

**MINUTES OF THE CITY OF WICHITA**  
**WICHITA AIRPORT ADVISORY BOARD**

**Monday, November 3, 2008**

Present: Robert Beattie, Ron Estes, Charles Fletcher, U.L. Gooch, Dwight Greenlee, Willis Heck, John Hennessy, David Murfin, Kevin Myles, Tom Pryor, Jay Russell and Bill Ward

Absent: Dr. Thom Rosenberg

Airport Staff: Victor White, Brad Christopher, Sandy Coykendall, Kelly Fabrizius, John Oswald, Valerie Wise

City Staff: Joe Allen Lang, Chief Deputy City Attorney

Others: Mike Carter, DMJM Aviation  
Bryan Orr, Signature Flight Support

Chairman Fletcher called the meeting to order at 2:30 p.m.

**Approval of Minutes**

*Motion by Gooch to approve the minutes of the October 6, 2008 Wichita Airport Advisory Board meeting. Motion carried unanimously.*

**Director's Report**

Mr. White advised the Board of several ongoing items.

**NBAA**

Mr. White reported on the National Business Aviation Association Conference that he attended in Orlando last month. The conference had over 33,000 attendees and Wichita had a fantastic booth. On the top it had a spinning sign that on one side said Kansas and on the other it said Wichita, The Air Capital. The Airport Authority was a partner with a dozen or so other organizations that helped pay for this. Over 100 leads were received of people who stopped by the booth. Mr. White passed out the information page that was handed out at the booth. Overall, it was a good investment and the Airport Authority will probably do it again next year.

**Groundbreakings**

Mr. White said that earlier in the day the groundbreaking for the County/City Water Quality Reclamation Treatment Facility was held. Also, last week was the groundbreaking for the Cessna Columbus factory.

### Flight- Safety

Flight Safety is close to making an announcement regarding their expansion plans. It is still in negotiations and other parties have become involved to provide incentives for them to build here.

### Planning & Zoning Cases

Brad Christopher provided an update on two land use applications that were recently submitted for areas south of Mid-Continent Airport. The applications have to do with excavation borrow sites for the new Columbus Factory. The airport would not normally have an opposition to excavation permits, however, with these applications after the excavation is completed, it would leave standing bodies of water. This creates wildlife attractants and the airport has certain obligations under its grant assurances to either oppose or mitigate those types of things. Mr. Christopher has met on a couple of occasions with Planning Department staff regarding the two applications. The first application was approved, subject to the applicant accepting the conditions that the airport recommended which is compliance with the advisory circular and having adequate drain off of the water. The second application was also approved by the Planning Commission which was against Airport staff's recommendation and against the Planning Department's staff recommendation.

In the future the airport is going to work with the Planning Department staff a little more heavily in reviewing land use applications or permits of this type that could potentially create wildlife attractants within a five mile radius of the airport. While the Planning Commission did approve this application against staff's recommendation, the Planning Commission was not totally unsympathetic to the airport's concerns. Their recommendation to Planning Department staff was to work with the airport and start developing a more comprehensive policy.

Mr. White said the Airport Authority is also planning on hosting a training session regarding this. Mr. Christopher said John Oswald undertook something similar to this two or three years ago. It was considered a regional workshop and at that time airport potential height obstruction and related issues were discussed. The Airport Authority would like to host another regional workshop probably in April or May of this year and include information on habitat wildlife attractants, especially as it applies to land use review around the airport. It is an opportunity to bring in experts with the FAA and USDA and possibly even some land use consultants to advise and educate planning and zoning staff.

Mr. Hennessy asked what the Planning Department's staff recommendation was. Mr. Christopher said the staff's recommendation was to deny the application. Joe Lang said that he is also legal counsel to the Planning Commission and that on these cases the Commission was considering site specific applications that are several miles south of the airport. They were comparing this to the areas north of the airport where there are several ponds a lot closer and it was really a matter of fairness. Chairman Fletcher said that just because the airport has been lucky with other ponds, it does not mean the next one is not going to cause an aircraft incident at this airport. That is the primary concern. Mr. Lang said he believes this is new thinking for the planning commission because they generally accept and approve such ponds as a drainage and aesthetic consideration for communities.

