

City Council Minutes – February 1, 2000

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, February 1, 2000. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Alcalá, Lee, Dunn, Duffy, Hill, Gardner, McClinton, Carkhuff, and Pomeroy –9. Mayor Wagnon presided-1.

AFTER THE MEETING was called to order, prayer was offered by Carl Hill.

THE PLEDGE OF ALLEGIANCE was recited by those present in the chamber.

THE CONSENT AGENDA was presented as follows:

A COMMUNICATION recommending approval of the Workers' Compensation settlement agreement for Douglas Shannon in the amount of \$51,250, was presented.

A COMMUNICATION requesting acceptance of the Real Estate Officer's Report and approval to dispose of City of Topeka surplus real property located at 719 SE Locust, was presented.

Minutes of the Regular Meeting of January 25, 2000, were presented.

Councilmember Dunn moved to approve the consent agenda. The motion seconded by Councilmember Lee carried unanimously. (9-0-0)

REVISED PROJECT BUDGET for Project No. 86235, Ph. I, Washburn-Lane Corridor Pedestrian Lighting, was presented.

Councilmember McClinton moved to accept the Committee report. The motion seconded by Councilmember Duffy carried unanimously. (9-0-0)

David Leamon, Chairman of the Turnaround Team, Washburn Lane Committee appeared to answer questions.

Councilmember Gardner moved to approve the revised project budget. The motion seconded by Councilmember Pomeroy carried. Councilmember Dunn voted "no". (8-1-0)

PROJECT BUDGET for Project No. 70162, Ph. 2 for improvement of the east bound I-470 exit ramp at SW 21st Street, was presented.

ORDINANCE NO. 17461 introduced by Mayor Joan Wagnon authorizing the City of Topeka, Kansas to provide for the improvement of the eastbound I-470 exit ramp at Southwest 21st Street, including all contingencies needed for a complete project and payment of all costs incidental to and incurred by the City of Topeka, Kansas, for said improvements by the City-at-large; and the issuance, sale and delivery of general obligation bonds of the City to pay for any or all costs related to said improvements, placed on first reading January 25, 2000, was again presented.

Councilmember McClinton gave the Committee report.

Councilmember McClinton moved to accept the Committee report. The motion seconded by Councilmember Carkhuff carried unanimously. (9-0-0)

Tom Flanagan, City Engineer explained the proposed design of the project. He explained how it would change the flow of traffic and make it safer.

Councilmember Hill moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Lee carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, McClinton, Dunn, Carkhuff, Duffy, Hill, Lee and Gardner-9.

PROJECT BUDGET for Traffic Signal Installation Project No. 14084 for the signalization upgrade at SE 10th Street and SE Monroe Street, was presented.

ORDINANCE NO. 17462 introduced by Mayor Joan Wagnon, authorizing Project No. 14084, which provides for the installation of a new mast arm traffic signal system as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka, placed on first reading January 25, 2000, was again presented.

Councilmember McClinton moved to accept the Committee report. The motion seconded by Councilmember Lee carried unanimously. (9-0-0)

Lee Holmes, City Engineer explained the project.

Councilmember Lee asked if they could be notified of the contingency amount used on the project.

Mayor Wagnon stated that Dave Graversen is tracking that and he will provide report to Council that will include contingency fund information.

Councilmember McClinton moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Alcala carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcala, McClinton, Dunn, Carkhuff, Duffy, Hill, Lee and Gardner-9.

ORDINANCE NO. 17463 introduced by Mayor Joan Wagnon relating to zoning petition filing fees, amending City of Topeka Code § 134-97. Filing Fees and specifically repealing said original section, placed on first reading January 18, 2000, was again presented.

A JOINT SHAWNEE COUNTY RESOLUTION AND CITY OF TOPEKA ORDINANCE NO. 17464 introduced by Mayor Joan Wagnon relating to zoning petition filing fees, amending City of Topeka Code § 48-33.06. Filing Fees and specifically repealing said original section, placed on first reading January 18, 2000, was again presented.

John Dugan, Director of Planning explained the reason for the proposed increase in fees. He stated that twenty-five developer groups were contacted and no concerns were expressed. He also stated that there was no response received from the public after publication of an article on the proposed increase of fees.

Councilmember Gardner stated that he supports using the revenues from fees to establish something concrete instead of them going into the General Fund. He suggested that the funds be earmarked on something within the department that could help make the planning process better.

