should build a carbon capture plant to help clean our air. Another limitation? Biofuels apply mainly to low diversity biofuel sources such as soy beans, sugar cane and oil palms. There are plenty of diverse grasses and we should harvest those prior to burning fields and maybe this would keep the tall grasses healthy and release less carbon dioxide, but also provide people with energy. In addition, we should have citywide composting events to increase biomass options. This would keep less trash out of landfills and provide great soil for our surrounding agriculture.

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Dessa Thiry stated We could also build a biofuel plant. This would provide people with more job opportunities and provide cheap energy for homeowners. What is interesting about our quadrant is that the biomass factory is made of recycled plastics and uses the green space with garden rooftops to help fuel the biomass. Factory solar panels also help run the factory and provide backup energy. We have some concerns about Wichita. These concerns are that prices of food and energy are increasing too fast. Many people cannot afford these rising prices, or community gardens could help people find local food and help feed the homeless. We also support other renewable energy resources, such as solar, hydro and geothermal energy. We would like to see more solar and hydro as well as geothermal energy for homes and businesses. Another concern is that we should add at least one sidewalk to every street for walkers and bikers to create more street friendly paths. These could be bioluminescent walkways, like they have in Copenhagen. Instead of using street lights. City wide clean up should be encouraged once a month with recycling companies and finally an Earth Day citywide celebration would be nice, where Wichitans could come together to plant trees and explore nature parks. We know we have many things we would like to see in the future Wichita, but we hope you will consider our request to make our city a better place for all Wichitans. Thank you for listening. Have a great day.

Council Member Glasscock stated thank you, Mayor. So, so far there's been 6 speakers from the Independent School. There are seven seats of this bench. So I hope one day that a lot of you replace us here because you have a lot of great ideas for our community. I just want to give a thank you to the parents and teachers of the Independent School as well. It's evident that the education there is excelling and the students, the confidence coming from the students is something that again, I wish a lot of people would have from this bench and maybe we can do a training for people about how do you engage civically because I think Wichita could learn a lot from you all. So thank you all for being here.

Council Member Hoheisel stated , thank you, Mayor. Thank you to all the kids at the Independent School. You got to make sure and have the the in there. A great presentation. I just wanted to give you guys just some updates on some things that we are doing environmentally friendly policy on the City Council. We are going to an all electric fleet. We already have a number of city buses that do run on electric energy. We are planning pollinator gardens at many of the parks that we have, including one at Clapp Park, that opens up here next month. And also with our sewage treatment plant, we are looking at putting a biodome over one of the vats of human waste to capture methane, and we will actually be able to sell that to the gas company. So we'll actually make money off of that. So make sure your kids eat your Wheaties and your Cheerios, and we're going to have some good, good gas for the energy there. And we're also looking at recycling water and that can actually account for half of the water that we use every single day. So there are a number of initiatives that we are pushing through and I appreciate your guys's support for it. I also hope that you paid attention to some of the speakers earlier as well, because they were talking about mental health and things that might go on in your guys school and with your peers in

CITY COUNCIL PROCEEDINGS**May 20, 2025**

the future. And it's always a good lesson to be kind, because we we never know what other people are going through and that's something that a lesson that we all can take to heart. So thank you, kids, for coming up today. I appreciate you holding our feet to the fire on some of these issues.

Council Member Johnson stated thank you, Mayor. I wanted to say a good job to each of you that came up here. I remember being dragged down to City Hall when I was 19 and told to go speak to the Mayor and Council, and I absolutely did not want to and I was super nervous and I think I said 5 words. So you all the confidence that you showed? How articulate, you were was amazing. Look, I wrote down the basis of what each of you talked about. Wind power, hydropower, biomass, solar power, all of that. I hope that you keep that passion as you get older. Sometimes you'll have adults my age or a little older tell you not to do those things, or you see what's going on in the country today with deregulation and pushing more towards fossil fuels. I know that you all will make our future better. You all will help make sure that we take care of the one planet that we have, and I'm glad to hear the research that you all did and the issues that you were pushing. I just want to encourage you to keep doing it. And even if you don't see this body or some other body, make progress towards that, don't stop fighting. Don't stop pushing. Because like you said, we only have one planet, so we got to take care of it. And I appreciate what you all are doing.

Council Member Ballard stated thank you, Mayor. Well, everybody stole my notes, but I just also would like to say thank you to the parents and teachers and students that made it out today. And I am so encouraged by our future leaders that you guys are focusing on things that are really, really important and really difficult problems, but I know there are solutions out there and I love that you guys are already working on it. So keep up the good work.

Vice Mayor Johnston stated I also want to congratulate you for coming, but I want to congratulate the parents. I see Doctor Antonios there and you may not have another physician. Might have an engineer coming up, but just a proud parents and a tremendous work that you're doing raising your your children. So just a great job and keep it up and our future leaders. So thank you.

Mayor Wu stated and last, I am just gonna close out by saying thank you to the teachers. This is a reflection of what you've been teaching your kiddos, but also that you chose to come here today every week during our Council meetings. We have 5 opportunities for anyone to speak about any topic and anyone can do that online. You can sign up or you can just show up and that's an opportunity that's available to anyone in our community, including our young people. And so if you are encouraged about young people speaking about you as an adult speaking, you can always go out to Wichita.gov/CityCouncil. In addition, I see a lot of civic engagement here, and so I encourage especially our adults to check out Wichita.gov/CEA. It stands for Civic Engagement Academy. There will be an Academy on June. 11th and 12th right here at City Hall. So that you can get to understand your local

CITY COUNCIL PROCEEDINGS

May 20, 2025

government and how you can engage. So I encourage you all again to check out wichita.gov/cea as well as wichita.gov/citycouncil if you'd like to speak. And again, thank you very much to the Independent School students and teachers.

II) CONSENT AGENDA ITEMS 1 THROUGH 17

Council Member Hoheisel pulled #8 Mayor Wu pulled #11

Council Member Hoheisel stated thank you Mayor. A number of residents have reached out asking to pull item 8 for discussion.

Mayor Wu stated I also have had a lot of comments and also was inclined even before those emails to pull items.

Motion

Mayor Wu moved to approve Consent Agenda items 1 through 17, except items 8 and 11.
Motion carried 7 to 0

Item # 8

Council Member Hoheisel stated thank you Mayor. I just had, like I said, a number of residents wanted to come and speak on this item. So I see the floor to that.

Mayor Wu stated Council Member do you have any questions for staff first? I think just to level set, is there anyone that can just share, because I know that there are people right now on YouTube watching the City Council meeting that don't know what consent agenda item number 8 is.

Council Member Hoheisel stated I can give a brief description here. It is the purchase of Police Department equipment, protective equipment including communications. Radios and ballistic Shields.

Mayor Wu called for public comment.

Faith Martin stated Morning. Thank you so much for pulling this from the Consent Agenda. My name is Faith Martin. I live in District 2 and the funding for equipment included in the CIP said it was using grant

CITY COUNCIL PROCEEDINGS**May 20, 2025**

funding and it looks like in 2023 Council approved \$100,000 from the general obligation bond funding for this equipment. So my question would be, is this completely funded through the Justice Assistant Grant because? It's a total of \$212,000. Or is this a new ask for funding that's already been allocated that we want to allocate? Or is this something that should be pushed to the 2026 CIP? I'm just curious like, where is this money coming from and if we knew we needed this, was it part of the budget last year? Kind of. It wasn't clear on the document that was provided, where the funding's coming from, and if it was already approved. Was it part of this year's budget? Those kind of questions because adding \$212,000 when we're talking about a budget shortage, it was just something that a number of us were concerned about.

Captain Jason Cooley stated Morning Council and Mayor. I'm captain Jason Cooley with Wichita Police Department. The helmets is funded out of the \$100,000 protective equipment, CIP funding that was initiated in either September, October, I can't remember. It's on the agenda, the exact date, so that that comes out of the CIP that was already funded. The communications equipment is coming from the \$600,000 funded through the radio CIP that was initiated on the same date October or September. I can't remember. The grant funding that is referenced is the Justice Assistance Grant. That was federal money we asked for to replace several pieces of equipment. We've got funding back from 2020, 21, 22 that we're closing out. 23 and 24 is in the works of being spent right now. We use that for various equipment and part of that ask in that Justice grant or the JAG grant was to purchase ballistic Shields. So the funding for the Shields is coming from the Federal JAG grant. The helmets are coming from the \$100,000 protective equipment CIP fund and the communications equipment is coming from the \$600,000 CIP Fund for radio equipment. I'll stand for more questions if you.

Robert Layton, City Manager, stated Mayor if I could, perhaps you can help me in this. The reason that this items in front of you is that the equipment that's being purchased is to replace equipment that is past its useful life and no longer provides maximum protection for our police officers, especially those of their first responders, to an active shooter incident and that is why the department has brought this forward.

Captain Jason Cooley stated Yeah. We have a number of gear that comes with a lifespan. Anything ballistic rated which is a lot of what we wear our vest, our helmets, our shields. I could go on and on about the ballistics, but all that comes with a lifespan and has to be put on a cycle of replacement.

Mayor Wu stated Anyone else from the public who would like to speak? I see none. I'll bring it back to the bench and we'll just add a comment we just commemorated and observed Law Enforcement Week last week and had the Law Enforcement Memorial service on Friday because of individuals who chose to answer the call to serve our community and were killed in the line of duty. Therefore, this item is about

CITY COUNCIL PROCEEDINGS**May 20, 2025**

safety of law enforcement personnel that I take as a top priority, just like I take the safety of our Community as a top priority. Therefore, I am going to be very supportive of this item.

Council Member Hoheisel stated I would just like to add on active shooters that that's that is the number one thing that keeps me up at night and the scope of my job and being able to provide the protection for the officers to not only protect themselves, but also to respond more quickly to active shooters inside schools, at mass gatherings, it is something that we absolutely are looking at and, I do appreciate our Chief's emphasis on this as well. He's coming in and making sure that we are doing everything that we can to respond to active shooters, active shooters in our community, so we don't wanna get caught flat footed by any of these delays or lack of equipment. So I do appreciate his emphasis on this moving forward.

Motion

Mayor Wu moved to approve Consent Agenda Item #8.

Motion carried 7 to 0

Item #11

Mayor Wu stated Consent Agenda item number 11 was pulled by me. I would like to have City staff address questions that I sent via e-mail, so I will address those questions right now so the public knows which questions I asked. Whom from the City will be speaking on the behalf of the City of Wichita?

Robert Layton, City Manager, stated Mayor, I think it depends on the question.

Mayor Wu stated alright, first and foremost, I would like to first address the changes made in development deals since 2009 to avoid this similar situation.

Robert Layton, City Manager, stated There, that's a two-part answer. When I arrived in 2009, I realized after looking a few of our development projects that were active at the time that we had accepted guarantees for TIF repayment, or shortfall payments from LLC's. I was immediately concerned because LLC's are just that, they're limited liability corporations and if assets are taken out of the corporation, they're not available then to back up a guarantee. So in 2009, we implemented a policy that for any TIF guarantees, we would only accept letters of credit and or personal guarantee or some other type of security that would not put the city at risk. Since then, we've also codified that in our economic development policies. Let Troy Anderson talk about what's in our current economic development policy.

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Troy Anderson, Assistant City Manager, stated Honorable Mayor, members of Council. Troy Anderson, Assistant City Manager. So I'm just gonna read directly from the economic development guidelines. These guidelines were adopted in 2020.

There's been some revisions in 2021 and 2022, but not necessarily to this language. So this language appeared in the 2020 version of the economic development guidelines, more specifically as it related to TIF projects. It reads TIF projects and development agreements will be prepared in a way to not place additional ongoing financial burden on the City, including operating costs of TIF funded improvements, the developer must provide adequate financial guarantees to ensure completion of the project, including but not limited to assessment agreements, letters of credit, personal guarantees, etcetera. Guidelines continue to read further on down in that section. The developer will be required to personally guarantee 100% of the tax increment required to meet annual debt service payments on City bonds issued to finance TIF project costs, letters of credit, bond insurance, pledge collateral, or other acceptable form of credit enhancement will be required as additional security for the obligation.

Mayor Wu stated and starting last year, can you address how each of the green sheet items now have an explanation regarding these economic incentives? Where again, there's not a check that is provided to a developer, but rather pay as you go. Can you explain that that started last year, putting it in the green sheet?

Council Member Hoheisel stepped away briefly.

Troy Anderson, Assistant City Manager, stated yeah so what you're probably referring to is there's a statement that we provide in a number of our reports, particularly as it relates to revenue bonds, right that, that, that no taxpayer dollars are being used in, in the financing of these programs, that there's no risk to the taxpayer. And so we've continued to try to add that language to staff reports to make sure that there's no misunderstanding. The City is not giving any money out.

There are no taxpayer dollars at risk in these deals, and so we're going to continue to, continue to clarify and continue to put the City and the taxpayer dollars first and foremost. We went through kind of a three-part series last year on economic development policy. We're going to come back to you here in the next couple of months with a revision to those guidelines to continue to bolster the City's position to protect taxpayer dollars, making sure that you alluded to pay as you go, right? That's a term that is used in and around the industry, right? That basically the developers are self performing right. They've got to go out and finance the project. It's very performance based. And it's only after the performance is produced that the incentive is made available, but it's all at the risk of the developer property owner and that there are no taxpayer dollars at risk.

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Mayor Wu stated that is different than what happened in 2009. Is that correct?

Troy Anderson, Assistant City Manager, stated yeah, there's there are provisions under state law that allow cities to bond sort of the these these the debt associated with these economic development projects. That's not a practice I would recommend. That's not a practice the City has exercised in these latter years, right? We're really trying to get away from using taxpayer dollars and bonding debt associated with these economic development projects or migrating towards a more performance based set of policies and guidelines where the developer's responsible to finance and perform and not use taxpayer dollars or put taxpayer dollars at risk.