Mr. Myles said if you draw a direct line from the center of the runway it runs right through the area where this pond is going to be created. Chairman Fletcher said that would catch the aircraft in the most vulnerable portions of its flight, takeoff and landing. Mr. White said there is already considerable concern with birds at this airport and a significant amount of money is being spent to mitigate wildlife hazards.

Mr. Greenlee asked if the area north of McArthur and south of Cowskin was approved. Mr. Christopher said the reason that was approved with conditions is it is not proposed to have permanent standing water and they agreed that it would drain within 48 hours after a large rain event which would meet the requirements. It is the other application that would have a permanent 31-acre pond. Mr. Greenlee mentioned how years ago in regard to Jabara Airport it was discussed to create a zoning plat that would be specific to an airport zoning area. He stated that should have been done a long time ago.

Mr. White said that politics may have been a factor in that because if airport's recommendations were supported, it could potentially be a denial of landowner's rights. Mr. Lang said it would also be like noise mitigation, there comes a point where people have a claim for damages if you restrict what they can do with their land.

Mr. Hennessy asked if there was a way to appeal this. Mr. Lang said this particular case could be appealed to the County Commission. Mr. Lang also stated that unless there is an appeal then the Planning Commission's decision is final. Mr. Hennessy asked who makes the appeal. Mr. Lang said the Airport Authority could, a Council Member or a County Commissioner.

Mr. Christopher said that although the Planning Commission voted to approve this against staff's recommendation, they understood the potential impact and the airport's concern. The goal was to look at this in a more comprehensive fashion in the future. It did not go without benefit, it was a good first step, and if nothing else the airport put its concerns on the record and engaged in some education and awareness.

Chairman Fletcher asked the Board how many would be interested in recommending to the Authority that it appeal the decision of the Planning Commission.

Mr. Greenlee asked what Mr. White's recommendation would be. Mr. White said the airport needs to take a stand and the potential from a liability standpoint is real, however the airport has gone on record opposing it, the airport's USDA wildlife biologist gave a presentation on how it could effect the airport, and the result was not in the airport's favor. Mr. Lang said the issue to consider is whether this specific site is one that should be appealed. What are the potential impacts of this site as compared to some of the others that may be prevented when new regulations are in place.

Mr. Christopher said that based upon Mr. Greenlee's request for a recommendation, he does not feel at this time that the airport is in the best position, or fully prepared to pursue a thorough and winnable appeal at this point.

Mr. Hennessy asked what the timeframe is for filing an appeal, Mr. Lang said it is 14 days, however, ten of those days may already have past. Mr. Hennessy said he understands why it is not being recommended, however asked why Mr. Christopher was not in favor of taking a stand and going forward to the City Council. Mr. Christopher said he was referring to this specific case and is not sure whether this particular application is the one to take a stand on. Chairman Fletcher suggested that whether or not the airport feels it would win the appeal, maybe it should be done because it is the right thing to do. Mr. Lang said in a zoning case the factors have to be balanced out, and there is the fact that there are several ponds to the north and south of the airport that the airport has not objected to that are a lot closer.

Mr. White asked what the next steps would be. Mr. Lang said the MAPC voted to approve the conditional use application. That decision is final unless an appeal is filed with the County Commission. What can also be accomplished is meeting with Planning Department staff to work out broader regulations on how to handle these in the future.

Mr. Russell said the problem is that this was not dealt with some time ago, however at some point it is important to make a stand. Mr. Russell said from his experience, when you have an issue where someone is asking for something that is the time to take a position on it.

Mr. Christopher said there are still questions that the airport cannot logically or reasonably answer such as if there are other ponds that are bigger and closer, why is this particular application being appealed.

Mr. Hennessy said part of the issue is that there is a lot more development and people north of the airport and down south there is not, so there might be more wildlife in that area where there is not as many homes, traffic or people.

Mr. Myles said it would also compound that dilemma if a stand is not taken on this one because then the next time it is requested the same argument could be made.

Mr. Hennessy said something is not right when two separate staffs recommended denial and it was still approved, especially considering that this is a safety issue.