John Dugan suggested putting the funds into a Planning fund. He stated that they would need to get the County's approval.

Mayor Wagnon stated that the budget is set and could not be increased this year. She stated that they would review possible options during the next budget process. She stated that there would be a shortfall in other general revenue areas this year. She asked if it was their desire to include the funds in the Planning fund for 2001.

There was a consensus from Councilmembers to keep revenues generated from fees in the Planning fund.

Both ordinances were adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, McClinton, Dunn, Carkhuff, Duffy, Hill, and Lee -8. Noes: Councilmember Gardner -1.

A JOINT SHAWNEE COUNTY RESOLUTION AND CITY OF TOPEKA ORDINANCE introduced by Mayor Joan Wagnon relating to the "M-1" Two Family Dwelling District, amending Topeka City Code § 48-8.02(b), Provisional uses, and specifically repealing said original section and amending Article XXVI, Additional Regulations, all contained in the Comprehensive Zoning Regulations for Topeka and unincorporated portions of Shawnee County, was presented for first reading.

Barry Beagle, Planning Department gave the staff report.

A JOINT SHAWNEE COUNTY RESOLUTION AND CITY OF TOPEKA ORDINANCE, introduced by Mayor Joan Wagnon which provides for amendments to the Comprehensive Zoning regulations including definitions, removal of sign, and temporary sign regulations and the repeal of Topeka City Code provisions relating to temporary signs and removal of signs, was presented for first reading.

Barry Beagle gave the staff report.

Mayor Wagnon stated that Beth Schafer, Assistant City Attorney was sitting in for Linda Jeffrey, City Attorney, who had knee surgery. She stated that Beth Schafer had of a conflict of interest regarding this

ordinance because of her husband's business, and any legal questions regarding this item should be directed to Linda Jeffrey.

John Dugan explained the application and permit process. He stated that the intention was to better regulate the current process.

AN ORDINANCE introduced by Mayor Joan Wagnon amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at the southeast corner of SW 23rd Street and SW Topeka Boulevard in the City of Topeka, Kansas from "M-1" Two-Family Dwelling District to "PUD" Planned Unit Development District, was presented for first reading. (Z99/39)

Barry Beagle gave the staff report.

AN ORDINANCE introduced by Mayor Joan Wagnon amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property, located at the northeast corner of SE Chester Avenue and SE Sardou Street in the City of Topeka, Kansas from "C-2" Commercial District to "C-3" Commercial District, was presented for first reading. (Z99/43)

Barry Beagle gave the staff report.

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

John Arnold, CAO stated that he distributed some examples of agendas and agenda packets from other cities to the Council for review. He stated that the information has been provided so they could offer suggestions to administration on what they would like in their agenda packets that would be more informational and better serve the Council. He commended Ken Donaldson, Tom Watson, and their staff for the job they did with the recent snow removal. He stated that a letter has been distributed regarding the upcoming presidential

elections. He stated the deadline for putting items on the ballot for the Primary Election is June 5, 2000 and August 25, 2000, for the General Election.

REPORTS OF COMMITTEES AND OFFICERS, were presented.

Councilmember Lee stated that she received calls regarding the City's snow removal efforts at the intersection at 29th and Burlingame during the recent snow. She asked if the intersection could be better maintained during future snowstorms because of the greater safety risk. She stated that the Public Health and Safety Committee met to discuss claim appeals. She announced that the Public Health and Safety Committee would meet Monday, February 21, 2000, to discuss three claim appeals. She requested that Joseph Ledbetter's claim be placed on next week's agenda.

Councilmember McClinton announced that the Public Improvements Committee would meet Monday, February 7, 2000, at 5:15 p.m. at 515 Kansas Ave to discuss the proposed Rights of Way policy.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember McClinton asked if Grant Cushinberry could be recognized in some way for the outstanding work he has done throughout the community.

Mayor Wagnon stated that she would find some way to show their gratitude.

Councilmember Pomeroy stated that he received a letter regarding an upcoming COW meeting and asked for clarification of the details.

Mayor Wagnon explained that it was a Community Planning Team. She stated that they have asked Connect Kansas to host a forum at the end of the month, which will invite public involvement and will look at various community issues.

Councilmember Lee asked if the drainage problem at 10th Street could be looked as part of future planning.

NO FURTHER BUSINESS appearing the meeting was adjourned by unanimous consent.

Iris Walker
City Clerk