Mayor Wu stated thank you Troy. This question I think is for Jennifer with Law. Can you provide a timeline so that individuals know where how we got to this position right here in May of 2025 from January of 2009.

Jennifer Magana, Law Department, stated Jennifer Magana, City Attorney. This did originate with an agreement entered into in January of 2009. In the January 6 Council meeting was the time that was voted on executed on January 9th of 2009. That was a development agreement with HH Holdings. At that time, the City entered into that and then in 2011, there was an amendment allowing for a sale of property and part of the property at 13th and Oliver was sold to Walmart. Then the agreement was amended to recharacterize the City's contribution as a \$2.5 million TIF loan at 3% for semi annual payments. Redefine the definition of the TIF increment shortfall. And an amortization schedule on that TIF loan was set for 2013 to 2029. Not hitting all the dates in there, but to get to the next stage over time for about six or seven years the City received proceeds on that loan in the amount of over \$700,000 in 2019 I think the last payment was received by the City in 2022. Early part of 2022 staff pursued this with Mr. Burke and Mr. Wells to see where the payments were, communications were had, we were told no further payments would be made. In July of 23, the City filed a lawsuit against HH Holdings Dave Burke and Dave Wells to recover the amounts owed under that development agreement at this time. The case is pending. Mediation was had to resolve the complaint, resolve the dispute. A mediated settlement is before you for your consideration. It can only be approved by a vote of Council. If there is no resolution, the case is set for trial in District Court.

Mayor Wu stated Jennifer, can you go back to October 4th, 2011. There was something that was missing from that statement and that is can you address how that agreement was made between the City of Wichita and the developers.

Jennifer Magana, Law Department, stated as the City has asserted its plannings there was an oral agreement between Mr. Birken wells and the City to pay that schedule through 2029.

CITY COUNCIL PROCEEDINGS

May 20, 2025

Mayor Wu stated I'd like to know why the City of Wichita, this would have been 2011, two years, almost after that January meeting, would have taken an oral agreement for a multi million dollar loan.

Jennifer Magana, Law Department, stated I don't know how to answer that other than that was apparently a policy decision at that time. There was an agreement upon the parties. There was later on a letter of credit issued in January 2013 to partially secure future installments, but I can't speak for those individuals who engaged in that oral discussion.

Mayor Wu stated can you also address that this is at the crux of all of this is an oral agreement that there is no paper trail that can corroborate this.

Jennifer Magana, Law Department, stated well, I think that's probably something that would be further flushed out in litigation.

Mayor Wu stated and I want to add so in 2011 of oral agreement was made. Do we do any oral agreements now in 2025?

Jennifer Magana, Law Department, stated not to my knowledge.

Mayor Wu stated thank you for the staff answers. I have further questions. There was an e-mail that you mentioned in 2022 where it was addressed that the developers provided a certain amount of dollars. But what is the actual amount that the developers provided to the City of Wichita? And how much is still owed to the City of Wichita?

Jennifer Magana, Law Department, stated \$708,000 was paid. The remainder is approximately \$1.8 million.

Mayor Wu stated thank you. In addition, I would like to know there was, in 2011, the property was sold to Walmart. Where, did the City of Wichita receive any payment when that property was sold to Walmart?

Jennifer Magana, Law Department, stated no Mayor.

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Mayor Wu stated so we have not received any further payment other than the \$708,602.29 paid to the City and the City is still owed \$1,881,003.94. Is that correct?

Jennifer Magana, Law Department, stated that's correct.

Mayor Wu stated Thank you. I will have comments after public comment. Are there any further questions? I see none. We will now open it up for public comment.

Celeste Racette stated Good morning, Mayor Wu, City Council Members thank you for pulling this item from the Consent Agenda. My name is Celeste Racette, 2239 N Tee time Court. I'm a former FDIC bank examiner and I'm a former chief internal auditor. The City of Wichita is facing a financial deficit, and yet this proposed settlement with local developers Dave Burke and Dave Wells is asking taxpayers to forgive nearly \$2,000,000 owed. Does this make sense? Does any of this development deal make sense? Where is the oversight on City Manager Layton and the Economic Development staff when they make bad development deals? Dave Burke and Dave Wells were given 2.5 million to purchase the Kenmar Shopping Center property and to help with improvements. The City then raised 2.5 million from temporary debt notes. This debt never showed up in the City financial statements. No mention was made in the financial statements of the special arrangement with these two developers, not even in the temporary notes that were issued to raise the money. Is there any note in the financial statements of this special agreement? City Manager Layton then allowed these men to sell the Kenmar property to Walmart . Burke and Wells kept the \$2,000,000 in proceeds from the property sale, even though they had not repaid the loan. This is the point where this business transaction becomes completely unprofessional. Property securing the temporary loan notes was allowed to be sold without repayment. If I had a car loan and then sold my car without repaying the car loan, don't you think the bank would have come after me for those sale proceeds, but we didn't . Then without the City's knowledge or consent, Dave Burke and Dave Wells went ahead and sold more property for \$1.3 million and they again pocketed the funds without repaying the loan. At this point, the City's lawsuit against the two developers should have been filed, and that was 10 years ago. Some of you have been on this City Council for that amount of time, but Dave Burke promised to make good on his commitment to the City. He promised to live up to this end of the development agreement and an oral promise was reaffirmed at a meeting with City Manager Layton, Assistant City manager Scott Rigby and Develop Analyst Mark Elder in 2016. Again, there are some of you on this City Council who have been there during this time. But he broke his promise and payment stopped in 2020 when I started Save Century II five years ago, I could tell there was a lack of financial oversight on development projects. And I asked City manager Layton why the City was not collecting other revenue on the Kenmar TIF district. His written response was, and I quote, staff has been actively engaged in seeking payments from the developer. However, no payments were received in 2021. What he failed to mention that there was no payments received in 2020 either. He also failed to mention to me that the City was owed nearly \$2,000,000 from the developers. How many other development deals are hidden? How many taxpayers have the kind of diligence and accounting background to ask these kinds of

CITY COUNCIL PROCEEDINGS**May 20, 2025**

questions? Because it appears they're not being asked by City Council. In a period of time over which this agreement was stretched, but it gets worse. The City Manager continued bringing City provided incentives for seven other development projects for the same developers and those of you currently serving two terms on City Council approved these deals. Dave Burke and Dave Wells were part of the development group involved with the baseball Stadium land development. Burke was given taxpayer funds of \$700,000 for infrastructure on his Riverside luxury patio home development. These individual examples show a culture where the City Manager has complete control of economic development process with no oversight. Developers are rewarded with our tax monies without follow up. There is a lack of best business practices in these deals. Collateral is released. Land is sold. Debt is owed by developers. It isn't shown on the financial statements and we're relying on an oral promise. It is time for you to start asking questions. So I applaud you for what I've heard today. It is time to have transparency on every single taxpayer funded deals. It is time to require mandatory cost benefit analysis on these projects, and it is time you show you really care about how our tax dollars are being spent. It is time you hold staff accountable when millions are lost on bad and unprofessional development deals, you are responsible for supervising the City Manager. Hold him accountable. Thank you.

Council Member Ballard stated thank you, Mayor. Bob, can you speak to any of her points about why some of these items don't show up in the financial part of the documents that she's talking about.

Robert Layton, City Manager, stated Yeah, I I would. In terms of the debt showing and TIF, I I have talked to mark, we'd have to have a response from Mark Manning on on that piece of it. We did, we do report on a quarterly basis, the performance of our TIF districts and have reported consistently that this TIF district has underperformed and I've been open regarding the deficiencies in the original agreement and our inability to be able to collect from the developer because we don't have any tool in which to do that.

Council Member Ballard stated If you could maybe talk to Mark and let us know what you learn, that would be great. Celeste, thank you for always coming and holding our feet to the fire, but I do just want to make a comment and I know that many of you know this, but none of us were on the Council nor any director currently on staff was part of this deal when these arrangements were originally made so I just want to make at that point and I do think that the current Council and even before the newest Members, certainly I can speak to my time on Council. It's been important to me that we do hold these developers accountable and unfortunately, sometimes that means when they don't fulfill their obligation, we have to file a lawsuit. So. anybody else would do that if if you know, as Celeste mentioned, if if I had a car note or didn't pay for my house, they would, you know, take that away and there would be consequences. So unfortunately I think that's, you know, part of the situation that we're in today. But Celeste, I appreciate your comments and whatever I learned from Mark, I'll be sure to let you know.

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Vice Mayor Johnston stepped away briefly.

Council Member Tuttle stated Thank you, Bob. This question is for you. Can you, we chatted a little bit about this when I had some questions. Can you talk a little bit about the extra steps that we have taken? And I know Troy highlighted some of it by reading our policy, but in terms of personal guarantees and things like that to ensure that the City is being safeguarded, could you maybe just explain some of those steps, past councils have taken thank you.

Robert Layton, City Manager, stated yes, thank you, councilmember. I think Troy did a good job of indicating first of all, what we're trying to do is get out of the old traditional TIF business. And as much as possible, go to pay as you go TIF.

Which then have really no, the City has no responsibility then for the repayment. Where there have been proposals brought forward where that's not possible, and the number of security documents that could be provided to make sure that the City is not at risk. It was outlined by Troy, and that includes letters of credit. It includes personal guarantees backed by assets.

Mayor Wu stated I have further questions. City manager, I know you have alluded multiple times that this happened before you. The original contract agreement was in January of 2009. You became the City Manager February of 2009. Once you were made aware, you said there were some changes. However, in the timeline that was outlined by Jennifer Magana, you knew that there was an LLC guarantee. That was a problem. Why did you not get a personal guarantee when it was revised in 2011.

Robert Layton, City Manager, stated Mayor, what I was able to do was obtain letters of credit for multiple years from them on a voluntary basis. There was no requirement and they made it clear that they were doing on a voluntary basis because they were not required to do it legally. I engaged the Mayor and Council at the time regarding how far I could go and pushing that after they, I believe after a 2 year period they no longer provided the letters of credit. We sat down with them and said we want to renew those and they said they would not renew it and that's when they said we'll continue to make our payments, but we're not going to renew the letters of credit. I reported that to the Mayor and Council. We did not have any teeth in our agreement to enforce against them because they simply was the LLC that was responsible for the payment.

Mayor Wu stated didn't they need approval to sell Walmart?

CITY COUNCIL PROCEEDINGS

May 20, 2025

Robert Layton, City Manager, stated they did, and the Council provided that to them.

Mayor Wu stated who was on that council at that time?

Robert Layton, City Manager, stated sorry I don't remember the exact Council Members serving at that time, so that would have been 2011.

Mayor Wu stated would that have been Mayor Brewer and the same individuals who voted in 2009?

Robert Layton, City Manager, stated I believe so, Mayor.

Mayor Wu stated so it would have been Mayor Brewer's term and Council Members that are not on this Council at this current moment.

Robert Layton, City Manager, stated that's correct.

Mayor Wu stated so that was in 2011, again, I asked, and I think the question is, from that moment on, after the City was burned for not having a personal guarantee, now we do have personal guarantees. Is that correct?

Robert Layton, City Manager, stated that's correct.

Mayor Wu stated I have more questions. Celeste also mentioned August 29th, 2016, a meeting between Burke Wells Layton Rigby Elder is their documentation of this meeting and are their meeting minutes.

Robert Layton, City Manager, stated no, they're not, just our recollection of the meeting.

Mayor Wu stated can I have the answer from law?

Jennifer Magana, Law Department, stated I believe there's a calendar entry. I'd have to look further, but I think there's that record reflecting that meeting.

Mayor Wu stated so this meeting in 2016, the only individual who is still a staff member for the City of Wichita is the City Manager. The other two staff members that I address Rigby and Elder no longer work

CITY COUNCIL PROCEEDINGS**May 20, 2025**

for the City of Wichita. Is that correct?

Robert Layton, City Manager stated correct.

Mayor Wu stated so when Councilmember Ballard said I'd like more information, once you get it from Mark, is he obligated to do that since he's not a City of Wichita employee?

Robert Layton, City Manager, stated Mark Manning.

Mayor Wu stated Oh, sorry. So I'd like to know what changes have been made in terms of staffing, because one of the questions that was asked by a community member was who on City staff is responsible for this problem, and have they been held accountable? Are the members of the economic staff that were in place in 2009 are no longer with the City? And I have one further question. This is more to Jennifer. Can you explain how \$400,000 is the maximum that the City can recoup at this time?

Jennifer Magana, Law Department, stated Mayor, we went through this case has been filed. This case has been litigated. Parties agreed to voluntarily enter non-binding mediation. The mediator, an experienced mediator, led the mediation. The parties came with their attorneys. Throughout the mediation, the process is typically that a mediator tries to work toward a negotiated settlement. Cases are that that every case has strengths and every case has weaknesses and and a good mediator works on on the parties to to expose and and and have the parties considered those. And the the mediated settlement is a proposal before you is subject to Council approval. It is recommendation of the parties and the mediator at the end of a day of mediation. So that's the process that was that went through. That the City went through.

Mayor Wu stated thank you, Jennifer. And can you also address while I have you? The City is either being sued or is suing entities or individuals, and those lawsuits are available on the website. But can you also address that it is difficult for us to make comments until that lawsuit comes before the City Council in public.

Jennifer Magana, Law Department, stated That's correct, Mayor. We are now posting all pending civil lawsuits on the City website with a brief summary and currently we're working on posting the settlements as well. While cases are pending, there are matters of evidence and we have to be careful ethically on how much is discussed in a public matter. While the government is public in the business of the government, lawsuits to some extent are decided well, they are decided by the courts and the jury and we want to be cautious about statements in the media. We can talk about facts, but we just need to always be cognizant that there is a a court process involved. I don't know if that answers your question, but that's why we are limited at sometimes you know when when cases are pending, we can say less than then we can after the case is dismissed by the court.