*Chairman Fletcher moved to recommend to the Wichita Airport Authority that they request the County Commission look into this project and put it on hold.*

*Hennessy seconded.*

Discussion ensued.

Mr. Lang said there may not be time for the Airport Authority to consider it and suggested another option might be to make a recommendation to the Planning Director, who can also appeal based on staff's recommendation.

Chairman Fletcher said he would still like to make a recommendation from this Board to the Airport Authority that they appeal to the County Commission to put this project on hold.

Mr. Greenlee suggested that the appeal could also state that if the project cannot be stopped, to recommend requiring the mitigating actions that were originally requested. Mr. Lang said that is an option the County Commission would have is to approve it, based on those conditions. Mr. Greenlee said that way at least if the decision does not get reversed through the appeal process, there may still be a chance of getting the mitigating actions taken.

*Motion carried 10-2. (Russell opposed, Murfin abstained).*

Mr. Christopher asked if the Board would like to have a copy of the presentation he made to the Planning Commission. Chairman Fletcher said they would.

Mr. Lang said he would visit with Mr. White afterwards on how the appeal should be worded.

#### Jabara Campus

Bids will open for Phase II of the National Center for Aviation Training project on November 18<sup>th</sup>, it will consist of the Aviation Technology building and most of the parking lots.

Mr. Murfin asked what the status was on the storm water issue. Mr. Oswald said the County's project is moving forward because of an existing detention pond to the east of the site. Regarding the overall development, City Hall has said there is no more development until detention is addressed, therefore an engineering firm has been hired to study available solutions and that study is about 90% complete.

#### Annual Snow & Ice Meeting

November 4th is the Annual Snow & Ice Control meeting where the airlines, tenants, the FAA and staff are brought together to discuss aircraft de-icing and runway snow removal procedures in order to be prepared for the upcoming season.

#### Air Service Update

Valerie Wise referred the Board to the insert in the agenda packet titled Passenger Traffic at Area Airports. At the last Board Meeting there was a question regarding comparing Wichita's traffic with other regional airports. This survey is based on passenger traffic in August 2008. The first column concerns passenger increase from August 2008 over August 2007 and also contains the year to date figures.

The latest data available for load factors shows how Wichita compares to other markets. Starting in July, August and September Wichita has seen some modest declines in passenger traffic. The most recent data shows that Mid-Continent is up 5% for the year, and down approximately 2% for the month of September. With all of the recent capacity cutbacks, Wichita is holding its own compared to a lot of other airports.

The airport has also been expanding its marketing program. One avenue for that has been through state college sports. Mrs. Wise passed out a KU fan guide which contains an advertisement for Mid-Continent Airport. Mrs. Wise said the airport is doing a lot of marketing through the University of Kansas Athletics, and also through Kansas State and through Wichita State University's Athletic Departments. The marketing efforts are focusing on promoting the airport as well as building an affinity for Mid-Continent Airport.

Chairman Fletcher said he spoke to Mrs. Wise before the meeting regarding his concern that although Mid-Continent has experienced a bit of a decline, are the number of enplaned passengers still within the amount that was planned for to be able to pay for the terminal project. Next spring the decision on whether to proceed will have to be made and so far Mid-Continent is doing better than expected as far as what is needed to afford the new terminal.

Mr. White said he has mentioned it before, but the airline business is very unstable right now. Some of the places you would least expect to see huge drops in passenger traffic, places such as Las Vegas and Orlando have been two of the hardest hit airports these last few months because those airports support mostly leisure travelers and that is the first thing that gets eliminated when times get hard. Cuts are being made all over the country right now and so far Wichita has been lucky. Mrs. Wise said that as far as people around here wanting to go to Vegas, Wichita's September load factors for Las Vegas were 85-90%, so this community is still supporting that destination.

Mrs. Wise said that at the last Board meeting representatives from Sabre presented the market assessment and a press release was issued on that last week. Wichita's retention rate improved 18% from 2001 which means more and more people are using this airport.

Chairman Fletcher asked if Mrs. Wise thought the advertising campaigns were working. Mrs. Wise said she thinks it has had an effect on passenger traffic. However, the market assessment only included 6 months of Frontier being in the market. If it would have included 12 months of service, Mrs. Wise believes the numbers would have been even better.