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Mayor Wu stated and lastly, this situation since we have multiple pending lawsuits and also criteria for individuals that do business with the City of Wichita, I would like to know if there, how the City addresses granting current as well as future business dealings with entities that are being sued by the City or where the City is being sued.

Jennifer Magana, Law Department, stated could be of a staff is more can speak more specifically to this, but you have Council policies you can adopt and change policies on how you want to do business and what the way you want to provide incentives. There is nothing right now that is specifically in our policies, that I'm aware of that talk about cases of pending litigation being prohibited you know those parties with pending litigation being prohibited from receiving.

Mayor Wu stated I would be interested in making sure that from this moment on, or once we get it in front of the Council, individuals or entities that are suing the City or being sued by the City don't have the opportunity to do business with the City. That concerns me a lot that we would be in litigation and then would provide them a project when again they're being sued by the City or they're suing the City.

Council Member Johnson stated thanks, Mayor. If, if we're gonna talk policy, I would like to kind of follow Council Member Ballard who talked about before regarding any entities that may owe us any significant funding or revenues to talk about how they might be either awarded or not allowed to do business with the City. I thought that was a really good idea at the time. And if we're going to have that discussion, I think we should take up that idea.

Mayor Wu stated So since the policy discussion, we would like that to come probably before a workshop. We would like to workshop this further because businesses, organizations, or individuals who are either suing the City or have been sued by the City should have repercussions for what they're doing to taxpayers.

Council Member Glasscock stated thank you, Mayor. I just wanted to correct the record regarding the vote of Council on October 4th, 2011. The Council at that time for what I can do, reviewing the Minutes was yes, votes to sell the property were Williams, Longwell, Brewer, and Miller, and the no votes were Meitzner, Clendinen and O'Donnell. And so it was a different Council than the 2009 Council.

Mayor Wu stated Can you read the yes and no's one more time please.

Council Member Glasscock stated Williams, Longwell, Brewer, and Miller, and the no votes from

CITY COUNCIL PROCEEDINGS

May 20, 2025

Meitzner, Clendenin and O'Donnell. And I'm reviewing the minutes from October 4th, 2011.

Mayor Wu stated thank you for the additional context regarding the again October 4th, 2011 meeting where again an oral agreement was conjured up.

Jennifer Magana, Law Department, stated Well, just to correct that was the Council meeting.

Mayor Wu stated that was just the Council meetings. The timeline also has that same date.

Jennifer Magana, Law Department, stated 2011 OK.

Council Member Glasscock stated that was an amendment to approve the development agreement regarding revitalization of the Kenmore shopping district and authorized the necessary signatures was the motion made.

Jennifer Magana, Law Department, stated you are correct, Mayor.

Mayor Wu stated I was correct. Thank you. We will continue with public comment.

Lawanda Deshazer stated good morning, everyone, and thank you, Mayor and Council Members, for pulling those two items. They were really important to the community and Mayor Wu you said it all. Thank you. So I'm going to come from a humanistic standpoint. And so it's embarrassing, but I owe a water bill, and I have plenty of money to pay my bill. I just didn't pay it. I forgot to pay it. And you know what happened. My water got turned off. And then you know what happened on top of that, I got a fee to get it restored. So not only I had to pay what I owed, I had to pay more. Because I didn't pay what I originally was supposed to pay and that happens to so many in our community, we get hammered because we don't do what we're supposed to do. And those are everyday working class people. And I live in District 1 and I remember that deal and I was, we were, so excited that some development was coming to 13th and Oliver like

Kenmar was finally getting if some improvements that were needed, and just like that, it kind of went away. Walmart stayed for a couple of years, but that's irrelevant. It didn't change very much, right? And so and so I heard that we didn't put out actual dollars for the project, and so, you know, the City didn't really suffer, but the City did suffer because the City budgets are comprised of tax dollars. At the end of the day, it's taxes that build our budget. And when we don't get those funds back, we come up like we're looking at 2026 at a budget deficit or budget shortfall. And so I just encourage the Council and staff to really look at that proposed settlement, and say no to it. Let's go back into negotiation. Or let's go to court and

CITY COUNCIL PROCEEDINGS**May 20, 2025**

let the the judges figure it out. The developers owe that money common everyday citizens are expected to pay the City what they owe the City and and if we don't pay, we get punished. And so I I expect the same thing that happened to these multi \$1,000,000 investors. So that's the humanistic standpoint of what's going on. So thank you for listening to me, Lawanda Deshazer, 2707 N Terrace, District 1.

George Theoharris stated George Theoharris, District 3. Thank you so much, Mayor Wu, for unearthing where the dead bodies ahead. We owe a debt of gratitude to Celeste. And please turn up the mic on this, this City attorney so we can hear what she's saying. 'cause. It's very important to us. Thank you so much.

Olivia Hayes stated hi Council, Olivia Hayes. For the record, I'm going to reiterate a little bit of what they've said, but I also want to point out it's not about tax dollars being at risk. It's about the fact that we're willing to lose so spectacularly on a deal because you know that you can count on our tax dollars in the future. And while I appreciate you guys pointing out mistakes that were made in the past, I don't want us to fall into the trap of deflecting. You guys have power now

to make it right and make it better now. So 2 main things that I'm concerned about. I would love to know more about how we agreed to such a low number 'cause it's not even really about the settlement. I don't think people are mad about that. We're settling. It's about that we're settling so low, so I would love to find more information if you guys can share about why we're agreeing to settle so low and if that really is the final and best. I mean go back to the drawing board like she said, go back and recoup a little bit more money for the public on this deal. And I love your idea about if if you're defaulting, if you've done bad business with the City already. You should not be able to continue doing bad business.

I'd also love to see there be clawbacks put in place for if it's someone that has a current contract and goes into default. I just think it would help us not get to this point in the future. So yeah, my big question for you is just why such a small number? Can we share more about that or get a little bit more for the taxpayers? Thanks.

Mayor Wu stated Jennifer, can you just address the \$400,000 one more time?

Jennifer Magana, Law Department, stated Mayor, that is an amount recommended as a result of mediation. The mediation process itself is is a confidential process. It is a recommended for your consideration after the mediation process. We have a Council Member who was present to mediation, who represents the City. We had, we had an attorney present that's based on the give and take the process of mediation. Led by the mediator, I think that's about all I can say.

CITY COUNCIL PROCEEDINGS

May 20, 2025

Vice Mayor Johnston stated thank you, Mayor. Jennifer, what would be the average cost to litigate a case like this or a range? I know you don't know how long it'll take, but what's what's a range of cost for the City?

Jennifer Magana, Law Department, stated in this case, we are litigating this with in House attorneys, so we're not paying outside counsel. So we are paying for court reporter fees, transcription fees. I mean in hard dollars. Several \$1000. I mean, it's hard to say until we're finally done with any appeal that might occur but in the you know thousands low thousands in this case. If it was outside counsel, it'd be much, much higher.

Vice Mayor Johnston stated okay, thank you. But those attorneys could be doing something else also.

Jennifer Magana, Law Department, stated Plenty of other work to be, yeah.

Vice Mayor Johnston stated So it does cost the City does cost the City wages. Olivia. I'll. I'll address what you said. I happen to know the Judge who did mediation in this case, he's out of Pratt County. He is extremely experienced. Very, very sharp guy. I didn't talk to him about this case, but when you do, you have to see if it's you have a weak case or a strong case. And I think our case is weak because we didn't have it in writing. So that's that's the reason for the number.

Personally, I thought it was going to be lower than that. I think Councilmember Johnson did a great job in negotiations to get it, to that help get to that number. So I I think it's it's a good number. It's it's better to get something rather than nothing 'cause we have, we have a a very real possibility to get nothing out of this case. So our chances of winning are not very good, so that's why I'll be voting for it.

Mayor Wu stated we'll continue with public comment. I see none. I'll bring it back to the bench.

Council Member Hoheisel stated Thank you, Mayor. We've gone through, at least in the time I've been up here, on the bench, quite a bit of revisions as far as cleaning up these contracts, going to pay as you go instead of taking on debt and we'll continue to work on that. I understand the the consternation with some people about the the price. Ultimately it just gets down to. But I think the public expects us to fight on these things. We are held accountable. People see it as if we're not holding up our end of the bargain, and even if it costs us, I think that sending that message that we're going to fight for what we see is right and for our end of the contract is a little more important than just a monetary value. So I appreciate that.

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Council Member Glasscock stated Thank you, Mayor. I'll probably have some concluding comments here in a minute, but I wanted to set the stage that I think public comment matters. Public comment matters today, and it mattered in 2011.

And also mattered in 2008 when we had this vote. And so I'm gonna read some public comment from those periods that if we would have listened to, we wouldn't be in this predicament today. John Todd said at the meeting in 2008 when this was passed" In a free market economic system, private business enterprises should have the opportunity and the freedom to succeed and to enjoy the fruits of their success, but by the same token, they should also have the freedom to fail and suffer whatever consequences that brings. Thousands of other businesses across our City play by these rules everyday without the government parachute or the backing of the public treasury that is being considered for this private group. Why should the Kenmar Shopping District be an exception to these rules?" I think that says a lot of what we needed to hear today and I think. Looking at the, I'm gonna pull up comments from October, 4th 2011 when this was heard by this body to sell the sell the other parcel as well to make an amendment to this. This is from Susan Estes, Susan Estes said "We have a history of some of our agreements not being met and now she understands why she stated. There's not one single consequence outlining the agreement. What happens when someone does something wrong? That as a taxpayer, she is outraged at what she's heard today. And this morning she had found out more information that this is part of the promise to the public, that when we have hearings, we learn things and are told what guarantees they are. And they read that agreement. The original deal made now is all out the window," John Todd said in the 2011 meeting as well.

That if we're going to get involved in sophisticated real estate deals, we need to start looking at this from sophisticated in a prudent manner and start looking at protecting the interests of the public. And so I want to say from this bench, I'm thankful for the comments made in 2008 and then also 201111 from Susan Estes, Shirley Cohen, John Todd, Bob Weeks, because those comments reflect and because they had the prudence to see the foresight of what situation we could be in today. So I may have a few other comments after hearing some of my colleagues, but I do want to say that public comment matters and that if we would have listened to the public, we would not have been in this situation that we are today.

Council Member Ballard stated thank you, Mayor. I would just like to share a couple comments that a little bit of it is redundant, but I think it's important. It has taken a culture shift up here at the bench to see some of these development agreements through and make sure that they're being fulfilled in the way that the original agreement was made and that there are consequences if you don't. And that hasn't been the culture of, I don't know, several councils ago, which is just different than how I feel. And so that's why this has been important to me. While I have been on council, to not continue to do business with people that have outstanding debts. And you know, when you make a promise to the City, you're making a promise to your fellow taxpayers that you'll pay them back if they believe and invest in your project originally. I mean, we still need a grocery store over there and the community still needs it. They still want it. And you know, I think for a multitude of reasons that didn't work out, but we have to find other ways. And it doesn't just mean giving alone, you know, to somebody with no accountability. So you know, in this case the parties just decided to stop making their agreed payments and personally, I think it's

CITY COUNCIL PROCEEDINGS**May 20, 2025**

best that we leave it up to a jury to settle or to not leave it up to a jury to decide what the payment should be, because \$400,000, I understand that it is extremely low some think it's the best that we might get, but as Council Member Hoheisel said, I think we need to fight. \$1.8 million is a heck of a lot more money than \$400,000, so I I think it's worth going going to trial. So for those reasons today I'll be a no.

Council Member Johnson stated thanks, Mayor. I appreciate sharing the information to the public about some of what's been going on, though we still are in an active lawsuit. I will just say that at this point from the public information that is out there, there is a business that has no assets. There is a business that has no financial revenue coming in or financial works at the moment that is named in a suit and if we were to go to court and even win, we could win and then people would feel good about winning. But there are no assets with that business. This is an opportunity with the principles of the business to receive while it is low compared to what's owed \$400,000. That is a guaranteed \$400,000, so I will be supportive of that because that check will be written and it will be received by the City if the Council approves it. Going into court in September, we could see what happens if the Council so decides, but, if it ends up being zero, we had an opportunity to get \$400,000.

Mayor Wu stated before I move on to Council Member Glascock, I'm just gonna reiterate a couple of points really quick regarding what I'd like to see at a workshop soon. And that is we have to hold public private developers accountable.

And I think that one bad apple does not represent all in that cart, whether it's in whatever profession you consider one bad does not represent all and so, I would like to see in that workshop anyone who has sued the City or has been sued by the City or has otherwise not met their obligation to the City, should not be able to do business with the City. And that includes individuals that have businesses in LLC's, or the businesses that are not in LLC's. And the two individuals that I'm speaking of right now regarding this item have other businesses other than their LLCs, so I'm specifically talking again about individuals who have sued the City, have have the City has been sued itself or have not paid their obligations, that I'd like to see that back to this Council for policy change.

Council Member Johnson stated thanks, Mayor. I'm always happy to have the discussion. I'm a little uncomfortable with saying someone who sues the City should not be able to do business with the City. There could be something legitimate there. They tripped and hurt themselves on the sidewalk, they sued the City. That shouldn't bar them from doing business with the City. I think assuming someone makes a lot of sense because we would only go after them for something specific. Again, happy to have the conversation, but I just feel a little uncomfortable with someone suing the City, not being able to do business with the City. Depending on what that would look like. But I would love to have a conversation on economic development policies as whole. At some point in the workshop. As we've talked about that as well with with Troy. So I know there's a lot of good that can come from that.

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Council Member Glasscock stated thanks Mayor. I want to say the encouraging part is that we've taken steps to make sure this doesn't happen again and so I'm thankful for the Eco Devo office for the Manager to making sure we have guardrails when we're vetting these projects and that we have accountability.

When deals are structured, I think that is our role from this bench and to ask questions even when things are presented from staff to make sure we have accountability. I still believe that this money is owed to us and it is owed to us in full and so for that reason I also will not be voting for the settlement, not because I don't support resolution, but I believe this is the wrong kind of resolution.

It fails to hold people accountable for a flawed process, and I believe it sends the wrong message to the people of Wichita. Again, I'll reiterate that this Council did not vote for this contract. No one in this room advocated for this contract, but we've inherited the consequences and it's our role to clean up that. And with that, I believe the responsibility to stand up for transparency, fiscal responsibility as well, so.

Vice Mayor Johnston stated Thank you, Mayor. I would just like everyone to think about, because Mayor Brewer's been former Mayor Brewer has been thrown under the bus here. I'm sure he was trying to do something good for a part of the community that did not have a grocery store, did not have development. He probably tried to make something happen and make something happen. He got to the larger developers to agree to make something happen. I think that's all good. The mistake was that staff did not put enough guardrails in it, so it went south. We could recover the money so and maybe that's part of the reason the developers did do it. Because they didn't have to put a personal guarantee up. You know, that could be too, if they had a personal guarantee up, they may not have even done it. I mean, who knows what'll happen? What would have happened then? So I think there's a lot of ifs and second guessing, but I think we're to the point now where we have to make it a business decision. Do we want to roll the dice? Go to court. Spend more money and possibly get 0. Or do we want to take what we can get under arbitration? And take the 400,000. So if we get zero, if we vote this down to get zero, then people on this Council can responsible for not getting \$400,000 of taxpayer money back. So. I am going to be voting for it because I think it's a very weak case and I think we just need to get what we can get. I think it's a mount more than what I thought we were going to get, so thank you.

Mayor Wu stated Vice Mayor Johnson, I am going to have to respectfully disagree with you. This is not a business deal, and best case scenario for the City of Wichita, for me it is a principles matter. It's a matter of principle, and I remember when I ran, I talked about transparency and accountability, and while some things we can't talk about from the bench because they're pending lawsuits. I Know that this Council is working hard behind making sure that taxpayers are the ones that are the beneficiaries of these public private partnerships and that there are safeguards. So that what happened in 2009 or 2011 does not happen in 2025 and beyond. For me, I cannot vote for this as I cannot see myself giving up on principle. I don't believe that the individuals are being held accountable to the fullest extent, and while the chance of possibly getting zero could be there as this would go to trial. I don't believe that this sends the message

CITY COUNCIL PROCEEDINGS**May 20, 2025**

about how we work with individuals who want to do public, private partnerships with the City of Wichita. So I cannot incentivize someone for doing bad. Taxpayers deserved an explanation, which is why I pulled this item from consent. We needed to know timelines as well as how we arrive to this position, but also how the City has changed over time thanks to Council policy, which is really important. Why, we ask that people come to Council meetings or engage with your Council Members so that there is that opportunity for transparency and greater communication at the benefit of taxpayers. And this was a bad deal back in 2009. It was then a bad deal again in 2011, but now we are forced to also clean up what has happened in the past and I think that there is an opportunity here. It's an opportunity to send a signal to developers that a few bad apples don't represent. The entire apple cart. And so that's, that's why I have mentioned multiple times now already that we must hold public private developers accountable, and that anyone who has sued the City is being sued by the City or has otherwise not met their obligations to the City should not be able to do business with the City. With that, again, I will not be voting in favor of this consent agenda. So I will not be moving this item.

Council Member Glasscock stated thank you. I just wanted to respectfully disagree with the Vice Mayor's comments that just because we're getting \$400,000, you can't make that argument. If we were to get \$5 that, hey, let's accept \$5.00 because that is the best we can do from this, I believe that we should fight, and I think we're owed to the taxpayers, be able to fight for this, to take any nominal amount. And I don't think that's justification for a bad settlement deal.

Council Member Hoheisel stated thank you, Mayor. Another part of our job is also to represent our constituents and I haven't had a single constituent reach out about settling this in the positive favor. I think just about to a person. Everyone has reached out and said that they'd prefer us to fight. Some of them have even said I'll gamble \$400,000 for \$1.8 million. I don't know if that's actually, what we are capable of retrieving. But does the taxpayers funding? It's the taxpayers money. We try to be responsible with it, but also we got to be responsive to their wins and wishes and for a lot of constituents it seems like it's a gamble that's worth taking to continue to try and fight this. So just offering my perspective over here as well.

Vice Mayor Johnston stated all due respect to the Mayor and Councilman Glasscock. \$5 is nominal amount, \$400,000 for me is not. Maybe for other people it is nominal. For me it's not. I think we have a responsibility to our taxpayers and we've heard from four people, maybe males, maybe four or five more, but we've got 400,000 people in this City. And if you ask them said, hey, do you want to take a sure deal of 400,000 or gamble and I'm going to say there's a 10% probability that we'll get more than 400,000, I'm just guessing. I think we need to think about taxpayer dollars and and take the money that we can get.

CITY COUNCIL PROCEEDINGS

May 20, 2025

Motion

Council Member Johnson moved to approve item #11

Motion failed 2 to 5 (Nay: Lily Wu, Becky Tuttle, Mike Hoheisel, Dalton Glasscock, Maggie Ballard).

COUNCIL BUSINESS

III) **BOARD OF BIDS AND CONTRACTS**

- a.) [Board of Bids and Contracts dated May 19, 2025.](#)

Attachment: [05-19-2025 Board of Bids.pdf](#)

Josh Lauber, Finance Department, reviewed the item.

Motion

Mayor Wu moved to receive and file report, approve the contracts and authorize the necessary signatures.

Motion carried 7 to 0

IV) **PETITIONS FOR PUBLIC IMPROVEMENTS**

- 1.) [Petitions for Public Improvements](#)

Attachment: [PFPI.docx](#)

Attachment: [Gossard's Addn.pdf](#)

Attachment: [Greenwich Legacy Ph2.pdf](#)

CITY COUNCIL PROCEEDINGS

May 20, 2025

Attachment: [Reber 2nd Addn.pdf](#)

Attachment: [Resolution No. 25-226 PV 086156 Street and Sidewalk Improvements--Gossard's Addition.docx](#)

Attachment: [Resolution No. 25-227 WDS010785 Phase 2 Water Distribution System--Greenwich Legacy Addition.docx](#)

Attachment: [Resolution No. 25-228 PV086153 Phase 2 Paving Improvements--Greenwich Legacy Addition.docx](#)

Attachment: [Resolution No. 25-229 WDS010830 Phase 2 Water Improvements--Reber 3rd Addition.docx](#)

Attachment: [Resolution No. 25-230 SWD#815 085612 Phase 2 Storm Water Sewer--Reber 3rd Addition.docx](#)

Attachment: [Resolution No. 25-231 SS010834 Phase 2 Sanitary Sewer--Reber 3rd Addition.docx](#)

Attachment: [Resolution No. 25-232 PV086155 Phase 2 Paving Improvements--Reber 3rd Addition.docx](#)

Attachment: [Resolution No. 25-233 WDS033112 Phase 1 Water Improvements--Reber 3rd Addition.docx](#)

Attachment: [Resolution No. 25-234 SWD536085594 Storm Water Drain No. 536 – Reber 2nd Addition and Reber 3rd Addition.docx](#)

Attachment: [Resolution No. 25-235 SWS#810 085596 Phase 1 Storm Water Sewer No. 810--Reber 3rd Addition.docx](#)

CITY COUNCIL PROCEEDINGS

May 20, 2025

Attachment: [Resolution No. 25-236 SS033117 Phase 1 Sanitary Sewer Improvements--Reber 3rd Addition.docx](#)

Attachment: [Resolution No. 25-237 PV086071 Phase 1 Paving Improvements--Reber 3rd Addition.docx](#)

Attachment: [Resolution No. 25-238 PV086072 Central Ave Turn Lane Reber 2nd Addition and Reber 3rd Addition.docx](#)

Recess for 10 minutes from 11:01 a.m. through 11:12 a.m. due to technical difficulties.

Paul Gunzelman, Public Works & Utilities, reviewed the item.

Motion

Mayor Wu moved to approve the new and revised petitions and budgets, adopt the new and amending resolutions, and authorize the necessary signatures.

Motion carried 7 to 0

V) **UNFINISHED COUNCIL BUSINESS**

VI) **NEW COUNCIL BUSINESS**

1.) [Approval of an Amended and Restated Operations and Management Agreement with The Car Park](#)

Attachment: [Agenda Report VI-1.docx](#)

Attachment: [2025-0520 Agreement TCP A&R Operating and Management Agreement.docx](#)

Attachment: [2025-0520 Agreement TCP A&R Operating and Management Agreement - Exhibit A.docx](#)

CITY COUNCIL PROCEEDINGS

May 20, 2025

Troy Anderson, Assistant City Manager, reviewed the item.

Council Member Hoheisel stated Thank you, Mayor. Will we come back and depending on what happens with the Old Town CID, have to amend this again?

Troy Anderson, Assistant City Manager, stated yes.

Mayor Wu stated I have a couple of questions. First and foremost, since the pause by this Council to move, not move forward with the parking agreement to back in the summer of last year. Can you talk about when we're going to allow the public to see the audit that we had asked to be performed on the parking structures, parking agreements in the downtown area?

Troy Anderson, Assistant City Manager, stated So I will have to get back with you on that. I know that our auditor did perform an audit and I know the auditor has met with you all and talked through that with you all. I'll have to kind of get back with you on what our plans for...

Mayor Wu stated I would prefer if this was open to the public, so I know that we have a me and a June workshop prior to this which would take place July 1st of 2025. I think that it is important that the Community sees why a halt in the plan allowed us to discover some of the mismanagement regarding the parking agreements that were not being enforced, including this which we will approve next week, which are some termination of parking agreements in the Old Town district, because they happened back in '94, '95, '96, '97, '98, as well as 2012. So I would like for community to be able to also see it, so I would ask City manager Layton, could this be part of either the May or June workshop where we could also talk about the parking audit?

Robert Layton, City Manager, stated Mayor I don't think we can do it in May, but we can talk about it in June. I'll have to talk to law also because in that audit report are delinquent accounts, I'm not sure what we can, what's public and what isn't. So I just, I haven't had chance to visit with the attorney about that.

Mayor Wu stated I think it dovetails with what our previous longer conversation was about. Delinquencies or lack of payment being sued also being sued by others. So I again, I would ask staff to make that a priority for the June meeting, since this would take place July 1st. I know that the parking fund has not been in the positive and this would allow for \$2.2 million over July 2025 to the end of June of 2026. Are these conservative numbers or are these numbers that are aspirational.

CITY COUNCIL PROCEEDINGS

May 20, 2025

Troy Anderson, Assistant City Manager, stated we believe these are conservative estimates, yes.

Mayor Wu stated that includes parking structures?

Troy Anderson, Assistant City Manager, stated so these revenues are part of the on street and off street revenue projections based on the roll out of this more sort of robust comprehensive implementation strategy, right. There are still revenues that the continue that the City will continue to realize in existing agreements, right? And so these these revenues that we have shown you all today are simply those revenues that are a result of rolling out this new infrastructure on street and in surface lots.

Council Member Glasscock stated thank you, Mayor. Troy, just a few questions for you. Looking at the specific language of the contract section 6, item B or item A talks about the City has to provide storage space for these contractors in each one of our parking garages. Is that something that's currently available or is that something we have to build out and some of our parking garages?

Troy Anderson, Assistant City Manager, stated it is not a requirement that would result in us incurring any additional cost. There are space in existing garages that currently the Car Park is utilizing and will continue to utilize.

Council Member Glasscock stated a few more questions. I'll just run down a list of them a little bit further on page 14 of the contract talks about City parking, code compliance and parking enforcement. Who will be offering that training?

Troy Anderson, Assistant City Manager, stated so we have been engaged with City's Law Department and we are walking through as we speak, right, the policies and procedures associated with enforcement. I know we've talked historically about things like oaths and those kind of things. Those are all being contemplated. So as the Car Park on boards enforcement personnel, then they will go through sort of the rigor of making sure that they know and understand what the policies and procedures are surrounding enforcement.

Council Member Glasscock stated okay, I have like three more probably quick questions earlier in the contract, it says that this Council will be in charge of setting all fees for parking, but later it has item L on page 19 and it specifically talks about the point based redemption to parking patrons. Is that something that will have to come back before the Council, given that that would maybe be a reduction of fees or is

CITY COUNCIL PROCEEDINGS**May 20, 2025**

that something that could be implemented as long as it's maybe an incentive to be a patron? And not that it necessarily has come back to the Council, if it's maybe less.

Troy Anderson, Assistant City Manager, stated so some of the specifically that language. We're not proposing a point based reward redemption system as it exists today. However, if at some point in the future, between working with the traffic engineer and the the Engineering Department on identifying what rates and programs, could be, should be bringing those back before City Council and City Council authorizing the use of those if we so choose at some point in the future. At that point, we don't have to come back and amend the agreement. We were just trying to have a little foresight and considering where we might be at some point over the next five years, making sure we've included that in the contract language. That we can go down that path. We're not proposing it as, as we have suggested today, if we ever do bring something like that, we'll bring it back to the Council.

Council Member Glasscock stated okay and then last question, which probably ties in together on page 19 of the agreement item N and item P talk about the contractor should be responsible for the cleanliness of the managed premises.

Do they do that now? And I think item P would be that if they don't clean it, it doesn't necessarily null and void the contract contract because we have the capital investment, but it would just be a 15% administrative fee on top of it. Is that correct?