### **Terminal Area Redevelopment Program Update**

Mike Carter, DMJM Aviation, presented to the Board a PowerPoint presentation providing an update on the current schedule and upcoming meetings, the contract packages and schedule and cost estimates.

Mr. Carter also presented a second presentation focusing on the artwork in the new terminal building. He showed slides depicting specific areas of the new terminal and the features that would be used.

Mr. Murfin asked what the lines in the floor represented. Mr. Carter said the lines represent the airflow coming off of an aircraft. Mr. Gooch asked if the flooring was cost effective and if it came out of the art budget. Mr. White said the flooring does not come out of the art budget and that was one of the purposes of a meeting held earlier in the day. One of the things that the architects said was that the floor is a great example of something that even though it is not

designed by an artist per se, it has an artistic look to it and it is not being charged to the art budget.

Last week the architects, city and airport staff met with Tara Donovan the artist out of New York who has been contracted and selected to come up with the piece of art for the new terminal. Ms. Donovan does not yet know what she is going to produce, however she has in mind a concept that she has done for some museums, something out of polystyrene, like Styrofoam cups, tens of thousands of them that she shapes into an artistic piece that will be put in a showcase area such as the wall above the ticketing counters and she has a vision of clouds building and internally lighted.

Discussion ensued regarding the potential fire hazards and safety and cleaning concerns regarding the use of a Styrofoam type of material.

Mr. Estes asked who has the final call on deciding issues such as the lines in the floor and the Styrofoam cups. Mr. White said those are two different issues. The flooring is simply the architect's recommendation. Mr. White said if the Board feels strongly enough about the flooring, it can be reconsidered. Chairman Fletcher suggested that more options may be needed. The second part of the question, the art, is a different issue and the discussion at the meeting held earlier today was that the City Council acting as the Wichita Airport Authority would be the voters on the final selection of the piece of art.

*Mr. Russell moved to recommend to the Airport Authority that the Advisory Board is against Styrofoam cup type art work for the new terminal building and does not see how it could work.*

*Beattie seconded.*

Discussion ensued.

Mr. Myles said he would like to see some alternatives, however he would not feel comfortable ruling it out entirely until he saw the final concept.

Mr. Gooch asked if it was the same type of material as a cup, or if it could be destroyed easily. An example of a Styrofoam exhibit that Ms. Donovan had done before was shown.

*Mr. Russell amended the motion to say that the Advisory Board has strong concerns regarding the use of Styrofoam in the airport artwork and requests that Ms. Donovan present alternative options based on safety, maintainability and durability concerns.*

*Beattie seconded.*

*Motion carried unanimously.*

Regarding the new terminal, Mr. Murfin said he is curious if any of the Board Members feel as disappointed as he does by what the product looks like. Chairman Fletcher said there is a part of him that still wishes that it was a two-level roadway structure and a more grand type of building. Mr. Murfin stated there will not be as many gates and he does not see where a lot has been gained other than some efficiency.

Mr. Hennessey said he rejoined the Board after a lot of the decisions had already been made and he expressed his concern early on. Mr. Murfin said everything was shown to the Board and then several items started changing and now the building is a square, long structure. The orientation of the parking garage still bothers him as well as the way it flows.

Chairman Fletcher said once it was determined how much the airport would be able to afford to build the terminal it directed the design process to where it is at today. Mr. Ward added that also the control tower and line of site issues had a big effect on the design.

Mr. Greenlee said he also thinks the lesser design is disappointing, however, it is staying within the means that exist. Mr. Greenlee also asked about the issue of naming rights. Mr. White said that the investigation of the feasibility of it is progressing and both corporate and individual sponsorships are being considered.

### **Other Business**

Chairman Fletcher asked if the minimum standards were close to being finalized. Mr. White said he is still preparing a draft document and the minimum standards sub-committee will need to meet again to finalize the standards and determine the best way to unveil them.

The next WAAB meeting will be Monday, December 1, 2008 at 2:30 p.m.

Meeting adjourned at 4:41 p.m.

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Kelly Fabrizius, Clerk