Troy Anderson, Assistant City Manager, stated correct. Yes if ,and they are doing some of that maintenance today. But as you will recall back in the slide deck, right, the biggest part about this is now they're doing a more comprehensive kind of system management right under the previous agreements. They have done some cleaning of the facility, and those kind of things under this agreement, we're approaching it from a more comprehensive approach. We're really trying to come at this from a clean and safe initiative, right? How do we improve the customer experience and make sure that all of our parking assets are clean and safe and friendly to the end user? And so we're going to, by implementing these, yes, it's gonna be a must much more robust cleaning and management of all of our assets.

Council Member Glasscock stated we're just purchasing the supplies. They're in charge and there's no additional fee. It's in their management fee for the janitorial services there.

Troy Anderson, Assistant City Manager, stated there's a section in here about eligible expense reimbursements for those things like cleaning supplies and those kind of things, but the the actual service that they provide is included in the management fee.

Council Member Glasscock stated Thank you for adding a lot of those protections.

CITY COUNCIL PROCEEDINGS

May 20, 2025

Mayor Wu stated does that include security then?

Troy Anderson, Assistant City Manager, stated No, we have a separate security agreement with a separate vendor that is currently providing security services.

Mayor Wu stated but they would work in conjunction with this management system because again, clean and safe is the goal. I think of this management system and so working in collaboration with the security to make sure again, although all of the structures feel safe for those who are paying for the parking. Thank you very much. I see no further questions for staff. We will now open it up for public comment. I see none. We'll bring it back to the bench.

Mayor Wu stated this predominantly is in Councilmember Johnson's district as well as Council Member Ballard's district. If I am correct. Would either of you.

Motion

Council Member Ballard moved to approve the agreement and subsequent budget adjustment and authorize the necessary signatures.

Motion carried 7 to 0

2.) [Ordinance Amending Section 15.01.590 Pertaining to Fireworks](#)

Attachment: [Agenda Report VI-2](#)

Attachment: [15.01.590 firework code revisions - DELINEATED 5.14.2025.docx](#)

Attachment: [Ordinance No. 52-740 Firework Code Revision.docx](#)

Jose Ocadiz, Wichita Fire Department, reviewed the item.

CITY COUNCIL PROCEEDINGS

May 20, 2025

Council Member Hoheisel stated thank you, Mayor. Thank you, Chief. Here we go. Back to slide 55. Yeah, just 2022 I believe we did not get all of the data from all of the hospitals that year. That's why that number of injured is so slow. Is that correct?

Jose Ocadiz, Fire Department, stated I believe it's either, yes, 2022, we had some missing reports that were not submitted to the Wichita Fire Department.

Council Member Hoheisel stated yeah. I just wanted to clarify that on this particular slides. Thank you.

Council Member Glasscock stated thank you, Mayor. Only two quick questions. I know in the presentation and in our green packet says the survey is set to expire on May 30th. I guess why is this coming, maybe before the date where we get full citizen feedback on the 30th and how many results have we had maybe compared to previous years? To me, it's just we're closing the survey and we're voting on this before the survey is closed and so just wanted....I see Coms is walking up so maybe Megan wants to answer that.

Council Member Ballard stepped away briefly.

Megan Lovely, Communications, stated yeah. So it does close on the 30th, the survey serves a couple of purposes. One is education, and there's lots of tidbits about our survey, and it's also to inform future decisions. With this ordinance, I will tell you as of right now, we've had 1327 responses and the trends that we're seeing have continued since we published the survey. I can kind of preview some of that. Especially in response to year long sales. So far I'm going to look at our unweighted data here. If you'll bear with me. So most people who have taken it think that allowing fireworks year round they do not prefer that 61% prefer public fireworks display. And see, most people think our violations are just right. If you just want some snapshots so far. And most people believe that shooting fireworks between 10:00 AM and midnight is too long.

Council Member Glasscock stated so a lot of it's to guide future policy discussions and help, maybe with ideas for future trends as well.

Megan Lovely, Communications, stated correct.

Council Member Glasscock stated and it is not scientific correct.

Megan Lovely, Communications, stated it is not scientific, it just gives us a snapshot of sentiment.

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Jose Ocadiz, Fire Department, stated another reason for us to present at this time was this the time frame that we had to try to implement something for the 2024 or 2025 fireworks season. Which is going to be just about within a month time frame.

Council Member Glasscock stated I have one last question. It was kind of answered via e-mail to a message to both Chief Snow and Chief Sullivan as well. But later on we're going to be talking about the use of drone technology. Is this something that we could use in the future for monitoring of firework usage as well, given that drones can probably locate and go quickly to a lot of maybe illegal fireworks especially?

Jose Ocadiz, Fire Department, stated I'm sure any technology to be able to utilize to be able to locate fireworks, but we could stand on any building throughout the City or even in your neighborhood, and you can see fireworks being shot even during the illegal times of June 27th through July 2nd. So yeah, technology was always beneficial to be able to pinpoint and assist firework enforcement teams, possibly. So we could always look at that avenue as another tool.

George Theoharris stated George Theo Harris, District 3 and I'll mess with that too much. I was on that committee with the fireworks and a lot of people didn't want us to go with the three with the aerials Three days of aerials. But then I don't know what they're drinking up in Topeka and we're doing stuff in the water. Please do not send the water to or do, please send the water to them or don't ever get their water because this ludicrous to think if they sell it, people will blow them up anytime of the year and we'll have to get 20 million more firemen and policemen here. That's it. Would be crazy. And I was watching the what chief Ocadiz said. And he said it used to be 12 feet used to be 6 feet. Trust me. So 'cause, I knew it was at my height, but anyhow I also wanted to say that. Today is my 6th anniversary and I wanted to get a proclamation for my wife 'cause. She should be a saint for saying to it to put up with me for six years and I think I get a 7-0 vote on that one. And Chief Ramsey actually married us six years ago today and we want him back because he helped us in our neighborhoods and I'm not getting int that. Help that we need in our neighborhoods, but I'm 100% behind the fire department on this. I I appreciate them. And I think it's a a no brainer. We don't want them blowing off fireworks and selling them because they will blow them off. Thank you so much.

Shawniya stated and I think it should be only a City firework thing. I think the civilians need to stop doing the fireworks. It's scaring all the animals. Make it a one day thing with the City blowing it up in the sky and that's it. It doesn't need to be sold all year long. Thank you.

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Council Member Hoheisel stated thank you, Mayor. Anytime this ordinance comes up, I do like to just relay our thoughts to the City. Essentially, anybody who's lived here any amount of time can go out on the 4th of July and see that our enforcement mechanisms just simply aren't working unless we sit out there and wear the Gestapo at the edge of the City checking everybody's car coming in for aerial fireworks. It's always gonna happen. So the reason we did give the four originally four, now three days for the aerials is so that way people could have a controlled timeline actually shoot. I do believe we are seeing some of the results of that. We saw the complaint line there, giving people the avenue to do it. The concern is always the week before the week after. I hear mostly from people about. It's July 7th or it's June 27th, and I'm already hearing them. So that's what the hope is with that it's not necessarily an endorsement of aerial fireworks. It's us trying to be practical and how we address this issue because during this time of the year, we cannot take most of our firefighters offline to drive around looking for violations. The same thing with WPD during this time of the year so, this is always a work in progress. I agree with one of the earlier speakers that if we allow the sales in the City year round, we'll have more instances of it going off year round, so I do support this particular ordinance. Thank you.

Motion

Mayor Wu moved to place the ordinance on first reading and authorize the necessary signatures.

Motion carried 7 to 0

- 3.) Quarterly Financial Reports for the Period Ended March 31, 2025.

Attachment: [Agenda Report VI-3.doc](#)

Attachment: [Q1 2025 Quarterly Financial Report.pdf](#)

Attachment: [2025 Q1 Wichita ARPA Recovery Plan.pdf](#)

Mark Manning, Finance Department, reviewed the item.

Mayor Wu stated I just have two of them. Can you go to slide #67? You were discussing the sales tax over performing? And that was quarter one. So do you have a monthly? Whether you can see how January, February and March just to understand, I know that in January we had an influx of individuals come here because of the skating competition. And then in March, we had the NCAA. So I was just curious because

CITY COUNCIL PROCEEDINGS**May 20, 2025**

sales taxes often are from yes, from individuals here in our community, but also we would like to see more people coming and visiting Wichita.

Mark Manning, Finance Department, stated yes, we do get data on the sales tax every single month and the challenge in sales tax is, it usually lags about two months. So, but you are correct, in May the distribution we'll get in May, which we'll get usually on the 25th, will probably reflect activity from March, so it'll be interesting to look at that. We certainly will.

Mayor Wu stated and then slide #72, you mentioned that we will have a balanced budget here in 2025. But you said challenges in the future. Can you just address those challenges one more time?

Mark Manning, Finance Department, stated yes, ma'am. Again, we've talked about this now for several years. Generally, our challenge in the future is that our organic revenue growth rates, we do not believe will be consistent with our organic expenditure growth rates. And again, that's because our wage base is growing faster than our revenues. One reason that we have revenue challenges again is because we are over reliant now on extraordinarily high interest earnings.

We've talked about that for several years. We do not expect that to continue indefinitely. We don't know when it's going to decline. It's kind of stabilized right now, but when that starts to decline, that'll put pressure on our revenue portfolio. And again, on the expenditure side, the big challenge will be what do future bargaining unit agreements look like and how successful are we in filling positions? Those are the two primary variables that will drive our expenditure side. So that's that's why we could potentially be challenged in the future.

Mayor Wu stated thank you very much, Mark. I see no further questions for staff. We'll open it up for public comment. I see no public comment. I'll bring it back to the bench.

Motion

Mayor Wu moved to receive and file the Quarterly Financial Reports for the period ended March 31, 2025.

Motion carried 7 to 0

4.) 2025 Drone First Responder Program

Attachment: Agenda Report VI-4

CITY COUNCIL PROCEEDINGS

May 20, 2025

Attachment: [DFR Program Quote MOU.pdf](#)

Vice Mayor Johnston stepped away briefly.

Deputy Chief Paul Duff, Wichita Police Department, reviewed the item.

Council Member Hoheisel stated thank you, Mayor. Thank you, Deputy Chief for for the presentation and your work on this here. A couple of questions here. What is the current oversight for the our drone program?

Deputy Chief Paul Duff, Wichita Police Department, stated everything is tracked, so all of our drone pilots, every drone flight that goes on is direct, and again, we've put that on a transparency portal. So if you are in your backyard and you see a drone above, you can literally get online and find out why, the flight path that it went on and why it'll give you a case number, and the reason why as well.

Council Member Hoheisel stated so and I know Councilmember Glasscock will have further questions on this, but so how do we record or the recording system if I'm not mistaken we don't record until an actual pilot takes over.

Deputy Chief Paul Duff, Wichita Police Department, stated so currently that is what we have right now. So it would go up so the DFR would leave the dock. It would get to its and basically it doesn't start recording until it gets to its location. So it has an automatic direct flight, and then if there's a pilot on the ground, the pilot could take it over depending on what is needed. But at that time, again, Oklahoma City is a fantastic one, where they had a train hit somebody and they couldn't get offices to it, then they basically used the drone to locate the victim and they were able to save the victim's life by getting them there very quickly. So that is the that is the capabilities of these drones. And again, getting them in any situation between 60 seconds and two minutes is essential for the officers responding on the ground.

Council Member Hoheisel stated where will the pilot physically be that takes over the drones?

Deputy Chief Paul Duff, Wichita Police Department, stated they would be on site already if needs be. So for instance, if the drone would be the drone, first responder would be set out. It can immediately get eyes

CITY COUNCIL PROCEEDINGS**May 20, 2025**

on in that drone. Obviously it could then guide people in so from the Real Time Information Center or someone like that. And then if there is somebody, a pilot, on scene saying, Okay, I want to go look in this field or I want to look in an area that officers might not have located, they could take it over and they could do that at that time. But if we're operating from the real Time Information Center, we might not need to.

Council Member Hoheisel stated what's the scope of use here? Are there particular call? Is this for pretty much any response along the South Broadway corridor or is it...?

Deputy Chief Paul Duff, Wichita Police Department, stated so we use that cone because that was the most priority one calls. So they're the main calls so and that could be anything any kind of priority one emergency that we classified through dispatch and so it could be a missing child, it could be a silver alert. I mean, there's so many different aspects that we can use the drones for. We've already used drones to success, to deescalate situations people in mental health crisis and getting them to a phone safely. And if you guys want to look at some of the wins that we've had with the drones, you can go to our well done Wednesdays and see some of the fantastic things that we've been doing with these drones and they have been saving lives.

Council Member Hoheisel stated now we've based our model on this on other cities who have had ACLU approved procedures. Am I correct in saying that?

Deputy Chief Paul Duff, Wichita Police Department, stated I think you're talking about the the Real Time Information Center or you talking about drones, period?

Council Member Hoheisel stated drones, period. Deputy Chief Paul Duff, Wichita Police Department, stated so all of our policies, they've, I mean the basic, depending on where you are in the country, they all have different procedures and different operation guidelines on what they do it. But we've got again, all our policies are all online. We don't hide anything. We're very transparent in everything we do and so we give you the reasons that we can use drones and we're not allowed to use drones as well.

Council Member Hoheisel stated Can you talk about some of the areas where we cannot, I know of inspections, MABCD. That's one area that we cannot use drones or I think there's a lawsuit out there that that's being worked out, but I think that's been the ruling so far in Michigan anyway. I don't know.

Deputy Chief Paul Duff, Wichita Police Department, stated I'm not familiar with that one, but I know in

CITY COUNCIL PROCEEDINGS**May 20, 2025**

our policy specifically, we don't use them for immigration enforcement. We're not using them to oversee reproductive clinics. I mean things like that. So and our policy is very clear about what we can and what we cannot use them for. So we're not going to be flying them over for reconnaissance missions over people's homes and things like that. Every time we deploy a drone it's for a specific reason whether it be an emergency situation or it's a 911 call for help,

Council Member Hoheisel stated last thing real quick. I'm interested, kind of the capabilities, especially in response to fire, because there are also a lot of fires along the South Broadway corridor. So can you talk about how the drones will be able to help firefighters along the border?

Deputy Chief Paul Duff, Wichita Police Department, stated so I know one of the the fight and that's something we're going to have to work out with Chief Snow. Obviously this is a Police Department pilot project. That we're looking for, but if the fire department needed it, let's say for instance, there was a fire, you could use that drone to find out exactly the hottest part of the fire. You could use that drone to say, Okay, where do you need to these resources directed to specifically that has thermal imaging. So do we see people in the area? Do we know? So there's things like that the capabilities and again it would be more than happy to show you some of the capabilities if you wanted to come out and see some of that.

Council Member Hoheisel stated yeah, I'm going to be interested in seeing how it works out with the Fire Department, particularly along the corridor as well. So alright, appreciate it.

Council Member Glasscock stated Thank you Mayor. I know some of this may be covered by the policies, but just so people don't have to go and look specifically when it comes to crowd monitoring of protests or public events, is that prohibited unless there's a threat or a known threat at one of these protests that?

Deputy Chief Paul Duff, Wichita Police Department, stated exactly right. So we're not just going to be using them to violate people's constitutional rights. So, but if there was a direct threat, for instance, like we know that there's a threat of a crowd is a threat of violence and things like that. Then yes, we do obviously get them up there so we can, if need be. If that threat is actioned upon, then we could respond accordingly.

Council Member Glasscock stated and then for the public, that transparency website is wichita.gov/1617/transparency. I don't why that board is there, but still pretty easy to navigate if people wanted to find it. In addition, will these be identified as police drones? So someone do they look different when they're driving a neighborhood, so someone can delineate them between a police drone and a recreational drone, maybe flying over their home?

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Deputy Chief Paul Duff, Wichita Police Department, stated maybe I don't know. So obviously there's lots of people who are recreational users of drones, ours have certain lights, and ours are specific Skydio drones, which are primarily government drones. Government contract only. Obviously those in the military. So, but I can understand there might be people who do not know the difference, and so if they do see a drone, they can certainly call us and we can let them know if it's one of our drones or if it's not. And obviously we do not want people recreationally using drones to spy on people or going over certain areas and things like that as well. So that's something that people can call the police on.

Council Member Glasscock stated okay, I'll set up one scenario too. In terms of a question you have. So let's say a drone goes to a call in a neighborhood. It's, they're pursuing somebody on foot. So while they're in pursuit, that drone is recording, looking down while they're trying to pursue the individual as well. What safeguards do individuals, obviously, individuals can know that their home might be reported if they're trying to track, let's say, a suspect running through a neighborhood. What access do the general public obtain to that information, first a homeowner have access to that information and what would be the process for somebody to obtain that recording? Because on the website it just has what the track is doesn't have the recording. Would that have to be through KORA? And if it's an active police investigation versus not police investigation, I know these are a lot of specifics, but just thinking of different scenarios that this might be used.

Deputy Chief Paul Duff, Wichita Police Department, stated so if you if we're on an active call, let's say in the situation that you said, there's a full pursuit which we've used drones, it's a full pursuit. We obviously don't want people who are trying to hide from us breaking into homes or someone's house in 2:00 in the morning in the backyard while we want to be able to apprehend them as quickly and as safely as possible for everybody. But that would be like an officer showing up searching for somebody with a body camera as well so that information is KORAable. Unless there is an active investigation that's going to be shut down and obviously depending upon the situation, then that's going to be a question for the Law Department to say yes or no on whether we will release that information or not.

Council Member Glasscock stated so compared it to the use of the body camera acting as if it was an officer on the scene for a drone, correct?

Deputy Chief Paul Duff, Wichita Police Department, stated the officer was in full pursuit. Correct.

Mayor Wu stated I encourage people to go to Wichitapolice.com and that directly goes to the police website and then on the left hand side there's a drop down menu and transparency is right there. And I think oftentimes folks don't know the improvements that the Police Department has made in regards to

CITY COUNCIL PROCEEDINGS**May 20, 2025**

transparency. So in that transparency tab, it does have the drone dashboard, but it also has post contact data and a lot of information regarding public comment and public input. So I do encourage the community to look at that as I know that that's something that Chief Sullivan has really advocated for greater transparency and. Again, it's on the website and available. Being part of the National League of Cities Advanced Air Mobility Task Force, I know that drone usage for first response. Under type of initiatives can be helpful. I know that when I was at NLC, they talked about even helping the fire department in utilizing. Their heat sensors.

Is that right? To see where the hot spots might be in regards to a fire so that could be helpful for the fire department and seeing where exactly a fire may be located. What are other scenarios that you have seen that they could be used for in first responder type of situations?

Deputy Chief Paul Duff, Wichita Police Department, stated so the use for them are analysts and we've seen a lot of our offices are doing phenomenal work with them, not only for search and rescue and looking for people like silver alerts, Amber alerts, missing children, things like that, but for the fire department or EMS, and fire. You exactly right about the fire department. I mean, that's one of the things that the drones can be utilized for is what's the hottest part of the fire?

Where can you direct people in? And obviously if you get those, you know you may have an apartment complex. You may have two or three different fire trucks. Well, they may need to, the drone can tell them coming from the north, the South is blocked. Now you're saving minutes and getting that equipment and getting the emergency services that the exact location that they need. And that's the same with the police departments or EMS. And again, if there's another emergency situation where you need the bomb squad, you need hazmat. The drone can guide people in safely and quickly and very effectively and efficiently as well. So the uses are there and also for there's a lot of City departments that are using for infrastructure. They use them in subways, they use them in for building infrastructure, checking bridges. Things like that that they can see the water departments and so they are actually there's a lot more uses for them than just emergency services. Yeah. Thank you for bringing that up there.

Faith Martin stated Hello. Faith Martin. District 2. I would like to start with. I'm not anti technology. I'm just pro guard rails of transparency. So I tried to do some research and 1st I'd like to say thank you to the WPD for their transparency portal. You can go on there and see. Just last night they used it twice for foot pursuits. You can see when they used it when they didn't use it. A big fan of the Wichita.Gov site for the transparency portal. I have a couple questions though.

The funds for this are coming out of the Innovation Fund, which I believe is Council approved out of the general budget. So if this pilot gets approved past 2026, where will those funds come from? The next question is or the next concern or some privacy concerns. Drones by their nature have the ability to capture high resolution images and videos from the air. Knowing that we can see when the drones have been used. What will City of Council City Council do to create rules that prohibit using it to capture images of privately owned properties, or tenants or occupants. Will the public be able to give consent before those images are made public? Through FOIA requests or that drones can't take off or land on

CITY COUNCIL PROCEEDINGS**May 20, 2025**

private property without the owners permission. Drone insurance is not required for government drones operation in Kansas. Does that mean the taxpayers are on the hook for any lawsuits and or damage from or damage to the drones? Nothing in the drone policy mentions an altitude. I heard 200 meters. I did some best practice research on that. With protecting Wichitans from the noise, specially since there's there's a neighborhood on each side of that police station. 400 feet was a best practice to keep the noise down. Also, I don't know which drone were using or how big they are. But again, FAA talks about prohibiting drones being piloted after dark or above populated areas. I don't know how that works with waivers through the FAA because this is a populated area. And it looks like the majority of the use that I looked at was at night. I didn't see that in the policy. And as Kansas has not elected to pass any protective laws, will Wichita add to the policy prohibiting facial recognition? Because that's a technology that could be used as well and so understanding that this technology is important and has a lot of good uses, I saw some municipalities that had some strong policies around first responder drones. I would just like to see the drone policy expanded to include some of those concerns and potentially brought before the Citizens Review Board for an extra pair of citizens eyes to be able to look at that policy. Thank you.

Council Member Glasscock stated I just have one quick question. Regarding and, this was kind of hitting up my concern earlier. Just my question. So let's say it's recording across for a vehicle pursuit. Well, someone doesn't want their back of their home included in a video that's able to be horrible are the protections. Maybe this is a legal question. Let's say someone requests that through or the Kansas Open Meetings act. Or not open? I I don't know. We have so many acronyms in this job. If they request that information. Is there a way that information that's not part of the investigation could be shielded from the public? So let's say the entire recording goes over the somebody's backyard. Can we not release that information if it has no relevance to the investigation?

Jennifer Magana, Law Department, stated good question, Council Member. The act you're talking about is the Kansas Open Records Act. And there are at least 55 statutory exceptions that we look through before we release any record. There could be some that apply to this one that occurs to me is the invasion of personal privacy. High legal standard to achieve. That's one that we would consider. We look at all options before we would release a record like this.

Council Member Glasscock stated like obviously the suspect is hopping over fence in somebody's backyard, that's gonna be part of the investigation, but if somebody a drone or could be part of the investigation, if a drone just goes over somebody's house, and there's no evidence of an individual there if that would be KORAable. So that would be a determination legal department?

Jennifer Magana, Law Department, stated we would take the same approach we do with these records as any other Axon records or police. The reports themselves that contain sensitive information of of third parties. Sometimes that are not involved in the case. So we would look at this like we do for any other records request.

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Council Member Tuttle stated thank you and thank you Faith, for coming. I always appreciate it and I know this is something you're very passionate about and you always do your research and and I really do appreciate your time. But I did think it was an interesting question, Deputy chief, regarding our drone policy. How is that developed? Is there community engagement? I know, especially all of our departments, but Wichita Police Department have made an earnest effort to make sure that we're transparent and that we're getting community feedback. Could you just maybe provide the speaker some comfort of how we'll continue to refine our policy.

Deputy Chief Paul Duff, Wichita Police Department, stated Yeah, certainly. So we've actually had drones since 2018, and so we've had policies and we update our policies every year and I cannot remember if it's 12 months or every two years that we update our policies. But again, the Citizen Review Board has access to all our policies and they can review any policy they want and have discussions about whatever they want as well. We don't have facial recognition. We don't have that in any way, shape or form. Our licenses, yes, we're allowed to fly at night. And we also got the certification from the FAA to do the beyond visual line of sight as well for the DFR and the drone First responder program. So we are completely up to date and doing exactly what we need to do in terms of all the regulations as well for the drones.

Council Member Tuttle stated and if a community member wanted to provide feedback on the said policies, they could just reach out to us as council or to police at any time, correct.

Deputy Chief Paul Duff, Wichita Police Department, stated Yeah, absolutely.

Mayor Wu stated we'll continue with public comment. I see none. I'll bring it back to the bench. I do have one question for City Manager. I know that this is a question that Faith asked and I'm cognizant that we have limited dollars, but this is part of the Innovation Fund. Knowing now that drones can be utilized not just for the Police Department, but for fire as well as public works. How will, if this proves to be a successful pilot program where would those funds come out of and I would challenge and say that it is not going to be a drone just for police officer usage, but rather a really collaborative and more forward thinking when it comes to drones as first responders utilizing these assets, technological assets for both police, fire and public works.

Robert Layton, City Manager, stated Well, Mayor, we want to see how the pilot project works. If we still have some unresolved issues, it's possible that the Innovation Fund will pay for a second year of pilot

CITY COUNCIL PROCEEDINGS**May 20, 2025**

work if or if we want to test another location that we may roll that out and terms of the ongoing \$61,000. To be honest with you, it really doesn't matter where you charge it because it's all general funds and so we would look, I don't want to make it too complicated and charge it against multiple departments, but if we find that it's worthwhile, produces the kind of results we think it will then I think we recommend that that be incorporated in the ongoing operating budget after that time.

Mayor Wu stated again, I will just again challenge, I know it might be more complicated, but knowing that it would be utilized for not just police officer usage, but rather also other departments that it could be shared in terms of their budget.

Council Member Hoheisel stated Thank you, Mayor. Just a couple of points. First we did attend the NLC conference and that's where I did learn about we can't use drones for code enforcement and what not. So that's, you know, kind of a little weird little angle to this one that I just want to make sure the public knows I will be interested in any policy changes that we need to look at and come back with regarding this. I know WPD and my conversations with them. They're not looking at ever doing facial recognition or anything like that. So they are pretty mindful of people's privacy rights as well. Also, this is along the South Broadway corridor. I've talked to many members who live along in those neighborhoods and to a person they support this program. To a person, there's a lot going on there. Things are improving, but we still can keep our foot on the pedal. We've continued to improve the neighborhood, so I just wanted to bring that point up as well of my conversations with many members of the corridor. They all to a person have supported this program.

Motion

Mayor Wu moved to approve the agreement and authorize the necessary signatures
Motion carried 7 to 0

5.) [Wichita-Sedgwick County Addiction Intervention Coalition](#)

Attachment: [Agenda Report VI-5.docx](#)

Attachment: [Ordinance 52-739 Wichita Sedgwick County Addiction Intervention Coalition.doc](#)

Attachment: [Coalition_Members.docx](#)

CITY COUNCIL PROCEEDINGS

May 20, 2025

Donte Martin, Assistant City Manager, reviewed the item.

Council Member Hoheisel stated Thank you, Dante for all your work on this.
Just real quick, do we have anybody on this board with Lyft experience?
You don't have to call them out or, but do you know if there is anybody who has lived experience dealing with?

Donte Martin, Assistant City Manager, stated I don't know.
Personally, I'm aware I've spoken with many of the people on the board as well as those that have served on the coalition that helped inform the strategic plan, including some that have lived experience. I can't say for certain. Whether any of these 11 have a lived experience, it's also important to note that this is 11 of 15 and so as the Council of the Commission identifies potential gaps, there's an opportunity to appoint four additional members collectively to fill those gaps.

Council Member Hoheisel stated I appreciate that. Second was a point there and it could even be an ad hoc position as well, just as long as we have somebody who here recently has gone through the process and knows first hand the gaps out there so.

Mayor Wu stated I see no further questions for staff. I will just quickly just ask one question on slide number 93. You mentioned \$15.5 million. Is that an updated or a just a previous number? Because I know that one of the reporters has shared different numbers, whether it's from Sunflower, Foundation, org or opioid settlement tracker com. And they're a little bit different for the Kansas figures.

Donte Martin, Assistant City Manager, stated so that's the number we've been following or operating under as we developed or went through the strategic planning process. I'll double check the Mayor. I will say that our Finance department submits annual reports to the Kansas Attorney General's Office. We expect to receive dispersants by April 1st of each year. So the best source of information is going to be our finance department in contact with the AG's office, so back with finance.

Donna Garcia addressed the City Council and stated I'm Donna Garcia, 621 Laramie circle.
I am a medical professional. I've been a nurse for about 11 years now and finished. Just got my doctorate to be a nurse practitioner. I'm also a new nonprofit executive director.
We started a homelessness service, peer navigation and advocacy group, and what we do is exactly what

CITY COUNCIL PROCEEDINGS**May 20, 2025**

you've been talking about is helping people to get through these services that are often. Fractured and difficult to navigate with people who have lived, experience, which has been a critical infusion into how we're delivering homelessness services. As you all know, a substance use disorder and homelessness. They go hand in hand. It's a very complex relationship. One doesn't necessarily lead to the other or vice versa. But what we know from our work in the field at the tip of the spear and being the boots on the ground is that this work is intense and it's very emotionally.

Raining and it takes a certain type of person to do it, but these people are out there every day and they are working to make big changes and they can, if we facilitate that investment, that they're doing. Our concern with this ordinance is that. Forming the same concerns that you had during your meeting is the delays that are going to happen if we're waiting on a board. Last comments that I heard was 6 to 12 months before we can even get the rules. In place and if you have clarifications or updates on that, we would love to have them. But just having the extra hands in the pot, wanting experts, of course that's that's fabulous. But we already have experts in the field who are doing this work and they're doing it without support and they will come forward if you make funding available and easily accessed, and then you'll find that you'll get more people in different places that you didn't expect them to.

Come from if they can do this work. And be supported. So we're asking that we consider whatever it looks like to make this go faster, whether that is getting the board, but we have people out there that are dying today. We do not know how many homeless people are out there.

We have no way of knowing that that the ones that are unhoused, the ones that are living in cars with their children, the ones that are couch surfing, what's worse is we don't know how many are dying every day, every week, every month. We've had ambassadors that we were wanting to recruit that died from gun violence or drug overdose within a week. It's scary out there. Desperation breathes violence.

We need to engage the providers who are passionate about this and we need to get them started.

Today this is a costly decision, but it's not in numbers. It's in people's lives.

And we're asking that you make consider that when you're making your decisions.

We can handle homelessness and we do it with community based initiatives with the right people in the right seats and we empower them and we engage that community to heal itself from within and that is the power that we found through our work, with our team out here. And I would love to stand for any questions that you may have about what it's looking like out there. And the state of addiction and how we can start working to improve it together.

Council Member Hoheisel stated thank you, Mayor, and thank you, Don, for coming up as always. I would. I would point you to and the consent agenda. Today, we did provide funding for. Somebody working with WPD to actually investigate and track overdose deaths in our community. So that's across the board. And of course the homeless population is one of the first groups that we think of, but it's also children in schools. And so there's a lot of things that we do have to touch as far as how this funding is allocated. The four things that I personally am pushing for is Mac adjacent services for homeless people, especially when they are ready to be able to go make sure that. We have those opportunities available to them also. People in jail. That is a perfect time to actually reach out and address people and hopefully have a landing spot for them when they get out. Education, of course, especially with the

CITY COUNCIL PROCEEDINGS**May 20, 2025**

children. One pill can kill fentanyl all overdose. That's a community we definitely need to look out for and detox for those without insurance 'cause that's a missing safety net there for people that many people do not have. An opportunity for so. Those are the areas I'd like to see it pushed and I I think we're not going to delay if we see opportunities come up, but it's also going to be we're going to make sure that we have a well thought out process. We have been engaging using some of this money for Narcan giveaways, working with some of our partners on the streets to ensure that Narcan is available, so. We'll continue to look at this. I just wanted to also point out the position with WPD that we have looking into opioid overdoses.

Mayor Wu stated I just have one question for you. Have you actively engaged with the Multi Agency Center? I know that they have been trying to activate individuals and organizations, including churches, to all provide services in one location over at 9th and Main St. So they're still looking for more individuals and organizations to help out. Have you contacted the MAC?

Donna Garcia stated Actually I think this is a good example of the ways that the bureaucracy. Sometimes gets in the way to immediate responding and services that are really, really good that are being done by individual citizens. We have reached out to the various individuals throughout the organizations that we've been able to get involved in, including the one at WSU who is handling the. Hiring of the director and that kind of thing, we've provided recommendations. We've spoken to board members individually. And we've sent out a lot of emails and that have been lost to follow up. So it's being able to access this in getting the lived experience that is most important in frontlines. We have sat in where our Members have spoken up and they've gotten response from it, which shows how important it is to have those peer-to-peer engagements in getting people. In the right rooms to speak on these issues because you can't fix a problem if you don't know what the details of that problem are. That's diagnosis and treatment. 101 so. Yes, we we have been trying but have yet to. Who have a response in an engagement and meaningful conversations. So, but we have the same hope that you guys do is we have a vision for this. We have a beautiful opportunity to do something and I just don't want to see this continued delays while people are losing their lives and their loved ones.

Mayor Wu stated Since this topic in itself is twofold, this is about substance abuse and the funds I will make sure that I connect you with the other. Piece which is the multi agency center group because again we really are looking for more individuals, organizations, churches to all help out at 9th and Main Street because again that's where we would. The City now has a 24/7 365 shelter for adult men and. Women and wrap around services can be provided by organizations that can provide that help. So again, thank you very much. That should I'll connect you.

CITY COUNCIL PROCEEDINGS**May 20, 2025**

Dawn Garcia stated yeah. And if you'd like any kind of feedback about the experience of what's going on in the MAC Center, we'd love to be able to have someone on one conversations about what it's like to live within that center. And infuse the right people to help make a better environment that is more trauma informed. We specialize in connecting resources. We don't refer anyone anywhere if it's not a trauma informed and safe place for our people to go

Olivia Hayes stated Olivia Hayes again. I guess I missed. I think county already got that presentation and I missed that. So I'll be sure to e-mail my county commissioners these same sentiments, but I'm concerned with all of the shared services conversations that are happening right now to be quite honest, specifically with this one. My concern is that opioid abuse does not just happen in downtown City streets. Opioid abuse is happening in your rural communities and your smaller communities. I'm someone who lives way out in a Township. I think it's inappropriate to pull the funds if they're going to be. Well though, please please have part of the plan be to look out for the smaller communities a lot of times it goes unseen for longer because there isn't as many eyes on it. So please, just like I said you guys and Sedgwick County and the members of the board that were disappointed, please do not. Please don't be so tunnel visioned about solving this problem. Like I said, on the downtown streets that you forget about your rural communities and your smaller communities because we're struggling with it in schools and on street corners just as much as you guys are. So that's my big concern. Please look out for a smaller groups. While we're having these talks. Thank you.

Motion

Mayor Wu moved to approve the joint resolution and ordinance establishing the Wichita-Sedgwick County Addition Intervention Coalition and authorize the necessary signatures.

Motion carried 7 to 0

6.) [Funding for Water Treatment Plant Improvements](#)

Attachment: [Agenda Report VI-6](#)

Attachment: [Resolution No. 25-239 Cheney Pumps.docx](#)

Attachment: [NOI Cheney Pumps.docx](#)

Attachment: [NOI Hess Drain Line.docx](#)

CITY COUNCIL PROCEEDINGS

May 20, 2025

Attachment: [Resolution No. 25-240 Hess Drain Line.docx](#)

Attachment: [Resolution No. 25-241 Hess Power System Coordination.docx](#)

Attachment: [NOI Hess Power System Coordination.docx](#)

Attachment: [Resolution No. 25-242 Hess Switch Gears.docx](#)

Attachment: [NOI Hess Switch Gear.docx](#)

Attachment: [Resolution No. 25-243 Lime Residual Lagoons.docx](#)

Attachment: [NOI Lime Residual Lagoons.docx](#)

Attachment: [Resolution No. 25-244 Water Production Improvements.docx](#)

Attachment: [NOI Water Production Improvements.docx](#)

Attachment: [Resolution No. 25-245 Water Production Variable Frequency Drives.docx](#)

Attachment: [NOI Water Production Variable Frequency Drives.docx](#)

Attachment: [Resolution No. 25-246 Wellfield Communication.docx](#)

Attachment: [NOI Wellfield Communication.docx](#)

CITY COUNCIL PROCEEDINGS

May 20, 2025

Attachment: [Resolution No. 25-247 Water Supply Rehab.docx](#)

Attachment: [NOI Water Supply Rehab.docx](#)

Attachment: [Resolution No. 25-248 Wellfield Phase 1 River Revetment.docx](#)

Attachment: [NOI Wellfield Phase 1 River Revetment.docx](#)

Attachment: [NOI Wellfield Pipeline Protection.docx](#)

Attachment: [Resolution No. 25-249 Wellfield Pipeline Protection.docx](#)

Attachment: [Resolution No. 25-250 WWW Instruments and Communication Equipment.docx](#)

Attachment: [NOI WWW Instruments and Communication Equipment.docx](#)

Don Henry, Public Works & Utilities Department, reviewed the item.

Council Member Ballard stepped away briefly.

Council Member Hoheisel stated thank you, Mayor, and thank you, Don. You're quite an expert on this stuff, so. When we're making these improvements, are we doing it with the potential water reuse in mind? Are we configuring things or does any of this have anything to do with what would be that process once we have it set up?

Don Henry, Public Works & Utilities Department, stated so I would say that that these projects do not directly feed into water reuse, but water reuse and other opportunities for optimization is always one of the filters that we're looking to take advantage of anything that might assist with that project. What this will do is ensure that we're addressing deferred maintenance. That we're staying

CITY COUNCIL PROCEEDINGS**May 20, 2025**

on pace with maintenance schedules and that we're keeping the infrastructure in the best available condition so that if we do have an opportunity to utilize it as part of reuse or another project, it'll be there and ready to go.

Mayor Wu stated thank you, Don. The only question I have is I know that the subject line right now says funding for water treatment plant, but you address that this is really for funding for water supply system improvements and I'm very appreciative of that. One of the questions we often get, and it's not part of this. And Director Jansen usually addresses this so that community understands about the El Dorado idea. Can you just address that one more time? Why El Dorado is not financially feasible

Don Henry, Public Works & Utilities Department, stated Absolutely. We looked at El Dorado in depth after the previous drought in 2011 through 2013. And the challenge with the El Dorado water is when we're under a regional drought. Although El Dorado is in better shape than Cheney is today, our drought approach is Dr. Resiliency. We plan for a 1% dust bowl type drought. And that's that's a, that's a regional type drought and historic data shows that during those times, El Dorado will be stressed just like Cheney Reservoir will be. And that type of drought. So we're looking for solutions that address a bigger picture and in those cases where we're under the most intense type of drought for a stretch out point of time, the water's just not available in El Dorado.

Mayor Wu stated and is water available in El Dorado right now right now?

Don Henry, Public Works & Utilities Department, stated today it would be available.

Mayor Wu stated but there's no infrastructure. Is that correct?

Don Henry, Public Works & Utilities Department, stated that's correct.

Mayor Wu stated so can you just address that even though there might be water available, the availability or the water rights are still something we would have to discuss. And then the infrastructure to get water from El Dorado to Wichita, there's no infrastructure right now. Is that correct?

Don Henry, Public Works & Utilities Department, stated correct. Correct investment in the infrastructure to handle periodic droughts would not be abused in an extended Dust Bowl type drought. We really

CITY COUNCIL PROCEEDINGS**May 20, 2025**

need to protect the economy and So what we would rather do is invest in those long term protections against even more severe drought.

Motion

Mayor Wu moved to approve the projects and budgets, adopt the resolutions and notices of intent, and authorize the necessary signatures.

Motion carried 7 to 0

- 7.) [Design Concept and Supplemental Design Agreement No. 1 for 2nd Street North, St. Francis to Main \(District VI\)](#)

Attachment: [Agenda Report VI-7](#)

Attachment: [SDA No. 1.pdf](#)

Paul Gunzelman, Public Works & Utilities, reviewed the item.

Council Member Johnson stated thanks Mayor. You answered my question as I pressed the button, so I'll just say thank you for the bike lanes and looking at kind of get a better delineation between that industry.

Mayor Wu stated and just had one question back to Slide 1/22. Is the total budget for the entire improvement \$500,000?

Paul Gunzelman, Public Works & Utilities, stated that is what's been in the CIP thus far for design. We do have funding programmed in 2026 of \$6 million for construction.

Mayor Wu stated So it's \$6.5 million for this entire project. Is that accurate? May we start getting that in financial considerations so that we have an idea of the entire project, not just what we're approving, but the bigger picture. I think I asked that last week also, but it would be helpful to know what the total project cost is.

Paul Gunzelman, Public Works & Utilities, stated right.

CITY COUNCIL PROCEEDINGS

May 20, 2025

City Manager Robert Layton stated just for clarification, Mayor, we talked about park projects last time you were talking about also engineering projects, sure. Sure.

Mayor Wu stated I think it's often we only approve a portion of it and I think the bigger picture in this particular item is the improvements are not going to take \$500,000, but rather \$6.5 million. So it would be more accurate for community to understand also that type of investment as again streets is critical for our infrastructure here in the City of Wichita.

City Manager Robert Layton stated over the ten year period of the CIP?

Yeah, whatever the total amount. So this one in particular is the 2nd St. N. between St. Francis and Main. So for that project, I would like to see what's that total project amount allocated for that project.

Motion

Council Member Ballard moved to approve the design concept and Supplemental Design Agreement No. 1 and authorize the necessary signatures.

Motion carried 7 to 0

8.) [Pre-Employment Physical Examinations Drug and Alcohol Screens](#)

Attachment: [Agenda Report VI-8.docx](#)

Attachment: [25200031 Contract for Agenda - Pre-Employment Screens.pdf](#)

Andrew Hudspeth, Human Resources Department, reviewed the item.

Mayor Wu stated I just wanted to commend that this is a cost reduction of approximately 8% compared to the current rates currently paid for by the City. So I appreciate you guys are looking at ways to be more efficient and effective. So thank you very much.

Motion

Mayor Wu moved to approve the contract and authorize the necessary signatures.

Motion carried 7 to 0

CITY COUNCIL PROCEEDINGS

May 20, 2025

COUNCIL BUSINESS SUBMITTED BY CITY AUTHORITIES

PLANNING AGENDA

VII) NON-CONSENT PLANNING AGENDA - NONE

HOUSING AGENDA

VIII) NON-CONSENT HOUSING AGENDA - NONE

AIRPORT AGENDA

IX) NON-CONSENT AIRPORT AGENDA - NONE

COUNCIL AGENDA

X) COUNCIL MEMBER AGENDA

XI) COUNCIL MEMBER APPOINTMENTS AND COMMENTS

Council Member Ballard stated thank you, Mayor. I have my District 6 Coffee this Saturday from 9:00 to 10:00. City Manager is our guest. I was like, yes you are. I don't know what I'm making for breakfast here, but it's gonna be better than everybody else's and. It is not at Evergreen. It is at Empower. So that is different than normal. So I hope to see every single one of you there.

Motion

Mayor Wu moved to recess into executive session for 15 minutes to receive information on the contract negotiation process pursuant to KSA75-4319-B2. To discuss employer employee negotiations, whether or not. In consultation with the representative or representatives of the public body or agency. Sorry, in

CITY COUNCIL PROCEEDINGS

May 20, 2025

consultation rather the executive session is required to protect the City's right to the confidentiality of its negotiating position and the public interest.

Motion carried 6 to 1 (Nay: Brandon Johnson).

Motion

Mayor Wu moved to recess into executive session for 10 minutes to receive information on a lawsuit pursuant to KSA75-4319-B2 for legal consultation with the City attorney, which would be deemed privileged in the attorney-client relationship pending litigation and legal advice. The executive session is required to protect attorney-client privilege and the public interest.

Motion carried 7 to 0

Lily Wu moved to Executive Session from 1:50-2:02

Motion carried 7 to 0

Adjournment

Motion

Mayor Wu moved to adjourn

Motion carried 4 to 0

Meeting adjourned at 2:00 p.m.

Respectfully submitted,

Paul Leeker, City Clerk

CITY COUNCIL PROCEEDINGS

May 20, 2025

ATTACHMENT 1 - CONSENT AGENDA ITEMS 1 THROUGH 17

II) **CITY COUNCIL CONSENT AGENDA ITEMS**

Applications for Licenses:

1) **Applications for Licenses for Cereal Malt Beverages:**

a.) Applications for Licenses to Retail Cereal Malt Beverages

Attachment: [CMBs for May 20, 2025.docx](#)

2) **Preliminary Estimates:**

a.) Preliminary Estimates

Attachment: [PEsforCC_05-20-25.pdf](#)

b.) Preliminary Estimates for paving improvements to serve Bridgeport Industrial Park 1 Addition (District VI)

Attachment: [E4131 PV Bridgeport Industrial Park NTBA Template.doc](#)

Attachment: [E4131 PV Bridgeport Industrial Park NTBA.doc](#)

3) **Agreements/Contracts:**

CITY COUNCIL PROCEEDINGS

May 20, 2025

- a.) Contract for Worker's Compensation Medical Bill Review

Attachment: [Agenda Report II-3a](#)

Attachment: [25200027.pdf](#)

- b.) Water Service Agreement with the City of Andover, Rural Water District 5 (RWD #5) and Stryker Investments II, LLC

Attachment: [Agenda Report II-3b](#)

Attachment: [WSA.pdf](#)

- c.) Overdose Data to Action: Limiting Overdose Through Collaborative Actions In Localities

Attachment: [Agenda Report II-3c](#)

Attachment: [Renewal Draft.docx](#)

- d.) Contract Approval for Wichita Transit Employee Uniforms

Attachment: [Agenda Report II-3d.doc](#)

Attachment: [Contract for Employee Uniforms.pdf](#)

- e.) DER2025-00011 – College Hill Neighborhood Plan Contract Amendment and Budget Adjustment

CITY COUNCIL PROCEEDINGS

May 20, 2025

Attachment: [Agenda Report II-3e](#)

Attachment: [Contract Amendment_2025_CHPlan_FINAL_v3-Signed_RDG.pdf](#)

Attachment: [College Hill Revised Milestones & Zoning Overlay_request for contract amendment.pdf](#)

Attachment: [233122_executed contract.pdf](#)

4) Design Services Agreements:

- a.) Supplemental Design Agreement No. 6 for Improvements to 21st Street North, from I-135 to Mosley Street (District VI)

Attachment: [Agenda Report II-4a](#)

Attachment: [SA#6_21stMosleyI-135_Signed.pdf](#)

5) Minutes of Advisory Boards/Commissions:

- a.) MABCD Board of Appeals of Refrigeration, Air Conditioning, Warm Air Heating, and Boilers
Minutes April 3, 2025

Attachment: [MABCD Board of Appeals of Refrigeration, Air Conditioning, Warm Air Heating, and Boilers Minutes.pdf](#)

Uncategorized Items:

CITY COUNCIL PROCEEDINGS

May 20, 2025

6.) Proclamation Votes

Attachment: [Agenda Report II-6.docx](#)

7.) FY 2025 Organized Crime Drug Enforcement Task Force

Attachment: [Agenda Report II-7.doc](#)

Attachment: [OCDETF Liquid Blaze MOU.pdf](#)

Attachment: [OCDETF Dirty Marshmallow.pdf](#)

8.) Police Protective Equipment Replacement

Attachment: [Agenda Report II-8.docx](#)

9.) Funding for Intelligent Transportation System (ITS) 21st Street North from Cleveland to 159th Street East (Districts I and II)

Attachment: [Agenda Report II-9](#)

Attachment: [Resolution No. 25-252 21st Street Intelligent Transportation System from Cleveland to 159th Street East 085832 LST 24-123](#)

10.) Community Event with Alcohol Consumption – Blessed Sacrament Parish Festival (District I)

Attachment: [Agenda Report II-10](#)

CITY COUNCIL PROCEEDINGS

May 20, 2025

Attachment: [Blessed Sacrament Parish Festival TED Map.pdf](#)

Attachment: [Resolution No. 25-251 Alcohol Consumption on Public Streets During the Blessed Sacrament Parish Festival Community Event.docx](#)

11.) Settlement of City v. HH Holdings

Attachment: [Agenda Report II-11.docx](#)

12) Second Reading Ordinances:

- a.) SECOND READING ORDINANCES FOR MAY 20, 2025 (FIRST READ MAY 13,2025)
ORDINANCE NO. 52-731 AN ORDINANCE AMENDING SECTIONS 2.26.010, 2.26.020,
2.26.030, AND 2.26.040 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING
TO FEES AND CHARGES FOR PLANNING AND ZONING, BOARD OF ZONING APPEALS,
SUBDIVISION, AND SIGN APPLICATIONS AND PROCEEDINGS; AND REPEALING THE
ORIGINAL SECTIONS OF THE SAME. An ordinance changing the fees for planning and zoning,
board of zoning appeals, subdivision, and sign applications and proceedings. ORDINANCE NO.
52-732 AN ORDINANCE ADJUSTING MAXIMUM SPECIAL ASSESSMENTS ON CERTAIN
LOTS, PIECES AND PARCELS OF PROPERTY LIABLE FOR SUCH SPECIAL
ASSESSMENTS TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF
WICHITA, KANSAS (FAÇADE IMPROVEMENTS - 423 E DOUGLAS AND 105 SOUTH
EMPORIA) PROJECT NO. C2012/472-2025-086148 An ordinance adjusting special assessments
for Façade Improvements 423 E. Douglas and 105 S. Emporia. ORDINANCE NO. 52-733 AN
ORDINANCE ADJUSTING MAXIMUM SPECIAL ASSESSMENTS ON CERTAIN LOTS,
PIECES AND PARCELS OF PROPERTY LIABLE FOR SUCH SPECIAL ASSESSMENTS TO
PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS
(FAÇADE IMPROVEMENTS - 110 S MAIN) PROJECT NO. C3004/472-2024-086050 An
ordinance adjusting special assessments for Façade Improvements 110 S. Main. ORDINANCE
NO. 52-734 AN ORDINANCE ADJUSTING MAXIMUM SPECIAL ASSESSMENTS ON
CERTAIN LOTS, PIECES AND PARCELS OF PROPERTY LIABLE FOR SUCH SPECIAL
ASSESSMENTS TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF
WICHITA, KANSAS (FAÇADE IMPROVEMENTS – 2320 EAST DOUGLAS) PROJECT NO.
C3005/472- 2025-086142 An ordinance adjusting special assessments for Façade Improvements
2320 E. Douglas. ORDINANCE NO. 52-735 AN ORDINANCE ADJUSTING MAXIMUM
SPECIAL ASSESSMENTS ON CERTAIN LOTS, PIECES AND PARCELS OF PROPERTY

CITY COUNCIL PROCEEDINGS**May 20, 2025**

LIABLE FOR SUCH SPECIAL ASSESSMENTS TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS (FACADE IMPROVEMENTS – 1101 WEST DOUGLAS COMMUNITY IMPROVEMENT DISTRICT) PROJECT NO. C4004/472-2025-086073 An ordinance adjusting special assessments for Façade Improvements 1101 West Douglas. ORDINANCE NO. 52-736 AN ORDINANCE ADJUSTING MAXIMUM SPECIAL ASSESSMENTS ON CERTAIN LOTS, PIECES AND PARCELS OF PROPERTY LIABLE FOR SUCH SPECIAL ASSESSMENTS TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS (FACADE IMPROVEMENTS – 126 N ST FRANCIS COMMUNITY IMPROVEMENT DISTRICT) PROJECT NO. C4005/472-2025-086140 An ordinance adjusting special assessments for Façade Improvements 126 N. St. Francis. ORDINANCE NO. 52-737 AN ORDINANCE ADJUSTING MAXIMUM SPECIAL ASSESSMENTS ON CERTAIN LOTS, PIECES AND PARCELS OF PROPERTY LIABLE FOR SUCH SPECIAL ASSESSMENTS TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS (ASBESTOS AND LEAD BASED PAINT MITIGATION – 150 N MAIN) PROJECT NO. C4007/472-2025-086141 An ordinance adjusting special assessments for asbestos and lead based paint mitigation 150 N. Main. ORDINANCE NO. 52-738 AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED. An ordinance changing zoning in the City from Single-Family Residential and Two-Family Residential to General Commercial District Located on the West Side of North 135th Street West and Within 500 Feet North of West Kellogg Drive.

Attachment: [List of Second Read Ordinances May 20, 2025.docx](#)

II) CONSENT PLANNING AGENDA ITEMS

- 13.) [A25-01: Rocky Ford, LLC Requests the Island Annexation of Land; Generally Located on the East Side of South Rock Road and on the North Side of East 39th Street South. \(District II\)](#)

Attachment: [Agenda Report II-13.doc](#)

Attachment: [A25-01 Mapsheet.doc](#)

CITY COUNCIL PROCEEDINGS

May 20, 2025

Attachment: [A25-01 Wichita Utilities Map.docx](#)

Attachment: [CLERK-Resolutions - 4-23-2025 - 124-2025 - 4-23-2025 - A RESOLUTION PURSUANT TO K.S.A. 12-520C TO FIN.pdf](#)

Attachment: [4-23-25 BoCC Minutes Excerpt.doc](#)

Attachment: [Ordinance No. 52-741 A25-01.doc](#)

II) **CONSENT HOUSING AGENDA ITEMS**

14.) **Continuum of Care (CoC) Grant Budget Adjustments**

Attachment: [Agenda Report II-14.doc](#)

Attachment: [23 CoC Award Letter.pdf](#)

Attachment: [Signed Grant Agreement 1.1.25-12.31.25.pdf](#)

Attachment: [24 Award Letter.pdf](#)

15.) **Sale of 2819 East Ellen Street (District I)**

Attachment: [Agenda Report II-15.doc](#)

Attachment: [Sale Contract 2819 E. Ellen.pdf](#)

CITY COUNCIL PROCEEDINGS

May 20, 2025

II) **CONSENT AIRPORT AGENDA ITEMS**

- 16.) Garver, LLC. - Use and Lease Agreement - Wichita Dwight D. Eisenhower National Airport

Attachment: [Agenda Report II-16.docx](#)

Attachment: [20250520 1935 Midfield Road Garver - Use and Lease Agreement FINAL.pdf](#)

- 17.) On-Call Structural Engineering Services - Wichita Dwight D. Eisenhower National Airport and Colonel James Jabara Airport.

Attachment: [Agenda Report II-17.docx](#)

Attachment: [Mauler On-Call Contract 20250424 with attach part exec.pdf](#)

Attachment: [DuBois On-Call Contract 20250424 with attach part exec.pdf](#)